



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

Welsh Language Standards

Annual Report 2021-2022

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Introduction

This annual report highlights our work in implementing the Welsh language standards as applied to the Council as well as identifying areas where more work is required.

During 2021-2022 we continued on the long meandering road towards some form of normality with changes in the demand for council services - backlogs of work that accrued when services were required to stop - a permanent move to a hybrid model in place of traditional office work patterns, significant staff absences due to the physical and mental health impacts of Covid alongside an increasingly competitive local market.

The unexpected impacts of not only the pandemic but also of the introduction of new systems and working practices are currently being worked through with their anticipated resolution by April 2023.

Background

This annual report provides an overview of how as a Council we have implemented the Welsh language standards and provides information on specific areas: the number staff who are Welsh speakers and the language requirements of vacant post as required under the Welsh Language Measure (2011) and Welsh Language Standards (No1) Regulations 2015.

The standards which have been applied to the Council under section 44 of the Welsh Language (Wales) Measure 2011 are contained in our [compliance notice](#).

Accountability

The Council has ultimate responsibility for the implementation of the standards, with the Chief Executive having overall responsibility for ensuring arrangements are in place to secure compliance. In addition, we recognise that each member of staff has a role to play in the successful implementation of the standards.

Our governance arrangements require the Annual Report to be monitored by Cabinet, with Cabinet Scrutiny Committee undertaking an important role in ensuring progress on performance is being sustained.

The Equality and Community Cohesion Group supports the Chief Executive and elected Members and has responsibility for overseeing the implementation of the standards. During 2021/2022, this group was chaired by the Cabinet Member for Corporate Services and Equality and has a membership drawn from each directorate as well as representatives from local equality organisations.

The Welsh Language Officer Group (WLOG) supports the administration and implementation of the standards and helps with the early resolution of any issues that may occur, supports staff in the delivery of services in accordance with the duties placed on the Council as well as helping promote the language.

All information and support materials relating to the implementation of the Welsh language standards are available on the intranet and can be

accessed by staff. Awareness of the requirements of the standards is raised via Corporate Management Group, directorate management teams, team meetings as well as through the Council's internal publicity mechanisms, e.g. the online newsletter, 'In the Loop' and Sway communication.

Compliance and Promotion

Welsh Language Commissioner: compliance with Welsh language standards - in August 2021 we submitted evidence in support of our self-assessment of compliance across specific work areas, as requested by the Welsh Language Commissioner while the Commissioner's officers undertook desktop surveys. In January 2022 we met with the Commissioner's officer to discuss the outcome of the compliance monitoring exercise.

10 areas of activity were assessed: correspondence, telephone calls to the main telephone number, documents/forms, website, social media, reception areas, policy making, assessing the language requirements of new and vacant posts, promoting the Welsh language and record keeping and supplementary matters and arrangements for self-regulation.

While it was found that documents/forms and webpages reviewed were available in Welsh it was frustrating to learn that Welsh was treated less favourably (all webpages assessed and one form) with required text omitted from all documents/forms assessed.

Our compliance in relation to social media suffered a similar fate; although the majority of posts were in Welsh (9/10 on Twitter and 7/10 Facebook) Welsh was treated less favourably in nearly half of those assessed: not available in Welsh, missing text in a Welsh post and missing hashtags.

Disappointingly the following areas failed to show improvement from the previous year's performance assessment:

- correspondence - of three pieces of Welsh correspondence received only two were answered in Welsh with the third receiving no response at all.
- telephone calls – only one out of three telephone calls were dealt with in its entirety in Welsh; neither of the other calls were answered.

