

Section 47 Welsh Language (Wales) 2011 Consultation Response Form

Consultation closing date: 20 July 2015

Please note that the failure of a person to participate in a consultation does not prevent the Commissioner from giving the person a compliance notice. Section 56(4) of the Measure notes that it is the relevant person's responsibility to set out reasons why they consider the requirement to comply with a standard, or to comply with it in a particular respect, is unreasonable or disproportionate.

Note the standards included within this Compliance Notice (if any) which you consider to be unreasonable and / or disproportionate. Where appropriate, you should note whether varying a requirement (see examples below) to comply with a standard would make it reasonable and/or proportionate? In the same manner, you should note if there are any other accompanying standards relating to the same activity or issue which you consider to be reasonable and/or proportionate.

Standard Number	Supporting reasons or evidence	Would varying a requirement to comply with a standard make it reasonable and/or proportionate? For example introducing the requirement at different times, in different circumstances or in different areas. You should note what these are, noting all supporting reasons and evidence you consider relevant	Are there any other accompanying standards relating to the same activity or issue which you consider to be reasonable and/or proportionate? Please note the standard number and reasons / evidence
Standard 18	Cannot guarantee we could comply due to reduction in numbers of staff (including Welsh speakers) over recent years.		Standard 19 - This would provide a better level of service particularly if a Welsh speaker is not confident to provide the required service through Welsh.
Standard 22	Unable to comply due to limits on current technology. Significant financial implications to include Welsh.	Introduce the requirement when telephony systems are upgraded or when public sector funding returns to a level of growth	

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Standard25	<ul style="list-style-type: none"> • Partially comply but can't guarantee level of service. • Can't fully comply without a lot of money • Make best endeavours 	<p>Modify</p> <p>To introduce the requirement when the current financial and staffing position improves and when public sector funding returns to a level of growth.</p>	
Standard 28	<ul style="list-style-type: none"> • Partially comply but can't guarantee level of service. • Can't fully comply without a lot of money • Make best endeavours 	<p>Modify</p> <p>To introduce the requirement when the current financial and staffing position improves and when public sector funding returns to a level of growth</p>	
Standard 30	<p>Financial constraints limit full compliance.</p> <p>Current Scheme allows for varying requirements in area of high demand</p>	<p>More reasonable in the current financial climate to modify the standard to relate only to those areas with the highest concentration of Welsh speakers. This would ensure that a more focused service can be given.</p> <p>Modify to: in high Welsh speaking areas</p>	
Standard 33	<p>Financial constraints limit full compliance.</p> <p>Current Scheme allows for varying requirements in area of high demand</p>	<p>More reasonable in the current financial climate to modify the standard to relate only to those areas with the highest concentration of Welsh speakers. This would ensure that a more focused service can be given.</p> <p>Modify to: in high Welsh speaking areas</p>	

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Standard 42	<p>Financial constraints.</p> <p>Due to financial and staffing implications and the costs involved to upgrade software packages for back office databases it would be unreasonable to comply with this standard.</p>		
Standard 52	<ul style="list-style-type: none"> • Translation of standalone webpages can be met. • Problems will be experienced where pages are linked to databases. Significant cost to amending/ purchasing proprietary packages and so would not be possible to fully comply in current climate. • existence of more than one website would severely impede compliance 	<p>Modify:</p> <p>Only webpages not linked to proprietary databases will be in Welsh</p> <p>Timescales to be amended to be more accommodating for the work we are currently undertaking. The translation and updating of the information available on the website requires at least a 12 month timescale.</p>	
Standard 61	<p>This is possible where practicable. Issues particularly in relation to highway signage on Health & Safety grounds, positioning of signage, additional related requirements (land suitability, etc.) cost to erect additional signage; conflict between legislative requirements re: positioning/ readability.</p>	<p>Modify:</p> <p>Requirement to include where practicable</p> <p>Highway signage to be treated as it is under our current Scheme</p> <p>(for reasons already stated)</p>	

