

Welsh Language Standards

Appendix 2

What the standard says	Council's Position 18 <sup>th</sup> July 2016	Commissioner's Response October 2016	Council's Response 15 <sup>th</sup> February 2017	Commissioner's Response April 2017	Proposed Response
<p><b>22</b> Any automated telephone systems that you have must provide the complete automated service in Welsh</p>	<p>Comply immediately in the Corporate Contact Centre.</p> <p>Extend timetable for compliance in the Social Services contact centres</p> <p>Introduce requirement for automated messaging when the Council renews its mobile phone contracts</p>	<p>Position unchanged</p>	<p><b>Accept</b></p> <p>The Council would be able to comply with the standard in relation to the Corporate Contact Centre.</p> <p>With the ongoing limitations in relation to Welsh language skills amongst the workforce the Council's ability to comply with the standards in relation to the Social Services Contact Centres is greatly restricted. In addition recruitment is currently through internal advertisement and so the pool of candidates with Welsh language skills is not being widened. The ongoing challenge in recruiting social workers, regardless of language skills, only exacerbates the problem faced by the Council. This in turn impacts on the council's ability to meet the standard in relation to social service contact centres.</p> <p>Therefore in order to allow the council an opportunity to explore how best to comply we would seek to extend the timescale to comply with the standard in relation to the Social Services Contact Centres to 30 March 2019.</p> <p>The position regarding automated messaging on mobile phones was clarified with the Commissioner's representatives and as such we would seek an exemption in relation to mobile phones due to the limitations of pre-recorded language options.</p>	<p>The Council has noted difficulties in relation to Social Services Contact Centres and mobile phones. The standard relates to automated telephone service and creates a requirement to ensure that the entire service is automated in Welsh. This may mean that the system used by the Social Services Contact Centres uses the same automated service.</p> <p>In relation to the mobile phones, it is not clear whether the messages are those which give instructions at the beginning or end of a call. With this in view, I would be grateful if you could answer the following questions:</p> <p>(1) How many automated telephone systems does the Social Services Contact Centres use?</p> <p>(2) Can the Council please confirm the type of messages available on the mobile phones it refers to? If they lead to a message at the end of a call, directing a person to leave a message, the requirement of standard 16 may apply.</p>	<p>The definition of a fully automated system in relation to social services has been reassessed and as a result the council withdraw the challenges in relation to social services contact centres. *</p> <p>As stated in our previous response the Council is experiencing difficulties in recruiting welsh speaking staff which exacerbates the problem in providing a fully bilingual series across are all areas</p> <p>The challenges in respect of mobile phones centres around the standard messages supplied by the provider not being available in Welsh, e.g. 'press one to change your message' etc.</p> <p>Consequently a variation to exempt mobile phones, where provider supplied automated options are not available in Welsh.</p>
<p><b>26</b> If you invite an individual "A" to a meeting and the meeting relates to the wellbeing of A you must ask A whether A wishes to use the Welsh language at the meeting and inform A that you will, if necessary, provide a translation service from Welsh to English and from English to Welsh.</p>	<p>That the standards are applied except in circumstances where the Council can show reliance on translation services would prejudice the safety or wellbeing of the individual, or where the individual does not wish a translation services to be provided</p>	<p>Position unchanged</p>	<p><b>Accept</b></p> <p>Officers reached an understanding with the Commissioner's office that the safety and wellbeing of the individual is paramount. Therefore the standard can be complied with on the understanding that where the individual does not wish for a translation service to be provided or where there is an urgent need to act there would be no expectation from the Commissioner that this would be imposed.</p>	<p>In relation to standards <b>26, 26A, 29 and 29A</b>, officers did not agree at a meeting that it would be possible to provide a circumstance for the standards in relation to urgent cases. The only issue on which there was agreement was that simultaneous translation did not need to be provided unless an individual wished it. The standard itself makes this plain.</p> <p><b>Please confirm you accept these standards.</b></p>	<p><b>Accept</b></p>

<p><b>26A</b> You must arrange for a simultaneous translation service from Welsh to English and from English to Welsh to be available at a meeting a) if the meeting relates to the wellbeing of an invited individual A and b) if A has informed you that A wishes to use the Welsh language at the meeting unless you conduct the meeting in Welsh without the assistance of a translation service.</p>	<p>That the standards are applied except in circumstances where the Council can show reliance on translation services would prejudice the safety or wellbeing of the individual, or where the individual does not wish a translation services to be provided</p>	<p>Position unchanged</p>	<p><b>Accept</b></p> <p>Officers reached an understanding with the Commissioner’s office that the safety and wellbeing of the individual is paramount.</p> <p>Therefore the standard can be complied with on the understanding that where the individual does not wish for a translation service to be provided or where there is an urgent need to act there would be no expectation from the Commissioner that this would be imposed.</p>	<p>In relation to standards <b>26, 26A, 29 and 29A</b>, officers did not agree at a meeting that it would be possible to provide a circumstance for the standards in relation to urgent cases. The only issue on which there was agreement was that simultaneous translation did not need to be provided unless an individual wished it. The standard itself makes this plain.</p> <p><b>Please confirm you accept these standards.</b></p>	<p><b>Accept</b></p>
<p><b>29</b> If you invite more than one person to a meeting, and that meeting relates to the well-being of one or more of the individuals invited, you must - (a) ask that individual or each of those individuals whether he or she wishes to use the Welsh language at the meeting, and (b) inform that individual (or those individuals) that, if necessary, you will provide a translation service from Welsh to English and from English to Welsh for that purpose.</p>	<p>That the standards are applied except in circumstances where the Council can show reliance on translation services would prejudice the safety or wellbeing of the individual, or where the individual does not wish a translation services to be provided</p>	<p>Position unchanged</p>	<p><b>Accept</b></p> <p>Officers reached an understanding with the Commissioner’s office that the safety and wellbeing of the individual is paramount.</p> <p>Therefore the standard can be complied with on the understanding that where the individual does not wish for a translation service to be provided or there is an urgent need to act there would be no expectation from the Commissioner that this would be imposed.</p>	<p>In relation to standards <b>26, 26A, 29 and 29A</b>, officers did not agree at a meeting that it would be possible to provide a circumstance for the standards in relation to urgent cases. The only issue on which there was agreement was that simultaneous translation did not need to be provided unless an individual wished it. The standard itself makes this plain.</p> <p><b>Please confirm you accept these standards.</b></p>	<p><b>Accept</b></p>
<p><b>29A</b> You must provide a simultaneous translation service from Welsh to English and from English to Welsh at a meeting - (a) if you have invited more than one person to the meeting, (b) if the meeting relates to the well-being of one or more of the individuals invited, and (c) if at least one of those individuals has informed you that he or she</p>	<p>That the standards are applied except in circumstances where the Council can show reliance on translation services would prejudice the safety or wellbeing of the individual, or where the individual does not wish a translation services to be provided</p>	<p>Position unchanged</p>	<p><b>Accept</b></p> <p>Officers reached an understanding with the Commissioner’s office that the safety and wellbeing of the individual is paramount.</p> <p>Therefore the standard can be complied with on the understanding that where the individual does not wish for a translation service to be provided or there is an urgent need to act there would be no expectation from the Commissioner that this would be imposed.</p>	<p>In relation to standards <b>26, 26A, 29 and 29A</b>, officers did not agree at a meeting that it would be possible to provide a circumstance for the standards in relation to urgent cases. The only issue on which there was agreement was that simultaneous translation did not need to be provided unless an individual wished it. The standard itself makes this plain.</p> <p><b>Please confirm you accept these standards.</b></p>	<p><b>Accept</b></p>

wishes to use the Welsh language at the meeting; unless you conduct the meeting in Welsh without the assistance of a translation service					
<b>30</b> If you arrange a meeting that is open to the public you must state on any material advertising it, and on any invitation to it, that anyone attending is welcome to use the Welsh language at the meeting.	<b>Withdrawn</b>	Position unchanged	<b>The challenge to this standard was withdrawn in July 2016 following a reassessment of the Council's position.</b>	<b>Determination:</b> That Imposing the standard is reasonable and proportionate  <b>Subsequent steps:</b> No Action	
<b>33</b> If you arrange a meeting that is open to the public, you must ensure that a simultaneous translation service from Welsh to English is available at the meeting, and you must orally inform those present in Welsh - (a) that they are welcome to use the Welsh language, and (b) that a simultaneous translation service is available. <b>You must comply with standard 33 in every circumstance, except:</b> • where an invitation or material advertising the meeting has asked persons to inform you whether they wish to use the Welsh language, and that no person has informed you that he or she wishes to use the Welsh language at the meeting.	<b>Withdrawn</b>	Position unchanged	<b>The challenge to this standard was withdrawn in July 2016 following a reassessment of the Council's position.</b>	<b>Determination:</b> That Imposing the standard is reasonable and proportionate  <b>Subsequent steps:</b> No Action	