Following the meeting further actions have been recommended to ensure full compliance with specific standards, with evidence of their completion to be submitted to the Commissioner as soon as practicable after 30 June 2022. These actions are:

- ensure that all English versions of documents and forms clearly state that the document/form is also available in Welsh. (Standards 49 and 50A)
- take steps to ensure that social media accounts fully comply with the requirements of the standard. (Standard 58)
- produce a Policy on Awarding Grants by 27 May 2022. (Standard 94)
- take steps to ensure that the new HR/Payroll system and therefore all of the Council's recruitment processes fully comply with the requirements of the standards. (Standards 136A, 137, 137A and 139)

Welsh Rights Day (7 December 2021) - following small-scale celebrations in recent years, we had hoped to celebrate the third Welsh Language Rights Day more widely. However, the ongoing restrictions meant that the publicity campaign was limited to social media platforms and information for staff members in our weekly Sway update, Intranet news section and staff Yammer channel.

Welsh Language Rights Day celebrates our rights to use Welsh in our everyday lives, including in the workplace.

Did you know you can...?

- Undertake Welsh language training
- Apply for jobs in Welsh
- Access HR policies in Welsh
- Make complaints in Welsh
- Access support materials such as software to assist you when writing Welsh
- Access Welsh email signatures and out of office messages
- Receive promotional material such as lanyards and 'Iaith Gwaith' badges.

For more information on your rights and support materials take a look at:

- Our Welsh Language Standards webpage
- Staff Intranet
- The Welsh Language Commissioner's My Language Rights webpage
- Welsh language training
- Welsh and bilingual services in Neath Port Talbot



Welsh Language Rights Day – 7 December 2021

Welsh Language Rights Day is held annually in December and marks the date on which the [Welsh Language Measure](#) was passed by Parliament. The Measure confirms the official status of the Welsh language, and establishes the principle that the Welsh language should not be treated less favourably than the English language in Wales. The aim of the day is to celebrate our Welsh language services and promote your rights within the workplace.

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- receive promotional material such as lanyards and 'Iaith Gwaith' badges

Working closely with Menter Iaith Castell-nedd Port Talbot, our Welsh Language Officer Group is working to raise awareness of our language and culture as well as the language services provided to both you and the public. To better promote the use of the language we are currently working on a range of activities one of which is working with Digital Services to provide Teams backgrounds for Welsh speakers...so watch this space!

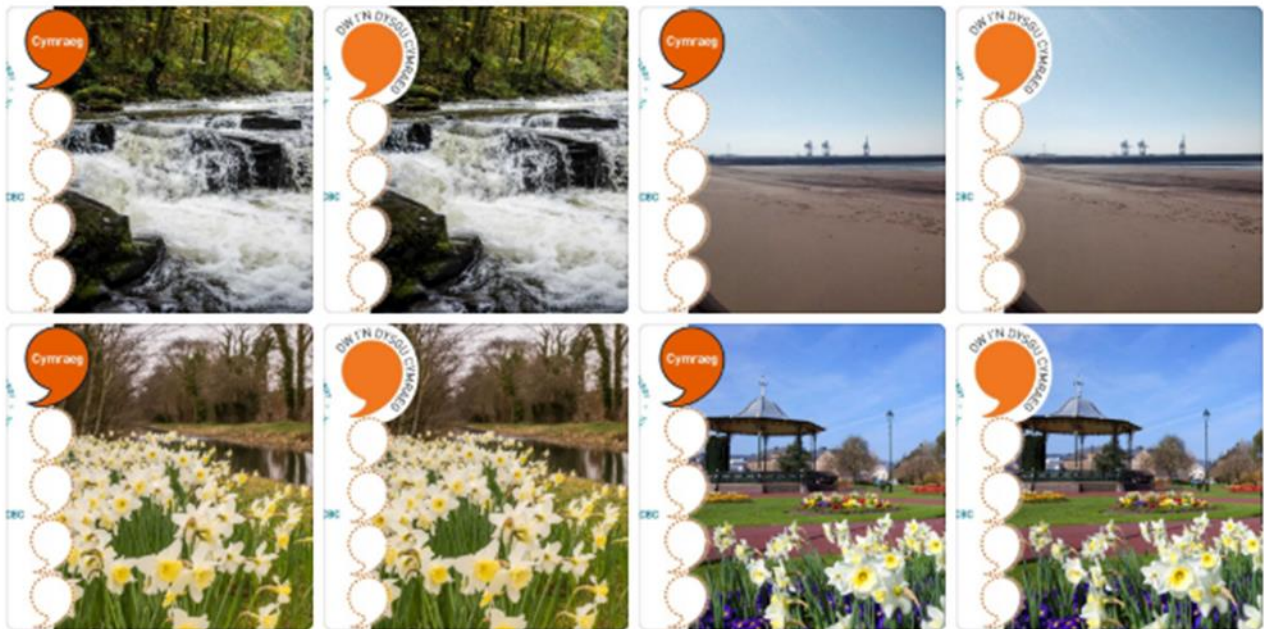
For more information on your rights and support materials please visit:

- Our [Welsh Language Standards webpage](#)
- The Welsh Language Commissioner's [My Language Rights](#) webpage

Please [click here](#) for more information on Welsh language training opportunities .

For more information on Welsh and bilingual services in Neath Port Talbot, please [visit our webpage](#).

Welsh Microsoft Teams backgrounds were produced and Welsh speaking staff and learners were encouraged to use these in their Teams meetings. Seasonal Teams backgrounds for all staff are being produced by our communications team and by the end of the year we should have a full complement of backgrounds for use by all staff.



Following on from Welsh Language Rights Day, we have created a more visible section for the [Welsh language](#) on our website, signposting to Welsh language standards, Welsh language promotion and opportunities to learn and use Welsh. This will continue to be updated and improved during 2022/2023

Let's Talk Campaign - Over the summer 2021, we ran a campaign to engage people from all backgrounds and of all ages with a view to testing our understanding of how the pandemic has impacted on different parts of our county borough and to also understand what matters most to local people.

The responses told us that people in NPT were proud of their Welsh communities and wished to preserve and protect our Welsh language, traditions and culture. Amongst the many responses received during the Let's Talk people told us that their local environment, the Welsh Language and our heritage and culture matters to them. They wanted us to:

- Keep the past alive, promoting and celebrating our heritage to strengthen our sense of identity and sense of belonging;
- Help to protect, preserve and maintain our historic and heritage sites for present and future generations;
- Promote our Welsh language, traditions and culture;
- Help all generations to connect with our natural environment, heritage and culture;
- Help our community and voluntary groups to sustain and further develop their important work.

Consequently the Council's Wellbeing Objectives were developed based on the responses received; with one in particular recognising the importance placed on Welsh language heritage and culture in Neath Port Talbot. The [Corporate Plan 2022-2027](#) contains further information on the Wellbeing Objectives as well as the actions to realise them.

The responses during the Let's Talk campaign have also been used to inform the Neath Port Talbot Public Services Board's Wellbeing Assessment. One of the dimensions of the Assessment is Cultural Wellbeing which includes the themes of Culture and Heritage and the Welsh language. The Public Services Board recognises the need to monitor the situation and provide more opportunities for people in NPT to speak Welsh.

Service Delivery standards

Providing services generally has continued to be challenging since the outbreak of the pandemic in March 2020 and providing a Welsh language service has been even more difficult for some of our service areas during this period. The majority of staff have continued to work from home with a limited number of staff able to return to the office environment. However, the effects of Covid 19 on staffing levels and ultimately services continues to be felt.



Correspondence in Welsh – in order to reduce the number of erroneous requests to receive correspondence in Welsh the Welsh Language Officer Group has redesigned the online request form which is now only available in Welsh on our website. A data cleansing exercise is to be carried out to help ensure the correct information is available to services.

82 people have indicated they wish to receive correspondence from us in Welsh.



The database has been incorporated into the new recently introduced Legal Case Management System; the system runs a process of risk checks one of them being linked to the Welsh Language Database and alerts are highlighted on individual files if correspondence in Welsh is required.