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Standard 62	This is possible where practicable. Issues particularly in relation to highway signage on Health & Safety grounds, positioning of signage, additional related requirements (land suitability, etc.) cost to erect additional signage; conflict between legislative requirements re: positioning/readability.	<p>Modify:</p> <p>Requirement to include where practicable.</p> <p>Highway signage to be exempt from this on Health and Safety grounds - a mix of signs with a mix of English/Welsh language appearing first will be at best confusing and at worst possibly fatal.</p>	
Standard 64	We will provide this service with best endeavours – may be a limited service due to staffing	<p>Modify;</p> <p>Better chance of meeting this if restricted to main reception areas not service locations however this would not guarantee a service in Welsh – staff on leave/sickness, etc.</p> <p>Work toward this when situation improves</p>	
Standards 77- 80	Meeting these standards will be impossible in the current climate – financial and staffing constraints. Legalese, time constraints, software functions, etc., will also impact on our ability to meet these Standards		
Standard 85 & 86	Meeting these standards will be impossible in the current climate – primarily due to financial and staffing constraints.		

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Standards 88 - 97	We will be unable to meet these standards within 6 months although we are currently working toward these.	Modify: We are currently working on improving how we develop policy. Such improvements are not able to be achieved in a short timescale and so would welcome a more realistic timeframe of at least 1 to 2 years	
Standards 99-104	Meeting these standards will be impossible in the current climate.		
Standards 105-111	We will be unable to meet these standards within 6 months.	Modify A timescale of 'within 12 months' would be more appropriate	
Standards 112-124	Meeting these standards will be impossible in the current climate due to financial and staffing constraints.		
Standards 127	Partial compliance at present. Work is ongoing in developing our HR/Payroll IT system to capture necessary monitoring data, including Welsh Language skills. Work has taken longer than originally intended due to other demands on the service, funding and staffing constraints.	Modify As we are currently considering how best to overcome the situation it would be more appropriate to introduce the requirement after this work has been completed and taking into account the outcome.	

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Standard 130	<p>Partial compliance.</p> <p>Part (a) - We provide training where a request is supported by the manager – an impact of the funding situation.</p> <p>Part (b) – our internal language is English and so we don't provide this training</p>	<p>Modify</p> <p>To introduce only part (a) of the requirement where the request is supported by the manager of the service</p>	
Standard 131	<p>Partial compliance - see Part (a) above</p>	<p>Modify</p> <p>To introduce only part (a) of the requirement where the request is supported by the manager of the service</p>	
Standard 132	<p>Partial compliance.</p> <p>(a)Some training courses already include a Welsh language awareness element</p> <p>(b) our induction already included this for our Scheme</p> <p>(c) our internal language is English and so we don't provide this training.</p>	<p>Modify</p> <p>Do not introduce part (c) of the requirement</p>	
Standards 137-140	<p>Partial compliance – this is standard procedure for Welsh medium schools</p>	<p>Modify:</p> <p>Requirement to relate only to those posts that have been assessed Welsh essential and posts in Welsh medium schools.</p> <p>Timescale to be extended</p>	

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Standards 141-144	Impossible in current financial climate		
Standards 154	Unable to meet this within 6 Months	Modify: Timescale to be extended to within 12 months	
Standards 161-166	Working towards these but timescales are an issue – dependant on. Please see Standards 88-97 above	Modify: Increase timescales to a more realistic level. Please see Standards 88- 97above	
Standard 41	Impossible due to financial and operational constraints. New infrastructure would be required and in the current climate this is not possible		
Standard 76	Difficulty in some areas due to technical/legal requirements. Please see Standards 77-80 above		
Standards 126 -129	Unable to meet these in the current financial climate		
Standard 137A	Partially comply. Doing where appropriate Please Standards 137-140 above	Modify: Requirement to relate only to those posts that have been assessed Welsh essential/desirable/to be learnt and timescale to be extended Please see Standards 137 -140 above	

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Standard 145	Would need a dialogue with WLC to understand what the expectation might be. Work towards this. All Wales implications.		
Standard 146	Would need a dialogue with WLC to understand what the expectation might be. Work towards this. All Wales implications.		

Please return this form to standards.investigation@welshlanguagecommissioner.org.