<p><b>41</b> If you produce the following documents you must produce them in Welsh: (a) agendas, minutes and other papers that are available to the public which relate to management board of cabinet meetings (b) agendas, minutes and other papers for meetings conferences or seminars that are open to the public</p> <p>You must comply with standard 41(a) in every circumstance, except:</p> <ul style="list-style-type: none"> <li>• other papers that are available to the public, which relate to management board or cabinet meetings.</li> </ul> <p>You must comply with standard 41(b) in every circumstance, except:</p> <ul style="list-style-type: none"> <li>• other papers for meetings that are open to the public.</li> </ul>	<p>The standard should not be imposed</p>	<p>Position unchanged Standard has been varied already - see standard</p>	<p>The Council is unable to comply with this standard for the reasons provided in our earlier response.</p> <p>While it appears other councils have been able to accept the standard, evidence circulated by a range of other councils demonstrates that in some instances, the standard is not being complied with fully, the content of minutes have been substantially changed to enable Welsh versions of the minutes to be produced in accordance with the other legal requirements governing the conduct of meetings, additional staff have been recruited, the priority that has needed to be given to the minutes has created a delay in other work being translated. The evidence from elsewhere confirms that the Council's assessment of the impact of this standard is accurate and would be unreasonable and disproportionate.</p> <p>The Council maintains that the imposition of this standard is not workable in practice as meeting agendas and minutes are subject of change up to the deadline for meeting papers to be published. There is a separate set of legal rules governing the production of papers for formal meetings of the Council and the basis of the Council's challenge is to avoid a situation where it would be seeking to satisfy conflicting legal requirements. If the Council's Democratic Services Team were of a different linguistic profile then this problem would not arise. However, as pointed out in the earlier submission, there is only one member of the team who speaks Welsh and who does not have sufficient competence to read or write in Welsh. Therefore the team is unable to operate bilingually and will be reliant on external translation services.</p> <p>However, the council seeks to find a workable compromise in this area and would suggest a variation in addition to that already proposed. Bilingual agenda and minutes could be produced if there was no requirement for them to be produced simultaneously although it is acknowledged that this would incur additional costs. This would reduce the risk of not meeting our legal requirements governing the production of papers for council meetings. Additionally, to avoid the risk of challenge given that it is not possible to create identical records in Welsh and English in case of dispute, the English records would be deemed to represent the official record of the Council.</p>	<p>Further information is requested: ☑ The Council continues to oppose being subject to <b>standard 41</b> and is reluctant to accept the circumstance proposed, referring to arguments previously presented. It also asserts it has evidence of non compliance among other local authorities. The Council has not explained why it is not possible to use an external translation service in order to meet standard 41. The Commissioner is unwilling to discount the official status of the Council's Welsh language record as it would be contrary to a fundamental principle contained in the Welsh language Measure.</p>	<p>The Council is minded to accept the standard on the understanding that:</p> <ul style="list-style-type: none"> <li>• Translated Welsh versions of minutes will not be available contemporaneously. This is due to the time required for translations to be undertaken. While the cost of translating such documents remains an issue for the Council, unlike other authorities there is no view to change our practices potentially resulting in jeopardising the democratic process in order to reduce translation costs.</li> <li>• The English version of the minutes will be relied upon in the event of any dispute. This is not meant to undermine the fundamental principle of the contained in the Welsh language Measure but purely a practical approach as limited language skills within the relevant section would not allow for accuracy checks.</li> </ul>
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<p><b>42</b> Any licence or certificate you produce must be produced in Welsh.</p>	<p>The standard should not be imposed</p>	<p>Prepared to extend the imposition date (6 months from date of determination)</p>	<p><b>Accept</b></p> <p>The Council would be able to comply with this standard if agreement on a variation to reflect the different licences or certificates that are issued could be reached. These fall into two categories:</p> <ul style="list-style-type: none"> <li>• Licences and certificates that are displayed to the public</li> <li>• Licences and certificates which are not displayed to the public</li> </ul> <p>The Council is able to provide bilingual licences/certificates that are displayed to the general public.</p> <p>The Council would be able to provide Welsh licences/certificates, which are not displayed to the public, where the individual has requested the licence/certificate in Welsh.</p>	<p>The Commissioner has proposed a circumstance [see below]. However, the Commissioner cannot agree to establish a practice of providing a Welsh service on request. Will the Council confirm that it will always <i>offer</i> to provide a licence or a certificate in Welsh as a matter of course? Please also confirm the Council is satisfied with the circumstance proposed.</p> <p><b>Standard 42</b> – Any licence or certificate that you produce must be produced in Welsh. You must comply in relation to a licence or certificate that is published in every circumstance. You must comply in relation to a licence or certificate that is issued to a person, and that is not published in the following circumstances:</p> <p>a) When you have offered to produce a licence of certificate in Welsh for a person, and</p> <p>b) When that person has informed you that they wish to receive a licence or certificate in Welsh</p> <p><b>Imposition day</b> – 6 months from the date of the determination</p>	<p><b>Accept</b></p> <p>Further clarification was sought and received in relation to the Commissioner’s interpretation of the standard and variation and as a result the council is able to accept the standard</p> <p>The commissioner’s interpretation has been clarified as:</p> <p><b>Commissioner’s interpretation</b></p> <p>Licences and certificates that will be published and made public (for example on the website) to be produced in Welsh.</p> <p>Licences and certificates for a person, that will not be published or made public, a Welsh version to be offered and provided should the person wish. No requirement to produce in Welsh if the person has noted that they do not wish to receive it in Welsh.</p>
<p><b>52</b> You must ensure that a) the text of each page of your website is available in Welsh b) every Welsh language page on your website is fully functional and c) the Welsh language is not treated less favourable than the English language on your website</p>	<p>Clarification sought that the standard does not extend to third party systems that interface with the Council’s website</p>	<p>Position unchanged but clarification that standard relates only to information Council is responsible for</p>	<p><b>Accept</b></p> <p>Further clarification had been received from the Commissioner’s office that this standard would only apply to those webpages the Council is fully responsible for, with third party systems being outside of the standard.</p>	<p><b>Determination:</b> That Imposing the standard is reasonable and proportionate</p> <p><b>Subsequent steps:</b> No Action</p>	<p><b>Accept</b></p>
<p><b>61</b> When you erect a new sign or renew a sign (including temporary signs), any text displayed on the sign must be displayed in Welsh (Whether on the same sign</p>	<p>The standard should be amended to exclude those that would prejudice public safety if the standard were to be fully applied</p>	<p>Position unchanged – further evidence required to substantiate arguments</p>	<p><b>Traffic Signs</b></p> <p>The Council maintains that in particular circumstances the mix of signs at certain locations could have safety implications.</p> <p>While the Council currently erects bilingual signs with where the English language is first there is a</p>	<p>Due regard was given to issues of road safety by Welsh Ministers during the drafting of Standards regulations and as such the Commissioner has confidence in the subordinate legislation approved by the National Assembly for Wales. A circumstance</p>	<p>The Council is minded to accept the Standard on the understanding that paragraph 25, Part 3 of The Welsh Language Standards (No1) Regulation 2016 provides suitable recourse.</p> <p>However, the Council remains of the view that the installation of large(r) signs may be impractical in some</p>