Telephone calls – we have experienced difficulty over recent years in recruiting and retaining Welsh speaking staff in our Customer Services Team which has had a direct impact on our ability to deal effectively with Welsh enquiries on our main telephone number. This has been compounded by the ongoing issues associated with the pandemic, for example with services having to change their operating models, and prolonged periods of staff sickness. An increase of 14% in the number of Welsh language calls (1215 compared to 1043 in 2020-2021) to the main telephone number has further exacerbated the position.

We hope to address these issues by increasing capacity in our Customer Services Team through the further recruitment of Welsh speakers into posts as well as encouraging staff with some Welsh language skills to improve their level and/or confidence in using Welsh at work.

Council Meetings – while bilingual council meetings were to commence during 2021-2022 the Members ICT Reference Group (a sub group of the Democratic Services Committee) made the decision that purchase and administration of the licenses, virtual Zoom training for Members as well as purchase the additional laptops (all required to use the system) should wait until the new administration of the Council.

Simultaneous translation of Council meetings will now commence in September 2022 when the meetings will be held utilising the Public-I Hybrid/Webcasting equipment which effectively enables the translation elements of the digital system.

Policy Making Standards

The requirements of the policy making standards are incorporated into the Council's Integrated Impact Assessment (IIA) framework. The impact assessment process is undertaken for all new and revised policies /initiatives and so opportunities to use Welsh as well as not treating Welsh less favourably than English are considered each time. Comprehensive guidance and associated forms are currently available on our intranet for all staff.

Three separate audits of the IIA process were undertaken during 2021-2022; (two delayed from 2020-2021) - one identified in the Annual Governance Statement and undertaken by the Council's Internal Audit service focusing on how well the framework is embedded into our decision making process, the other by an external consultant concentrating on the quality and effectiveness of the assessments; the third undertaken by Audit Wales to consider Equality Impact Assessments and their use in decision making. The two former audit reports were completed in March 2022 with the latter audit due to be completed by July 2022.

Recommendations from the audits will be considered and will inform further revision of the IIA tool as appropriate.

Training for elected members (as part of the new member induction training) and relevant staff are being arranged for June/July and September 2022.

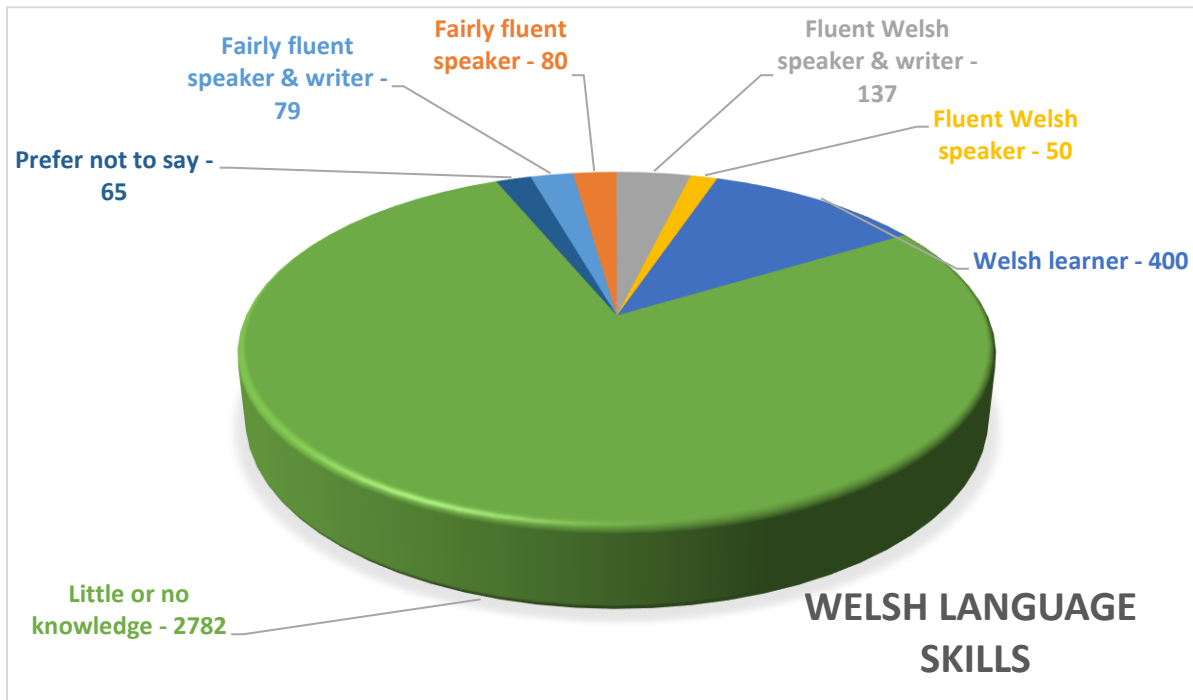
While the Welsh language was a key component of the IIA process its consideration when awarding grants was not always as robust. The third sector grants policy included sections relating to the Welsh language but little consideration was given to the language amongst other grants we administered.