<p>as you display corresponding English language text or on a separate sign) and if the same text is displayed in Welsh and in English you must not treat the Welsh language text less favourable than the English language text</p>			<p>concern that erecting new or renewing signage will cause considerable safety and practical issues.</p> <p>A new bilingual sign, as per the prescribed standards, erected next to an existing bilingual sign would result in confusion for road users. A mix of languages placed first would result in the reduction of safety on highways with drivers requiring increased time to read the information, as well as necessitating a reduction in speed. A research study, 'Evaluating the effects of bilingual traffic signs on driver performance and safety', undertaken by the Institute for Transport Studies, University of Leeds, concluded that drivers reading long (four-line) messages reduce their speed which impact on following drivers who while reading the same message and also beginning to reduce speed might and not respond appropriately to the slowing of the lead vehicle. As vehicle headways decrease, the margins available for drivers to take avoidance action are reduced and accident risk increases. Although the study focused on motorway variable message signs the principle can be applied to general traffic signs.</p> <p>On practical grounds information must be displayed in line with Traffic Signs Regulations and General Directions 2016 and guidance LTN 1/94 The Design and Use of Directional Informatory Signs. These requirements determine the size of signs and if larger than that already at a location could result in larger post(s), additional support rails and larger foundations; due to larger signs being susceptible to more wind loading and overturning and/or bending at the base. Increasing the post size may also increase damage to errant vehicles and increase the risk of injury to passengers. In addition, larger signs cannot always be accommodated at the specific location: due to lack of space; potential issues in relation to access/egress as well as presenting difficulties for pedestrians particularly for those with a visible impairments, using wheelchairs or with small children and prams/pushchairs.</p> <p>With the language profile of the County Borough along with the cost and practical implications of erecting new signage, adherence to the standards in all instances is not considered reasonable or proportionate. However, the Council does recognise the importance of bilingual signage and as such would seek variations to the standards to take into</p>	<p>is not needed in order to allay the Councils' concerns in relation to the appropriate use of standardized place names.</p> <p>It should be noted that paragraph 25, Part 3 of The Welsh Language Standards (No1) Regulation 2016 notes the following:</p> <p><i>A body is not required to produce to display or to send material in Welsh to the extent that another enactment has specified the wording of a document, a sign or a form which would run contrary to that requirement</i></p>	<p>instances due to the location, size, safety of the site, etc.</p> <p>The Council is not persuaded that the Commissioner's response addresses the concerns raised in relation to street signs and so would welcome further dialogue on this.</p> <p>The council wishes to clarify the position re street signs. The Commissioner refers to standardised place names but these are not the same as names of local roads and streets.</p> <p>There is no issue with road/street names that are easily translated, e.g. High Street, Main Road, etc. Problems arise when names cannot be translated as the origin of the name cannot be determined, e.g. Constant Road, Conduit Street, or where a street historically known in Welsh does not have the same meaning when translated to English.</p> <p>The Council would welcome dialogue to further explore the issues surrounding signage and to seek a variation to reflect the above concerns.</p>
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			<p>account the above genuine concerns. For example:</p> <p>Except where the new/renewed sign requires larger signs, posts, foundations and the location cannot accommodate this due to space or 'clutter'.</p> <p>Except where a mix of English /Welsh language first signs would be located at road junctions on major arteries.</p> <p>Where the safety of pedestrians and road users would be impacted upon due to the installation of the required signage</p> <p><b>Street Signs</b></p> <p>The requirement of the standard is achievable for most signs without compromising the original name of the road, however, there are some instances where this will always be a challenge, i.e. where there is no appropriate translation/where a translation bears no resemblance to what the street is predominantly known as, for example, Conduit Street, Constant Road. It may be considered more appropriate in such instances to use the format: Heol Conduit Street.</p> <p>A variation reflecting this would be appropriate especially given the recent exercise undertaken by the Commissioner in respect of standardising place names where confirmation of locally used names and their spellings were sought.</p> <p>A variation is therefore sought in respect of street signs with an exemption for those established roads which are known in English and where a Welsh translation would be unsuitable.</p>		
<p><b>62</b></p> <p>When you erect a new sign or renew a sign (including temporary signs) which conveys the same information in Welsh and in English the Welsh language text must be positioned so that it is likely to read first.</p>	<p>The standard should be amended to exclude those that would prejudice public safety if the standard were to be fully applied</p>	<p>Position unchanged – further evidence required to substantiate arguments</p>	<p><b>Traffic Signs</b></p> <p>The Council maintains that in particular circumstances the mix of signs at certain locations could have safety implications.</p> <p>While the Council currently erects bilingual signs with where the English language is first there is a concern that erecting new or renewing signage will cause considerable safety and practical issues.</p> <p>A new bilingual sign, as per the prescribed standards, erected next to an existing bilingual sign would result in confusion for road users. A mix of languages placed first would result in the reduction of safety on highways with drivers requiring</p>	<p>Due regard was given to issues of road safety by Welsh Ministers during the drafting of Standards regulations and as such the Commissioner has confidence in the subordinate legislation approved by the National Assembly for Wales. A circumstance is not needed in order to allay the Councils' concerns in relation to the appropriate use of standardized place names.</p> <p>It should be noted that paragraph 25, Part 3 of The Welsh Language Standards (No1) Regulation 2016 notes the following:</p> <p><i>A body is not required to produce to display or to send material in Welsh to the extent</i></p>	<p>The Council is minded to accept the Standard on the understanding that paragraph 25, Part 3 of The Welsh Language Standards (No1) Regulation 2016 provides suitable recourse.</p> <p>However, the Council remains of the view that the installation of large(r) signs may be impractical in some instances due to the location and size of site, etc.</p> <p>The Council is unsure that the Commissioner's response addresses the concerns raised in relation to Street signs and so would welcome further dialogue on this.</p> <p>The council wishes to clarify the position re street signs. The Commissioner refers to standardised place names but</p>

			<p>increased time to read the information, as well as necessitating a reduction in speed. A research study, 'Evaluating the effects of bilingual traffic signs on driver performance and safety', undertaken by the Institute for Transport Studies, University of Leeds, concluded that drivers reading long (four-line) messages reduce their speed which impact on following drivers who while reading the same message and also beginning to reduce speed might and not respond appropriately to the slowing of the lead vehicle. As vehicle headways decrease, the margins available for drivers to take avoidance action are reduced and accident risk increases. Although the study focused on motorway variable message signs the principle can be applied to general traffic signs.</p> <p>On practical grounds information must be displayed in line with Traffic Signs Regulations and General Directions 2016 and guidance LTN 1/94 The Design and Use of Directional Informatory Signs. These requirements determine the size of signs and if larger than that already at a location could result in larger post(s), additional support rails and larger foundations; due to larger signs being susceptible to more wind loading and overturning and/or bending at the base. Increasing the post size may also increase damage to errant vehicles and increase the risk of injury to passengers. In addition, larger signs cannot always be accommodated at the specific location: due to lack of space; potential issues in relation to access/egress as well as presenting difficulties for pedestrians particularly for those with a visible impairments, using wheelchairs or with small children and prams/pushchairs.</p> <p>With the language profile of the County Borough along with the cost and practical implications of erecting new signage, adherence to the standards in all instances is not considered reasonable or proportionate. However, the Council does recognise the importance of bilingual signage and as such would seek variations to the standards to take into account the above genuine concerns. For example:</p> <p>Except where the new/renewed sign requires larger signs, posts, foundations and the location cannot accommodate this due to space or 'clutter'.</p> <p>Except where a mix of English /Welsh language first signs would be located at road junctions on major</p>	<p><i>that another enactment has specified the wording of a document, a sign or a form which would run contrary to that requirement</i></p>	<p>these are not the same as names of local roads and streets.</p> <p>There is no issue with road/street names that are easily translated, e.g. High Street, Main Road, etc. Problems arise when names cannot be translated as the origin of the name cannot be determined, e.g. Constant Road, Conduit Street, or where a street historically known in Welsh does not have the same meaning when translated to English.</p> <p>A variation is sought to reflect the above.</p>
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			<p>arteries.</p> <p>Where the safety of pedestrians and road users would be impacted upon due to the installation of the required signage</p> <p><b>Street Signs</b></p> <p>The requirement of the standard is achievable for most signs without compromising the original name of the road, however, there are some instances where this will always be a challenge, i.e. where there is no appropriate translation/where a translation bears no resemblance to what the street is predominantly known as, for example, Conduit Street, Constant Road. It may be considered more appropriate in such instances to use the format: Heol Conduit Street.</p> <p>A variation reflecting this would appear to be appropriate especially given the recent exercised undertaken by the Commissioner in respect of standardising place names where confirmation of locally used names and their spellings were sought.</p> <p>A variation is therefore sought in respect of street signs with an exemption for those established roads which are known in English and where a Welsh translation would be unsuitable.</p>		
<p><b>64</b></p> <p>Any reception service you make available in English must also be available in Welsh and any person who requires a Welsh language reception service ,must not be treated less favourably than a person who requires an English language reception service</p>	<p>The standard is applied at Port Talbot Civic Centre, Neath Civic Centre and Pontardawe but modified to reflect the fact that a bilingual service may only be available in other reception areas via Skype or via a third party service.</p>	<p>Standard will be modified:</p> <p>By 30 March 2016 at:</p> <ul style="list-style-type: none"> <li>• Civic Centre Neath</li> <li>• Civic Centre Port Talbot</li> <li>• Civic Centre Pontardawe</li> </ul> <p>By 30 March 2018 at:</p> <ul style="list-style-type: none"> <li>• Every other reception service</li> </ul>	<p><b>Accept</b></p> <p>The proposed modification accepts the Council's position where a bilingual reception service may only be available in the specified areas due to language and staffing limitations. It is proposed that the modification is accepted, with an amendment for accuracy in relation to the Hub, Pontardawe:</p> <p>By 30 March 2016 at:</p> <ul style="list-style-type: none"> <li>• Civic Centre Neath</li> <li>• Civic Centre Port Talbot</li> <li>• Hub Pontardawe</li> </ul> <p>The proposed modification to comply at every other reception service by 30 March 2018 is acceptable providing the Commissioner accepts that a reception service offered in Welsh in these areas may not be in person but via Skype, other technological provision, third party service etc.</p>	<p>The Council has stated that a correction is required to the names of the central receptions that are to be included in the compliance notice. The Commissioner will make the amendment.</p> <p>Beyond this, it is not clear to the Commissioner why the Council refers to the provision of services via Skype under the provision of standard 64.</p> <p>The Commissioner is of the opinion that the provision of services via Skype would probably be captured under the requirement of standard 66 and not standard 64 as this standard enables a body to provide a reception service over the phone if a face to face service is not available.</p> <p>The Council has referred to the provision of services "<i>via Skype, other technological provision, third party service etc</i>". This quotation from the Council does not give the Commissioner sufficient information to be able to provide a clear circumstance. I would be grateful if you could respond to the</p>	<p>The Council acknowledges the Commissioner's agreement to the correction.</p> <p>However, in relation to other reception areas the Council is unable to give sufficient assurance that a bilingual service would be possible by the suggested date. Therefore, given the previously stated alternatives to providing a face to face bilingual reception service as well as giving full consideration of the Commissioner's suggestion the Council now requests that Standard 66 is applied in relation to other reception services.</p> <p>The Council is currently looking to introduce a video conferencing system across its sites and this would alleviate any pressures on reception areas should a bilingual service be required. However, even where this system is fully introduced Standard 66 would remain relevant as with the system not all reception areas would be manned.</p> <p><b>Apply Standard 66 instead of the variation for other</b></p>

				<p>following requests:</p> <p>(1) Please list all receptions you wish to be exempt from standard 64 by using the interpretation of reception as contained in the Regulations.</p> <p>(2) Of the receptions listed in response to question 1 (above) please note where a Welsh medium service would be offered via Skype.</p> <p>(3) Please explain what other technological provision you propose to use as a means of offering a Welsh language service and list all relevant receptions.</p>	<p><b>reception services –</b></p> <p>If you have no face to face Welsh language reception service available, you must ensure that a Welsh language reception service is available over a phone in your reception.</p> <p>Reception defined as: an area in a body’s offices and service locations where staff are made available<sup>1</sup> for the purpose of welcoming persons; (b) “reception service” means a service for welcoming persons to the body’s offices or service locations by staff who are made available for that purpose; (c) “service locations” include libraries, leisure centres, arts centres, advice centres and drop in centres.</p> <p>Currently the following reception areas would benefit from the application of Standard 66:</p> <ul style="list-style-type: none"> <li>• Baglan Bay Innovation Centre</li> <li>• Sandfields Young Business Centre</li> <li>• The Quays</li> <li>• Pontardawe Arts Centre</li> <li>• Registrars</li> <li>• Crematorium</li> <li>• Croeserw Community Centre</li> <li>• Cefn Coed Museum</li> <li>• Tirmorfa</li> <li>• Libraries – Glynneath <ul style="list-style-type: none"> <li>Cwmavon</li> <li>Port Talbot</li> <li>Neath</li> <li>Baglan</li> <li>Sandfields</li> <li>Skewen</li> <li>Pontardawe</li> </ul> </li> </ul>
<p><b>65</b> If you arrange a visit or appointment in advance for a person (“P”) which will mean that P will come to your reception, you must ask P whether P wishes to receive a Welsh language reception service (unless you already know whether P wishes to receive that service in</p>		<p>These are proposed in order to cover the time before the Standard 64 comes into force</p>	<p><b>Accept</b> This is accepted as an interim standard for those reception areas where standard 64 comes into force on 30 March 2018.</p>	<p><b>See Standard 64</b></p>	<p><b>As above</b></p>

Welsh). <b>You must comply with standard 65 until 30 March 2018</b>					
<b>65A</b> You must provide a face to face Welsh language reception service for a person (“P”) at your reception if you have arranged a visit or appointment for P in advance and— (a) P has informed you in advance that P wishes to receive the service in Welsh, or (b) you are already aware that P wishes to receive the service in Welsh. <b>You must comply with standard 65A until 30 March 2018.</b>		These are proposed in order to cover the time before the Standard 64 comes into force	<b>Accept</b>  This is accepted as an interim standard for those reception areas where standard 64 comes into force on 30 March 2018.	<b>See Standard 64</b>	<b>As above</b>
<b>76</b>  Any invitations to tender for a contract that you publish must be published in Welsh, and you must not treat a Welsh language version of any invitation less favourably than an English language version.  <b>You must comply with standard 76 in the following circumstances:</b> <b>(a) If the subject matter of the tender for a contract suggests that it should be produced in Welsh, or</b> <b>(b) If the anticipated audience, and their expectations, suggests that the document should be produced in Welsh.</b>	The Council is not able to provide a competent legal service to meet this standard	Prepared to extend the imposition date (6 months from the date of determination)	<b>Accept</b>  With the modification and in light of the national review of the regulations recently announced by Welsh Government the Council has been able to reconsider its position. While it is acknowledged a small risk of noncompliance remains a possibility the Council is confident that any such risk would be manageable.	<b>Determination:</b> That imposing the standard is not reasonable and proportionate.  <b>Subsequent steps:</b> Provide a circumstance for the standard and extend the imposition day. (to 04.10.17)	<b>Accept</b>  Following dialogue with the Commissioner and her representatives and in light of the Welsh Government’s review of the Regulations the Council is in a position to accept this standard with the extended imposition day of 4 <sup>th</sup> October 2017.
<b>77</b>  When you publish			<b>Accept</b>  In light of the national review of the regulations	<b>Determination:</b> That imposing the standard is not reasonable and proportionate.	<b>Accept</b>  Following dialogue with the Commissioner and her representatives and in light of the Welsh Government’s

<p>invitations to tender for a contract, you must state in the invitation that tenders may be submitted in Welsh, and that a tender submitted in Welsh will be treated no less favourably than a tender submitted in English</p>			<p>recently announced by Welsh Government the Council has been able to reconsider its position. While it is acknowledged a small risk of noncompliance remains a possibility the Council is confident that any such risk would be manageable.</p>	<p><b>Subsequent steps:</b> Extend the imposition day. (to 04.10.17)</p>	<p>review of the Regulations the Council is in a position to accept this standard with the extended imposition day of 4<sup>th</sup> October 2017.</p>
<p><b>77A</b></p> <p>You must not treat a tender for a contract submitted in Welsh less favourably than a tender submitted in English (including, amongst other matters, in relation to the closing date for receiving tenders, and in relation to the time-scale for informing tenderers of decisions).</p>			<p><b>Accept</b></p> <p>With the modification and in light of the national review of the regulations recently announced by Welsh Government the Council has been able to reconsider its position. While it is acknowledged a small risk of noncompliance remains a possibility the Council is confident that any such risk would be manageable.</p>	<p><b>Determination:</b> That imposing the standard is not reasonable and proportionate.</p> <p><b>Subsequent steps:</b> Extend the imposition day (to 04.10.17)</p>	<p><b>Accept</b></p> <p>Following dialogue with the Commissioner and her representatives and in light of the Welsh Government's review of the Regulations the Council is in a position to accept this standard with the extended imposition day of 4<sup>th</sup> October 2017.</p>
<p><b>79</b></p> <p>If you receive a tender in Welsh and it is necessary to interview the tenderer as part of your assessment of the tender you must - (a) offer to provide a translation service from Welsh to English to enable the tenderer to use the Welsh language at the interview, and (b) if the tenderer wishes to use the Welsh language at the interview, provide a simultaneous translation service for that purpose (unless you conduct the interview in Welsh without a translation service).</p>			<p><b>Accept</b></p> <p>With the modification and in light of the national review of the regulations recently announced by Welsh Government the Council has been able to reconsider its position. While it is acknowledged a small risk of noncompliance remains a possibility the Council is confident that any such risk would be manageable.</p>	<p><b>Determination:</b> That imposing the standard is not reasonable and proportionate.</p> <p><b>Subsequent steps:</b> Extend the imposition day (to 04.10.17)</p>	<p><b>Accept</b></p> <p>Following dialogue with the Commissioner and her representatives and in light of the Welsh Government's review of the Regulations the Council is in a position to accept this standard with the extended imposition day of 4<sup>th</sup> October 2017.</p>
<p><b>80</b></p> <p>When you inform a tenderer of your decision in relation to a tender, you must do so in Welsh if the tender was submitted in Welsh.</p>			<p><b>Accept</b></p> <p>With the modification and in light of the national review of the regulations recently announced by Welsh Government the Council has been able to reconsider its position. While it is acknowledged a small risk of noncompliance remains a possibility the Council is confident that any such risk would be manageable.</p>	<p><b>Determination:</b> That imposing the standard is not reasonable and proportionate.</p> <p><b>Subsequent steps:</b> Extend the imposition day (to 04.10.17)</p>	<p><b>Accept</b></p> <p>Following dialogue with the Commissioner and her representatives and in light of the Welsh Government's review of the Regulations the Council is in a position to accept this standard with the extended imposition day of 4<sup>th</sup> October 2017.</p>