During the year, along with a number of many other local authorities we became aware that we did not meet the requirements of standard 94 and so following advice from the Welsh Language Commissioner and, using a template developed by 'Deddf', an Awarding Grants Policy has been produced and implemented in May 2022.

Operational standards

While policies relating to staff employment have been produced in Welsh and are available on our intranet, no existing or new member of staff has wished to receive information regarding their employment in Welsh during 2021-2022.

The number of staff who identified as having Welsh language skills during 2021-2022 remained relatively low overall. However, there was a small increase in the number of staff identifying as fluent speakers and writers (137 compared to 126 during 2020-2021) and the number of Welsh learners increased by 17.



Welsh speaking employee directory - 146 members of staff were identified on our employee directory as willing/able to use their language skills as part of their work. Unfortunately, with the introduction of the new HR/Payroll system in late autumn 2021 our digital services team were unable to continue to maintain the employee directory, a system that was linked to our previous HR/Payroll system. We are working on introducing an alternative.

While the position is frustrating and has the potential to hinder our ability to readily identify Welsh speakers it has also provided an opportunity to harmonise various strands of work notably the identification of Welsh speakers and the introduction of the language assessment framework. We aim to complete this work during 2022-2023.

Language skills assessments - In order to ensure language skills are assessed consistently across service areas a new language assessment framework is being introduced. The framework will enable staff to assess their language skills, and then update their HR records, in line with widely recognised criteria. Anecdotally staff underestimate their skill level and so it is hoped that this new process will help boost confidence and hopefully

encourage staff to use their Welsh language skills in work. The assessment process will also help managers have a better understanding of the language skills within their service areas when considering workforce planning/recruitment.

While it was originally anticipated the framework would be part of the implementation of a new HR/Payroll system in late autumn 2021 on further reflection it is now considered more appropriate to introduce this incrementally during 2022-2023.

Information, and support material - guidance and other support material on using and complying with the Welsh language standards is available to all staff via the Performance Hub Welsh language page on the Intranet. During the year the Welsh Language Officer Group has updated the information available and included some new material, for example employee guidance, a meeting checklist and a guide to Welsh translations.

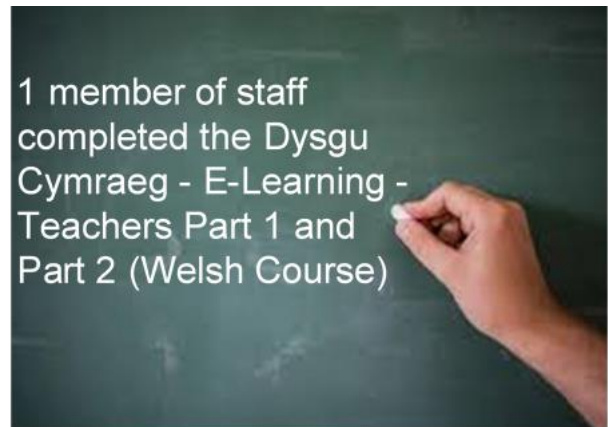
With the move to alternative work platforms the Welsh Language Officer Group has also created two Yammer groups in March/April 2022; one to enable Welsh speakers to chat and provide peer support and the other for all staff to access information, help and support as well as promotional materials. These will be fully functioning during 2022-2023.