<p><b>84</b></p> <p>If you offer an education course that is open to the public, you must offer it in Welsh.</p> <p><b>You must comply with standard 84 in every circumstance, except:</b></p> <ul style="list-style-type: none"> <li>• when an assessment carried out in accordance with standard 86 comes to the conclusion that there is no need for that course to be offered in Welsh.</li> </ul>	<p>The standards should not be imposed. An alternative way of assessing the requirement for such courses should be developed which is less onerous</p>	<p>Position unchanged-interpretation of standard in line with regulations</p>	<p><b>Accept</b></p> <p>The Council could comply with this standard if the following exceptions were accepted:</p> <p>Courses where the content is determined by another organisation e.g.: Driver Vehicle Standards Agency (DVSA)</p> <p>Where the accredited trainers providing the course are non-Welsh speakers.</p> <p>In the Council's previous submission Communities First courses were highlighted. However, in light of recent announcements by Welsh Government the Council withdraws its comments in respect of Communities First courses.</p>	<p>The Commissioner is of the view that it is possible to comply with the requirements of the standard by offering a course in Welsh by way of a translation services if it's not possible to do so without translation services and where appropriate.</p> <p>Consequently the Commissioner does not see a need to provide a circumstance.</p>	<p><b>Proposed response:</b></p> <p>The Council accepts that in some cases simultaneous translations may be appropriate but considers in the following circumstances this would be neither appropriate or practicable:</p> <ul style="list-style-type: none"> <li>• Courses that can only be delivered by non-Welsh speaking accredited trainers – the use of simultaneous translation could lead to mistranslation/ Misinterpretation or where not accepted by accredited organisations</li> <li>• Courses that are not classroom orientated, e.g. in cars, on motorbikes, etc.</li> </ul> <p>The Council would welcome dialogue to further explore the issues and to seek a variation to reflect the above concerns</p>
<p><b>86</b></p> <p>If you develop an education course that is to be offered to the public you must assess the need for that course to be offered in Welsh and you must ensure that the assessment is published on your website.</p>	<p>The standards should not be imposed. An alternative way of assessing the requirement for such courses should be developed which is less onerous</p>	<p>Position unchanged-interpretation of standard in line with regulations</p>	<p><b>Accept</b></p> <p>The Council could comply with this standard if the following exceptions were accommodated :</p> <p>Courses where the content is determined by another organisation e.g.: Driver Vehicle Standards Agency (DVSA)</p> <p>Where the accredited trainers providing the course are non-Welsh speakers</p> <p>In the Council's previous submission Communities First courses were highlighted. However, in light of recent announcements by Welsh Government the Council withdraws its comments in respect of Communities First courses</p>	<p>The Commissioner is of the view that it is possible to comply with the requirements of the standard by offering a course in Welsh by way of a translation services if it's not possible to do so without translation services and where appropriate.</p> <p>Consequently the Commissioner does not see a need to provide a circumstance.</p>	<p><b>Proposed response:</b></p> <p>The Council accepts that in some cases simultaneous translations may be appropriate but considers in the following circumstances this would be neither appropriate or practicable:</p> <ul style="list-style-type: none"> <li>• Courses that can only be delivered by non-Welsh speaking accredited trainers – the use of simultaneous translation could lead to mistranslation/ Misinterpretation or where not accepted by accredited organisations</li> <li>• Courses that are not classroom orientated, e.g. in cars, on motorbikes, etc.</li> </ul> <p>The Council would welcome dialogue to further explore the issues and to seek a variation to reflect the above concerns</p>
<p><b>99</b></p> <p>When you offer a new post to an individual, you must ask that individual whether he or she wishes for the contract of employment or contract for services to be provided in Welsh; and if that is the individual's wish you must provide the contract in Welsh.</p>	<p>Standards only to be applied in Welsh medium schools</p>	<p>Position unchanged – but further evidence invited.</p> <p>Timetable for meeting the standard</p>	<p>HR contracts are not standardised across the Council. While there are some common features terms and conditions are not easily transferable with the majority of these specific to an individual.</p> <p>Meeting this requirement would entail time and cost implications for HR staff and would impact on the service available to more widely to non-Welsh speakers at a time when resources continue to diminish.</p>	<p>The Council continues to argue it is not reasonable and proportionate. The Council has been offered more time to comply. The Council needs to provide an analysis of the anticipated take up. It would also be helpful to know how much time and cost would be required to satisfy that take up. To what extent would the time and the cost be unreasonable or disproportionate?</p>	<p>In 2016 / 2017 1,295 Statement of Particulars (employment contracts) were issued. This data excludes school based staff, as schools issue their own Statements.</p> <p>The cost of translating one Statement of Particulars is £230 and it will take at least one week for translation via the Council's Welsh Translation Unit. Statements must be issued within 8 weeks, under the Employment Rights Act 1996, and as Statements are issued by a small team of 8 employment administrators, who also undertake a significant number of other duties, including recruitment administration, pre-employment vetting, payroll administration, etc, there is some risk that adding an additional week to the timescale for issuing Statements will result in the Council not complying with the statutory timeframe.</p>

					As Welsh language skills have reduced in the HR team since the last provision of information to the Commissioner, following the resignation of an HR Officer and the deployment of an HR Officer to the field, the team have no internal professional HR Welsh language ability – therefore, whilst the Welsh Language Unit can provide a translation, there is no-one within the team that could confirm from a professional point of view that the language of the employment contract has translated accurately and that the contractual meaning is maintained in the Welsh language version. This represents a risk to the Council.
<b>100</b> You must - (a) ask each employee whether he or she wishes to receive any paper correspondence that relates to his or her employment, and which is addressed to him or her personally, in Welsh, and (b) if an employee so wishes, provide any such correspondence to that employee in Welsh.		Position unchanged – but further evidence invited. Timetable for meeting the standard	<b>Accept</b> On further consideration it would be possible to accept this standard with specific variations to reflect the size of the task and limitations in respect of current systems.  Therefore <b>a variation is proposed:</b>  To accept in relation to new employees except for contractual documentation and where correspondence is generated from English only databases.  To accept for all other employees by 30 March 2019 except for contractual documentation and where correspondence is generated from English only databases.	The Council was offered more time to comply. The Council has not explained why the requirement to comply with the standard continues to be unreasonable and disproportionate.  You are requested to respond to the following enquiries:  (1) Why is it unreasonable or disproportionate to provide contractual documents in Welsh?  (2) What documents and how many are produced from English only databases and how many Welsh speaking staff does this effect?  (3) Why is it not possible to produce the documents in Welsh or arrange for correspondence to be translated?	See response above. In addition to 1,295 Statements of Particulars, 57 mail merge letters are produced via the Council's VISION HR database, provided by English company Selima. Selima have confirmed that they are not undertaking any further development work on the VISION product, as they now have a new product in development. The new product is not available in Welsh, and in any case, the costs of moving to the new product have been explored by the Council and ruled out at the present time.
<b>101</b> You must ask each employee whether he or she wishes to receive any documents that outline his or her training needs or requirements in Welsh; and if that is the employee's wish you must provide any such documents to him or to her in Welsh.		Position unchanged – but further evidence invited. Timetable for meeting the standard	It would be possible to produce documentation to facilitate this as part of the Council's performance appraisal procedures. However, in relation to setting out individual training needs this is carried out by line managers in the annual performance appraisal and because of the linguistic profile of our managers, with lack of confidence/ability to use the Welsh language as part of the appraisal process it is unlikely that the majority will be able to comply with this.	The Council was offered more time to comply. The Council has stated that a proportion of the organisation's managers would be unable to prepare tailored text as part of staff training needs documents due to lack of confidence or skills in Welsh to do so. The Council has not explained to what extent this would effect its ability to comply nor has it explained how the standard might be complied with by another means. The Council does not give a quantitative account of the likely demand.	Appraisal documentation forms part of a conversation about employee performance, and that an employee will complete documentation in advance of the discussion, and following the discussion the manager will complete the rest of the document, provide it in draft form for the employee to agree. A requirement to translate this documentation from Welsh to English and English to Welsh will create additional bureaucracy and expense, but it is not impossible
<b>102</b> You must ask each employee whether he or she wishes to receive any documents that outline his		Position unchanged – but further evidence invited. Timetable for meeting the standard	It would be possible to produce documentation to facilitate this as part of the Council's performance appraisal procedures. However, in relation to setting out individual training needs this is carried out by line managers in the annual performance appraisal	The Council was offered more time to comply. The Council has stated that a proportion of the organisation's managers would be unable to prepare tailored text as part of staff training needs documents due	<b>As above</b>

or her performance objectives in Welsh; and if that is the employee's wish you must provide any such documents to him or to her in Welsh			and because of the linguistic profile of our managers, with lack of confidence/ability to use the Welsh language as part of the appraisal process it is unlikely that the majority will be able to comply with this.	to lack of confidence or skills in Welsh to do so. The Council has not explained to what extent this would effect its ability to comply nor has it explained how the standard might be complied with by another means. The Council does not give a quantitative account of the likely demand.	
<b>103</b> You must ask each employee whether he or she wishes to receive any documents that outline or record his or her career plan in Welsh; and if that is the employee's wish you must provide any such documents to him or to her in Welsh		Position unchanged – but further evidence invited. Timetable for meeting the standard	The Council does not have career plans and as such the standard should not be imposed.	The Council was offered more time to comply. The Council has stated that a proportion of the organisation's managers would be unable to prepare tailored text as part of staff training needs documents due to lack of confidence or skills in Welsh to do so. The Council has not explained to what extent this would effect its ability to comply nor has it explained how the standard might be complied with by another means. The Council does not give a quantitative account of the likely demand.	Please note that the Council does not outline or record career plans therefore compliance is not an issue.
<b>104</b> You must ask each employee whether he or she wishes to receive any forms that record and authorise - (a) annual leave, (b) absences from work, and (c) flexible working hours, in Welsh; and if that is an employee's wish, you must provide any such forms to him or to her in Welsh.		Position unchanged – but further evidence invited. Timetable for meeting the standard	<b>Accept</b> After further consideration the Council is able to comply with the standard.  The Council is able to produce documentation by 30 September 2017; however as this would also form part of the appraisal process full compliance would be more appropriate by 30 September 2018.	<b>Determination:</b> That Imposing the standard is reasonable and proportionate  <b>Subsequent steps:</b> No Action	<b>Accept</b>
<b>112</b> You must allow each member of staff - (a) to make complaints to you in Welsh, and (b) to respond in Welsh to any complaint made about him or about her.	Standards only to be applied in Welsh medium schools	Position unchanged – but further evidence invited. Timetable for meeting the standard	The Council is able to comply with this standard in relation to Welsh Medium schools as the service is already established and funded.  Being mindful of the linguistic profile of its staff, the legal timescales associated with its complaints, discipline and grievance processes as well as the significant cost implications the Council would endeavour to respect language preference of staff accessing these procedures. However, this may not always be practical/possible.  To clarify a point made in the Council's previous submission the 25% of staff who indicated they	Although the Council states its intention to respect staff's language choice, it notes that it will not always be possible to comply with the following standards: 112A, 114, 115, 116, 116A, 118, 119. The Council was offered more time to comply with these.  The Council states that a quarter of all the current bilingual workforce have said they would like to use Welsh as outlined by the standards in question. The Council says this is not a large number but goes on to explain the budgetary context and states that the requirement is one that has not been budgeted for and is therefore unreasonable.	We do not have professional HR Welsh language ability. We did seek to recruit an HR Officer to the team in September 2016, following the resignation of an HR Officer with Welsh language ability, and the deployment of an HR Officer with Welsh language ability to the field. We advertised for an HR Officer with essential Welsh skills, but of 16 applicants, only 4 were appropriately professionally qualified with the CIPD and of these none were Welsh language speakers.  We therefore have no HR professional resource in Welsh, and can only rely on expensive translation and interpreting services. This will have the effect of reducing HR resource further as there is no available budget for this.

			<p>would use the service was in fact 25% of staff who had Welsh language skills. Although not a large number, given the current and expected ongoing financial situation this additional unfunded cost is unreasonable for the Council to meet.</p> <p>Consequently, the cost of meeting this standard would disproportionately impact on the service provided by HR to other staff regardless of their language skills and other support requirements.</p> <p>Additionally, with limited language skills amongst local trade union representatives there is a risk of a delay in obtaining representation if representatives not available. There is an expectation that matters are dealt with in a timely manner and failure to meet timescales could prejudice the handling of a case.</p>	<p>The requirement would have a disproportionate effect on the remainder of the human resources services. The Council has not been able to demonstrate how this is a burden. Reference is made to linguistic ability within trade unions and the risk of not being able to hold meetings promptly. Again the information given is of a general nature. The Council needs to show that the requirement is a burden, without so doing, the Commissioner is unable to change her initial considerations.</p>	
<p><b>112A</b> You must state in any document that you have that sets out your procedures for making complaints that each member of staff may - (a) make a complaint to you in Welsh, and (b) respond to a complaint made about him or about her in Welsh; and you must also inform each member of staff of that right.</p>		<p>Position unchanged – but further evidence invited. Timetable for meeting the standard</p>	<p>The Council is able to comply with this standard in relation to Welsh Medium schools as the service is already established and funded.</p> <p>Being mindful of the linguistic profile of its staff, the legal timescales associated with its complaints, discipline and grievance processes as well as the significant cost implications the Council would endeavour to respect language preference of staff accessing these procedures. However, this may not always be practical/possible.</p> <p>To clarify a point made in the Council’s previous submission the 25% of staff who indicated they would use the service was in fact 25% of staff who had Welsh language skills. Although not a large number, given the current and expected ongoing financial situation this additional unfunded cost is unreasonable for the Council to meet.</p> <p>Consequently, the cost of meeting this standard would disproportionately impact on the service provided by HR to other staff regardless of their language skills and other support requirements.</p> <p>Additionally, with limited language skills amongst local trade union representatives there is a risk of a delay in obtaining representation if representatives not available. There is an expectation that matters are dealt with in a timely manner and failure to meet timescales could prejudice the handling of a</p>	<p><b>See Above</b></p>	<p><b>See above</b></p>



			case.		
<b>114</b> If you receive a complaint from a member of staff or a complaint about a member of staff, and a meeting is required with that member of staff, you must - (a) ask the member of staff whether he or she wishes to use the Welsh language at the meeting; (b) explain that you will provide a translation service from Welsh to English for that purpose if it is required; and if the member of staff wishes to use the Welsh language, you must provide a simultaneous translation service from Welsh to English at the meeting (unless you conduct the meeting in Welsh without translation services).		Position unchanged – but further evidence invited. Timetable for meeting the standard	<p>The Council is able to comply with this standard in relation to Welsh Medium schools as the service is already established and funded.</p> <p>Being mindful of the linguistic profile of its staff, the legal timescales associated with its complaints, discipline and grievance processes as well as the significant cost implications the Council would endeavour to respect language preference of staff accessing these procedures. However, this may not always be practical/possible.</p> <p>To clarify a point made in the Council’s previous submission the 25% of staff who indicated they would use the service was in fact 25% of staff who had Welsh language skills. Although not a large number, given the current and expected ongoing financial situation this additional unfunded cost is unreasonable for the Council to meet.</p> <p>Consequently, the cost of meeting this standard would disproportionately impact on the service provided by HR to other staff regardless of their language skills and other support requirements.</p> <p>Additionally, with limited language skills amongst local trade union representatives there is a risk of a delay in obtaining representation if representatives not available. There is an expectation that matters are dealt with in a timely manner and failure to meet timescales could prejudice the handling of a case.</p>	<b>See Above</b>	<b>See above</b>
<b>115</b> When you inform a member of staff of a decision you have reached in relation to a complaint made by him or by her, or in relation to a complaint made about him or about her, you must do so in Welsh if that member of staff - (a) made the complaint in Welsh,		Position unchanged – but further evidence invited. Timetable for meeting the standard	<p>The Council is able to comply with this standard in relation to Welsh Medium schools as the service is already established and funded.</p> <p>Being mindful of the linguistic profile of its staff, the legal timescales associated with its complaints, discipline and grievance processes as well as the significant cost implications the Council would endeavour to respect language preference of staff accessing these procedures. However, this may not always be practical/possible.</p> <p>To clarify a point made in the Council’s previous</p>	<b>See Above</b>	<b>See above</b>

<p>(b) responded in Welsh to a complaint about him or about her,  (c) asked for a meeting about the complaint to be conducted in Welsh, or  (ch) asked to use the Welsh language at a meeting about the complaint</p>			<p>submission the 25% of staff who indicated they would use the service was in fact 25% of staff who had Welsh language skills. Although not a large number, given the current and expected ongoing financial situation this additional unfunded cost is unreasonable for the Council to meet.</p> <p>Consequently, the cost of meeting this standard would disproportionately impact on the service provided by HR to other staff regardless of their language skills and other support requirements.</p> <p>Additionally, with limited language skills amongst local trade union representatives there is a risk of a delay in obtaining representation if representatives not available. There is an expectation that matters are dealt with in a timely manner and failure to meet timescales could prejudice the handling of a case.</p>		
<p><b>116</b>  You must allow all members of staff to respond in Welsh to allegations made against them in any internal disciplinary process.</p>		<p>Position unchanged – but further evidence invited.  Timetable for meeting the standard</p>	<p>The Council is able to comply with this standard in relation to Welsh Medium schools as the service is already established and funded.</p> <p>Being mindful of the linguistic profile of its staff, the legal timescales associated with its complaints, discipline and grievance processes as well as the significant cost implications the Council would endeavour to respect language preference of staff accessing these procedures. However, this may not always be practical/possible.</p> <p>To clarify a point made in the Council’s previous submission the 25% of staff who indicated they would use the service was in fact 25% of staff who had Welsh language skills. Although not a large number, given the current and expected ongoing financial situation this additional unfunded cost is unreasonable for the Council to meet.</p> <p>Consequently, the cost of meeting this standard would disproportionately impact on the service provided by HR to other staff regardless of their language skills and other support requirements.</p> <p>Additionally, with limited language skills amongst local trade union representatives there is a risk of a delay in obtaining representation if representatives not available. There is an expectation that matters</p>	<p><b>See Above</b></p>	<p><b>See above</b></p>

			are dealt with in a timely manner and failure to meet timescales could prejudice the handling of a case.		
<b>116A</b> You must - (a) state in any document that you have which sets out your arrangements for disciplining staff that any member of staff may respond in Welsh to any allegations made against him or against her, and (b) if you commence a disciplinary procedure in relation to a member of staff, inform that member of staff of that right.		Position unchanged – but further evidence invited. Timetable for meeting the standard	<p>The Council is able to comply with this standard in relation to Welsh Medium schools as the service is already established and funded.</p> <p>Being mindful of the linguistic profile of its staff, the legal timescales associated with its complaints, discipline and grievance processes as well as the significant cost implications the Council would endeavour to respect language preference of staff accessing these procedures. However, this may not always be practical/possible.</p> <p>To clarify a point made in the Council’s previous submission the 25% of staff who indicated they would use the service was in fact 25% of staff who had Welsh language skills. Although not a large number, given the current and expected ongoing financial situation this additional unfunded cost is unreasonable for the Council to meet.</p> <p>Consequently, the cost of meeting this standard would disproportionately impact on the service provided by HR to other staff regardless of their language skills and other support requirements.</p> <p>Additionally, with limited language skills amongst local trade union representatives there is a risk of a delay in obtaining representation if representatives not available. There is an expectation that matters are dealt with in a timely manner and failure to meet timescales could prejudice the handling of a case.</p>	<b>See Above</b>	<b>See above</b>
<b>118</b> If you organise a meeting with a member of staff regarding a disciplinary matter that relates to his or her conduct you must (a) ask the member of staff whether he or she wishes to use the Welsh language at the meeting, and (b) explain that you will provide a translation		Position unchanged – but further evidence invited. Timetable for meeting the standard	<p>The Council is able to comply with this standard in relation to Welsh Medium schools as the service is already established and funded.</p> <p>Being mindful of the linguistic profile of its staff, the legal timescales associated with its complaints, discipline and grievance processes as well as the significant cost implications the Council would endeavour to respect language preference of staff accessing these procedures. However, this may not always be practical/possible.</p> <p>To clarify a point made in the Council’s previous</p>	<b>See Above</b>	<b>See above</b>