Training

Peer led Welsh language sessions are held fortnightly by the Welsh speaking Development Officer for colleagues in the Flying Start and Early Years Childcare Team to raise their basic Welsh speaking ability. As the team is progressing the Welsh in Childcare Award (developed to encourage childcare settings to become bilingual) it was considered key for staff to increase their confidence in using and knowledge of the language in order support the English speaking settings; it was essential to undertake the journey together and for childcare staff to see that we are also willing to learn and working hard to improve our own personal Welsh language abilities.

There has been a significant decrease in the number of staff accessing e learning Welsh language courses during 2021-2022 (a total of 37 compared to 248 in 2020-2021). While there doesn't appear to be a particular reason for this decrease it is likely that changes to working arrangements towards the latter part of 2020-2021 and throughout 2021-2022 (more schools fully reopening, new hybrid working arrangements for

office based staff, increased workloads/changing priorities and a reduction in the number of staff initially redeployed) as well as natural drop off have contributed to this decrease.



Nine staff accessed/progressed through to higher levels of Welsh language courses during the year; four completed their courses with another member of staff nearing completion.

While the numbers are small it is encouraging to see staff from across all directorates are accessing these courses.

Promotion Standards

[Welsh Language Promotion Strategy](#) – the penultimate annual progress report (2020-2021) for the current strategy was published in January 2022. There was a hiatus in progress during the period as a consequence of the pandemic which in turn led to the maintenance of services being a priority for in many areas. However there were some areas of progress notably:

- A virtual Youth Club was established to encourage the social use of Welsh amongst pupils at Ysgol Gymraeg Ystalyfera and has been shortlisted for a Youth Work Excellence Award.
- Increase in the number of staff accessing online Welsh language courses.
- A wide range of Menter Iaith Castell-nedd Port Talbot activities delivered over the period to help promote and support Welsh language provision amongst families and the wider community.
- 'Welsh Homework Help' created by Mentrau Iaith Castell-nedd Port Talbot and Abertawe to offer parents in both areas practical support on homework, and any issues about Welsh medium education.

Specific Legislative Requirements

Vacant Posts for 1 April 2021 – 31 March 2022.

Welsh language skill requirements	Number of posts	Percentage of posts
Essential	8	1.2
Desirable	181	28.9
Need to learn Welsh	0	0
No Welsh skills required	438	69.9

Language Skills of staff

Directorate/Service	Fairly Fluent Speaker & Writer	Fairly Fluent Speaker	Fluent Speaker and Writer	Fluent Speaker	Little or no knowledge	Prefer Not To Say	Welsh Learner	Total
Chief Officers					3		1	4
CEX								
Digital Services	4	1	2		90	1	7	105
Financial Services	3	3	2		136	1	10	155
Human & Organisational Development	2	4	5	1	77	1	11	101
Legal & Democratic Services	5	2	6	1	64		18	96
ELLL								
Early Years, Inclusion & Partnerships	4	3	6	2	86	6	31	138
Education Development	5	4	12	4	142	4	38	209
Support Services & Transformation	11	4	25	10	469	29	34	582
ENV								
Engineering and Transport	4	3	6	2	107	1	13	136
Planning & Public Protection	7	9	12	1	146	6	60	241
Property and Regeneration		7	3	2	112	2	12	138
South Wales Trunk Road Agency	2	5	9	6	155	1	19	197
Streetcare Services	9	11	13	7	384	6	32	462
SSHH								
Adult Services	12	12	19	9	455	4	50	561
Business Services		4	2	4	91	2	9	112
Children and Young People Services	11	8	15	1	265	1	55	356
Total	79	80	137	50	2782	65	400	3593

Complaints

A total of nine complaints were received during 2021-2022; six via the Welsh Language Commissioner and three direct to the Council.

CS035 - Polling Station Card - the card displayed text in English first. The Commissioner determined that as Returning Officers are responsible for the issue of poll cards and are not subject to language duties, no investigation was possible.