<p>service for that purpose if it is required; and, if the member of staff wishes to use the Welsh language, you must provide a simultaneous translation service from Welsh to English at the meeting (unless you conduct the meeting in Welsh without a translation service).</p>			<p>submission the 25% of staff who indicated they would use the service was in fact 25% of staff who had Welsh language skills. Although not a large number, given the current and expected ongoing financial situation this additional unfunded cost is unreasonable for the Council to meet.</p> <p>Consequently, the cost of meeting this standard would disproportionately impact on the service provided by HR to other staff regardless of their language skills and other support requirements.</p> <p>Additionally, with limited language skills amongst local trade union representatives there is a risk of a delay in obtaining representation if representatives not available. There is an expectation that matters are dealt with in a timely manner and failure to meet timescales could prejudice the handling of a case.</p>		
<p><b>119</b> When you inform a member of staff of a decision you have reached following a disciplinary process, you must do so in Welsh if that member of staff - (a) responded to allegations made against him or her in Welsh, (b) asked for a meeting regarding the disciplinary process to be conducted in Welsh, or (c) asked to use the Welsh language at a meeting regarding the disciplinary process.</p>		<p>Position unchanged – but further evidence invited. Timetable for meeting the standard</p>	<p>The Council is able to comply with this standard in relation to Welsh Medium schools as the service is already established and funded.</p> <p>Being mindful of the linguistic profile of its staff, the legal timescales associated with its complaints, discipline and grievance processes as well as the significant cost implications the Council would endeavour to respect language preference of staff accessing these procedures. However, this may not always be practical/ possible.</p> <p>To clarify a point made in the Council’s previous submission the 25% of staff who indicated they would use the service was in fact 25% of staff who had Welsh language skills. Although not a large number, given the current and expected ongoing financial situation this additional unfunded cost is unreasonable for the Council to meet.</p> <p>Consequently, the cost of meeting this standard would disproportionately impact on the service provided by HR to other staff regardless of their language skills and other support requirements.</p> <p>Additionally, with limited language skills amongst local trade union representatives there is a risk of a delay in obtaining representation if representatives not available. There is an expectation that matters</p>	<p><b>See Above</b></p>	<p><b>See above</b></p>

			are dealt with in a timely manner and failure to meet timescales could prejudice the handling of a case.		
<b>122</b> You must ensure that - (a) the text of the homepage of your intranet is available in Welsh, (b) any Welsh language text on your intranet's homepage (or, where relevant, your Welsh language intranet homepage) is fully functional, and (c) the Welsh language is treated no less favourably than the English language in relation to the homepage of your intranet	The standards should not be imposed	over interpreted	<b>Accept with variation</b>  While it was considered that the Council had over interpreted the standard it remains the case that the intranet homepage is dynamic not passive. In order to fully comply a redesign into a passive homepage would be required and would diminish what the Council was trying to achieve.  Therefore a variation is sought to accommodate this: to comply with the standard expect where dynamic features are available on the intranet homepage	The Council requests a circumstance for standard 122 in order to be able to continue to provide a dynamic home page in English whilst only providing static information in Welsh. In this context attention must be paid to the interpretation of the standard. The standard notes that a person must ensure that any Welsh language text on its intranet's homepage is fully functional and that the Welsh language should not be treated no less favourably than the English language in connection to this. Imposing a circumstance as sought changes the meaning and requirement of the standard and is contrary to the fundamental principle of the Welsh Language Measure. The Commissioner is unable permit this. It should also be noted that the following does not currently apply to the standard: (a) documents to which a link is provided, advertising material, video and audio clips (b) information presented by persons on the interactive page (for example, a section for comments or on a discussion forum).	<b>The Council is minded to accept this standard</b>  The Council aims to continue to provide the homepage as current. However, this may not be sustainable and will review the matter in due course and revise the page should, it be necessary.  The communications section is able to provide some translation although it may not be as grammatically as correct as we would wish. However, there are also the following <b>alternatives</b> :  Translations to be sought from staff already identified as Welsh speakers (those that can also write in Welsh) within the relevant directorates/service areas  Create a new homepage – in essence a landing page with limited information and then an 'enter here' button linking to the current 'homepage'.  (While the above appears tokenistic in reality having the whole homepage in Welsh is tokenistic – the detail is only available in English)
<b>124</b> If you have a Welsh language page on your intranet that corresponds to an English language page, you must state clearly on the English language page that the page is also available in Welsh, and must provide a direct link to the Welsh language page on the corresponding English language page.	The standards should not be imposed	over interpreted	<b>Accept</b>  This standard could be accepted as it refers in essence only to the homepage only.	<b>Determination:</b> That Imposing the standard is reasonable and proportionate  <b>Subsequent steps:</b> No Action	<b>Accepted</b>
<b>126</b> You must provide the	The standards should not be imposed	The standards should not be imposed	<b>The Commissioner reconsidered the position and has determined this standard should not be</b>	<b>Determination:</b> That imposing the standard is not	<b>Not imposed</b>

interface and menus on your intranet pages in Welsh			<b>imposed</b>	reasonable and proportionate. <b>Subsequent steps:</b> Not imposed	
<b>128</b> These standards require the Council to provide internal training on recruitment, performance management, complaints and discipline, induction, health and safety and customer services in Welsh. Training would also be required in Welsh for using Welsh effectively in meetings, interviews and complaints and discipline procedures.	The standards should not be imposed	The standards should not be imposed	<b>The Commissioner reconsidered the position and has determined this standard should not be imposed</b>	<b>Determination:</b> That imposing the standard is not reasonable and proportionate.  <b>Subsequent steps:</b> Not imposed	<b>Not imposed</b>
<b>129</b> You must provide training (in Welsh) on using Welsh effectively in: (a) meetings; (b) interviews; and (c) complaints and disciplinary procedures.	The standards should not be imposed	The standards should not be imposed	<b>The Commissioner reconsidered the position and has determined this standard should not be imposed</b>	<b>Determination:</b> That imposing the standard is not reasonable and proportionate.  <b>Subsequent steps:</b> Not imposed	<b>Not Imposed</b>
<b>130</b> You must provide opportunities during working hours: (a) for your employees to receive basic Welsh language lessons and (b) for employees who manage others to receive training on using the Welsh language in their role as managers	Specific training for managers in their role of managers should be excluded from the standard	Preliminary determination to be made	<b>Accept</b> Having given further consideration to this standard the Council is minded to Accept the standard but remains of the view that a national training programme would be advantageous for all. It would allow for a more consistent content and approach as well as being more widely available.	<b>Determination:</b> That imposing the standard is reasonable and proportionate.  <b>Subsequent steps:</b> No Action	<b>Accepted</b>
<b>131</b> You must provide opportunities for employees who have completed basic Welsh language training to receive further training free of charge, to develop	<b>Withdrawn</b>	Preliminary determination to be made	<b>The Challenge to this standard was withdrawn by the Council in July 2016</b>	<b>Determination:</b> That imposing the standard is reasonable and proportionate.  <b>Subsequent steps:</b> No Action	<b>Withdrawn</b>

their language skills.					
<b>132</b> You must provide training courses so that your employees can develop (a) awareness of the Welsh language (including awareness of its history and its role in Welsh culture) (b) an understanding of the duty to operate in accordance with the Welsh language standards (c) an understanding of how the Welsh language can be used in the workplace	Specific training for managers in their role of managers should be excluded from the standard	Preliminary determination to be made	<b>Accept</b> Having given further consideration the Council is minded to Accept the standard but remains of the view that a national training programme would be advantageous for all. It would allow for a more consistent content and approach as well as being more widely available.	<b>Determination:</b> That imposing the standard is reasonable and proportionate.  <b>Subsequent steps:</b> No Action	<b>Accept</b>
<b>137</b> When you advertise a post, you must state that applications may be submitted in Welsh, and that an application submitted in Welsh will not be treated less favourably than an application submitted in English.	Standard should apply to Welsh essential posts only	Prepared to extend the imposition date(6 months from the date of determination)	<b>Accept</b> On further consideration the Council is able to comply with this standard	<b>Determination:</b> That imposing the standard is not reasonable and proportionate.  <b>Subsequent steps:</b> Extend the imposition day	<b>Accept</b>
<b>137A</b> If you publish - (a) application forms for posts; (b) material that explains your procedure for applying for posts; (c) information about your interview process, or about other assessment methods when applying for posts; (ch) job descriptions; you must publish them in Welsh; and you must ensure that the Welsh language versions of the documents are treated no	Standard should apply to Welsh essential posts only	Prepared to extend the imposition date(6 months from the date of determination)	<b>Accept</b> On further consideration the Council is able to comply with this standard	<b>Determination:</b> That imposing the standard is not reasonable and proportionate.  <b>Subsequent steps:</b> Extend the imposition day	<b>Accept</b>

<p>less favourably than any English language versions of those documents.</p> <p><b>You must comply with standard 137A in every circumstance, except:</b></p> <ul style="list-style-type: none"> <li>• <b>job descriptions where a post has been categorised as one where Welsh language skills are not necessary.</b></li> </ul>					
<p><b>137B</b></p> <p>You must not treat an application for a post made in Welsh less favourably than you treat an application made in English (including, amongst other matters, in relation to the closing date you set for receiving applications and in relation to any time-scale for informing individuals of decisions).</p>	<p>Standard should apply to Welsh essential posts only</p>	<p>Prepared to extend the imposition date (6 months from the date of determination)</p>	<p><b>Accept</b></p> <p>On further consideration the Council is able to comply with this standard</p>	<p><b>Determination:</b></p> <p>That imposing the standard is not reasonable and proportionate.</p> <p><b>Subsequent steps:</b></p> <p>Extend the imposition day</p>	<p><b>Accept</b></p>
<p><b>139</b></p> <p>You must ensure that your application forms for posts -</p> <ul style="list-style-type: none"> <li>(a) provide a space for individuals to indicate that they wish to use the Welsh language at an interview or at any other method of assessment, and</li> <li>(b) explain that you will provide a translation service from Welsh to English for that purpose if it is required;</li> </ul> <p>and, if the individual wishes to use the Welsh language at the interview or assessment, you must provide a simultaneous translation service at the interview or assessment (unless you conduct the</p>		<p>Prepared to extend the imposition date(6 months from the date of determination)</p>	<p><b>Accept</b></p> <p>On further consideration the Council would be able to comply with the standard with some variation.</p> <p>A suggested <b>variation</b> to take into the following is sought:</p> <ul style="list-style-type: none"> <li>(a) Where a post is Welsh essential individuals are asked if they wish to use the Welsh language at interview in the 'invite to interview' email/letter.</li> <li>(b) This requirement would be for Welsh essential posts only</li> </ul>	<p>The Commissioner would like to better understand why the Council proposes to limit opportunities to use Welsh at interview.</p> <p><b>Imposition day:</b></p> <p>6 months from the date of the determination</p>	<p><b>The Council will seek to comply with the standard</b></p>



interview or assessment in Welsh without that translation service).					
<b>140</b> When you inform an individual of your decision in relation to an application for a post you must do so in Welsh if the application was made in Welsh	Standard should apply to Welsh essential posts only	Prepared to extend the imposition date(6 months from the date of determination)	<b>Accept</b>  On further consideration the Council is able to comply with this standard	<b>Determination:</b> That imposing the standard is not reasonable and proportionate.  <b>Subsequent steps:</b> Extend the imposition day	<b>Accept</b>
<b>141</b> When you erect a new sign or renew a sign in your workplace (including temporary signs), any text displayed on the sign must be displayed in Welsh (whether on the same sign as the corresponding English language text or on a separate sign), and if the same text is displayed in Welsh and in English, you must not treat the Welsh language text less favourably than the English language text.	Definition of a sign to be provided in order for the standard to be fully assessed	Position unchanged. Clarified that this applies to new signs only.	<b>Accept</b>  The Council would be able to Accept this standard on the understanding that signs refer to fixed signs rather than notices.  This would be further reinforced with the development of an internal policy to distinguish the difference between signs and notices.	<b>Determination:</b> That imposing the standard is reasonable and proportionate.  <b>Subsequent steps:</b> No Action  The Council has already agreed to accept the standards on the basis of the understanding that 'signs' refers to 'fixed' signs rather than notices. The Commissioner can confirm that these standards are relevant to fixed and temporary signs (as noted in the standard). The standards do not apply to notices. In the case of standards 141 and 142 they apply to new signs or renewed ones only.	<b>Accept</b>
<b>142</b> When you erect a new sign or renew a sign in your workplace (including temporary signs) which conveys the same information in Welsh and in English, the Welsh language text must be positioned so that it is likely to be read first.		Position unchanged. Clarified that this applies to new signs only.	<b>Accept</b>  The Council would be able to Accept this standard on the understanding that signs refer to fixed signs rather than notices.  This would be further reinforced with the development of an internal policy to distinguish the difference between signs and notices.	<b>Determination:</b> That imposing the standard is reasonable and proportionate.  <b>Subsequent steps:</b> No Action  The Council has already agreed to accept the standards on the basis of the understanding that 'signs' refers to 'fixed' signs rather than notices. The Commissioner can confirm that these standards are relevant to fixed and temporary signs (as noted in the standard). The standards do not apply to notices. In the case of standards 141 and 142 they apply to new signs or renewed ones only.	<b>Accept</b>
<b>143</b> You must ensure that the Welsh language text on signs displayed in your		Position unchanged. Clarified that this applies to new signs only.	<b>Accept</b>  The Council would be able to Accept this standard on the understanding that signs refer to fixed signs	<b>Determination:</b> That imposing the standard is reasonable and proportionate.	<b>Accept</b>

workplace is accurate in terms of meaning and expression.			rather than notices. This would be further reinforced with the development of an internal policy to distinguish the difference between signs and notices.	<b>Subsequent steps:</b> No Action	
<b>144</b> When you make announcements in the workplace using audio equipment, that announcement must be made in Welsh, and if the announcement is made in Welsh and in English, the announcement must be made in Welsh first.		<b>Different in October letter compared to initial consideration (we didn't comment on the initial consideration)</b>	<b>Accept</b>  The Council is able to accept the standard with the modification stated in the initial consideration:  You must comply with standard 144 in all circumstances except: making an announcement first in Welsh during a crisis or emergency	<b>DETERMINATION:</b> That imposing the standard is not reasonable and proportionate.  <b>Subsequent steps:</b> Provide a circumstance for the standard and extend the Imposition day You must comply with standard 144 in every circumstance except: <ul style="list-style-type: none"> <li>making the announcement in Welsh first during an emergency or an emergency drill</li> </ul>	<b>Accept</b>
<b>145</b> You must produce and publish on your website a 5 year strategy that sets out how you propose to promote the Welsh language at facilitate the use of the Welsh language more widely in your area and the strategy must include (a) a target (in terms of the percentage of speakers in your area) for increasing or maintaining the number of Welsh speakers in your area by the end of the 5 year period concerned and (b) a statement setting out how you intend to reach that target and you must review the strategy and publish revised version on your website within 5 years of publishing a strategy (or of published a revised strategy)	The standard should exclude the need to set a target	Position unchanged	<b>Accept</b>  The Council is able to accept the standard with the understanding that targets can be set only where the activity is within the council's control or under its influence. Consequently, the Council is unable to set a target in respect of increasing the number of Welsh speakers within Neath Port Talbot.	It is evident that the Council has concerns regarding setting a target to maintain or increase the number of Welsh speakers in its catchment area. Whilst the Commissioner agrees with the Council that all standards set relate to the organisations functions, duties and powers, she remains of the view that it is reasonable to impose the standards in question because the authority does exercise functions which are relevant to the activity in question e.g. the Council is responsible for education and could therefore implement a strategy and set targets to maintain and/or increase the number of Welsh language speakers in its locality. The example demonstrates that the Council as a matter of fact could set a target as required by standard 146.	<b>Accept</b>  In light of the information provided previously, discussion with the Commissioner's representatives and the resulting response from the Commissioner, the Council is able to accept this standard.  The Council remains of the view that this standard and standard 146 are more appropriate for national government but does accept that there are areas where it does have influence or control and as such can be considered for inclusion.

<p><b>146</b> Five years after publishing a strategy in accordance with standard 145 you must - (a) assess to what extent you have followed that strategy and have reached the target set by it, and (b) publish that assessment on your website, ensuring that it contains the following information - (i) the number of Welsh speakers in your area, and the age of those speakers; (ii) a list of the activities that you have arranged or funded during the previous 5 years in order to promote the use of the Welsh language.</p>	<p>The standard should exclude the need to set a target</p>	<p>Position unchanged</p>	<p><b>Accept</b>  The Council is able to accept the standard with the understanding that targets can be set only where the activity is within the Council's control or under its influence. Consequently, the Council is unable to set a target in respect of increasing the number of Welsh speakers within Neath Port Talbot.</p>	<p><b>See Above</b></p>	<p><b>Accept</b> In light of the information provided previously, discussion with the Commissioner's representatives and the resulting response from the Commissioner, the Council is able to accept this standard.  The Council remains of the view that this standard and standard 146 are more appropriate for national government but does accept that there are areas where it does have influence or control and as such can be considered for inclusion.  Targets will be set to meet the standard but in setting them the Council will be mindful of its limitations in control and influence.</p>
<p><b>154</b> You must keep a record in relation to each financial year of the number of new and vacant posts which were categorised in accordance with standard 136A posts where: (a) Welsh language skills are essential (b) Welsh language skills need to be learnt when appointed to the post (c) Welsh language skills are desirable or (d) Welsh language skills are not necessary</p>	<p>Extend imposition date to 30<sup>th</sup> March 2017</p>	<p>Prepared to extend the imposition date to 30<sup>th</sup> March 2017</p>	<p><b>Accept</b>  The Council is able to accept the standard as modified by the Commissioner</p>	<p><b>DETERMINATION:</b> That imposing the standard is not (ERROR?) reasonable and proportionate.  <b>Subsequent steps:</b> Extend the imposition day</p>	<p><b>Accept</b> Extended imposition date agreed to by Commissioner</p>