CS067 – Lack of community consultation and the closure of three English medium schools to create a new school for around 700 children in Pontardawe. The Commissioner decided not to undertake an investigation, as there did not appear to be any suspicion of failure to comply with one or more of the standards. However the Commissioner did ‘feel that there is room for the Council to expand its consideration of the effects on the Welsh language in the consultation document...making recommendations to the Council to strengthen its process of considering the effects on the Welsh language in the consultation document.’

CS068 – Lack of community consultation and the closure of three English medium schools to create a new school for around 700 children in Pontardawe. The Commissioner decided not to undertake an investigation, as there did not appear to be any suspicion of failure to comply with one or more of the standards. However the Commissioner did ‘feel that there is room for the Council to expand its consideration of the effects on the Welsh language in the consultation document...making recommendations to the Council to strengthen its process of considering the effects on the Welsh language in the consultation document.’

CS077 – School Transport letter in English only. The Commissioner did not investigate the complaint because the Council has taken appropriate steps to ensure that letters relating to school transport are sent bilingually in future.

CS114 – Consultation regarding the closure of three English medium schools to create a new school for around 700 children in Pontardawe. The complaint alleges that the Council did not include a Welsh Language Impact Assessment during the first part of the consultation process. It also refers to the Impact Assessment commissioned by the Welsh Government that was not available to the public, and therefore no opportunity was available to comment on that assessment. The investigation is ongoing.

CS119 – Complaint containing three allegations from a member of staff. Firstly, the allegation that internal staff communication was in English only; secondly, the complainant alleges to have asked several times for a Welsh form to reserve a seat on a school bus; and lastly the complainant had to ask for a Welsh form when commencing employment with the Council. The Commissioner did not investigate the first allegation, as there is no standard requiring the council to provide general correspondence to staff in Welsh. Due to the time elapsed since the other incidents occurred (2017 and 2018) the Commissioner does not need to consider investigating.

The complaints received direct to the Council:

Margam Park Signage – the complaint focused on errors in the Welsh content on park signage and signs that were in English only. An internal inspection found that some signs were erected before the standards came into force and one of the signs belonged to a private business operating in the park, who are not bound by the language standards. Bilingual boards and signs where errors have been identified will be changed when funding allows. The signs regarding coronavirus precautions were commissioned and installed at short notice, which allowed no time for translation. Staff at the park have been reminded of the need to ensure that signs are bilingual and that the translation is correct.

Street Signage – The complaint referred to incorrect Welsh language on a street sign. An internal investigation found that a translation was

obtained out of context resulting in the erroneous translation. Employee guidance has been amended to reflect that if a phrase/sentence is sent for translation, context must be provided, as this could affect the accuracy of the translation.

Website/Winter Fuel Payment Application – The complaint referred to issues with the council website; the Winter Fuel Payment Scheme Application was not available in Welsh, the Welsh language correspondence request form would not load correctly and Welsh links on the website were to English pages. The relevant department was advised that in future any forms published on the council website must be in both Welsh and English. The complainant's details were added to the Welsh language preference database and they were advised as such.

The following complaints were determined during 2021-2022:

CSG727 - Coronavirus letter and Safe and Well leaflet in English only. The Commissioner determined the Council had failed to comply with standard four and further actions were imposed to prevent the continuation or repetition of the failure. Consequently, actions were undertaken, and were accepted by the Commissioner, which 'puts the Council in a better position so that you do not make a decision not to send correspondence in Welsh in an emergency situation in the future'.

CS026 - Posters, recycling/garden refuse bags and signage on recycling vehicles – 'disadvantaging the Welsh language'. Although all text/signage is bilingual in all instances the complainant considers that its position 'disadvantages the Welsh language'. The Commissioner decided not to conduct an investigation as the Welsh language was not treated less favourably in any of the circumstances.

Have your Say

Enquiries or feedback on this report are welcomed via:

Email: policy@npt.gov.uk

Post: Chief Executive, Neath Port Talbot County Borough Council,
Civic Centre, Port Talbot, SA13 1PJ

Social media:



Follow us and add your comments to the Council's Facebook page: <https://www.facebook.com/NeathPortTalbotCBC>



Follow this report and add your Tweets on our Twitter Page: [@NPTCouncil](https://twitter.com/NPTCouncil)



Follow us on Instagram: <https://www.instagram.com/nptcouncil/>

Measures

Translations	2019-2020	2020-2021	2021-2022
Total cost of translations (where able to be identified)	£49,573	£43,072	£39,573
Number of requests for translation received by the translation unit	716	662	815

Telephone Calls	2019-2020	2020-2021	2021-2022
Number of staff with fluent/fairly fluent language skills identified in the employee directory	126	146	146*
Average time to answer telephone calls – English	52 seconds	43 seconds	44 seconds
Average time to answer telephone calls - Welsh	45 seconds	51 seconds	57 seconds

* This figure is based on the latest information available prior to the removal of the employee directory as a result of the introduction of the new HR/Payroll system.

Increased call levels 1215 in 2022 compared to the previous year of 1043 at a growth of 14% along with a limited number of Welsh speakers within the section continues to limit our ability to deal with Welsh enquiries. We continue to find that switchboard enquiries are taking considerably longer to deal with compared to pre-pandemic as services have changed their operating models to adapt. We are continuing to attempt to counter these issues but this has impacted on the time taken to deal with generally quick enquiries with a resulting knock on effect across all services. We have been further impacted by various sickness absences affecting a number of the Welsh speaking team over protracted periods during the year which has had a detrimental effect on scope to answer calls as quickly as we would

like. We are countering this by increasing Welsh speaking staffing during upcoming recruitment processes.

Social Media	31.03.20	31.03.21	31.03.22
Twitter			
Followers - English corporate account	14,381	15,799	16,584
Followers - Welsh corporate account	306	368	431
Facebook			
English corporate account	10,878	15,882	17,704
Welsh corporate account	71	103	141

NPT News e-newsletter	31.03.20	31.03.21	31.03.22
No of subscribers to Welsh e-newsletter	11	17	17
No of subscribers to English e-newsletter	1,221	1,922	2,186
No of subscribers to bilingual e-newsletter	24	33	48

Website	2019-2020	2020-2021	2021-2022
Total number of hits on website	3,576,298	3,980,097	4,009,274
Hits on Welsh webpages	34,045	23,423	29,177

Language Skills	2019-2020	2020-2021	2021- 2022
Fairly fluent speaker & writer	83	77	79
Fairly fluent speaker	69	76	80
Fluent Welsh speaker & writer	102	126	137
Fluent Welsh speaker	49	48	50
Welsh learner	347	383	400
<p>The number of staff who identified as having Welsh language skills during 2021-2022 remained relatively low overall. However, there was a small increase in the number of staff identifying as fluent speakers and writers (137 compared to 126 during 2020-2021)</p>			

Vacant Posts	2019-2020	2020-2021	2021-2022
Welsh language skills were desirable	146	83	181
Welsh language skills were essential	36	2	8
Welsh language skills were not necessary	390	206	438
Welsh language skills needed to be learnt when appointed to the post	1	0	0

Complaints	2019-2020	2020-2021	2021-2022
Number of complaints received via the Welsh Language Commissioner	7	2	6
Number of complaints where the Welsh Language Commissioner determined no investigation necessary	4	-	2
Number of complaints where the Welsh Language Commissioner determined there was no failure to comply with the standards *	1	-	3

* In order to provide a better understanding of the outcome of the complaints received via the Commissioner it is considered appropriate to add a further category to the table and data from previous years has been re-categorised accordingly.

While there was an increase in the number of complaints received during the year it should be noted that of the six received one was not the responsibility of the Council and three complaints were about aspects of the same matter (new school provision in Pontardawe); there was no failure to comply in relation to three of the complaints with the investigation continuing in respect of the third.