

Implementing the Welsh Language Standards

On 25 July 2016, the Commission of Equality and Human Rights (EHRC) was presented by the Welsh Language Commissioner with:

Compliance Notice – Section 44 Welsh Language (Wales) Measure 2011

This notice

- sets out, or refers to, one or more standards specified by the Welsh Ministers under section 26(1), and
- requires a body (EHRC in this instance) to comply with the standard or standards set out or referred to.

The compliance notice remains in force unless, and until, it is revoked. The EHRC's Welsh language scheme will cease to apply on 25 January 2017 the day in which the EHRC is required to comply with the standards for the first time.

Service Delivery Standards

Correspondence

When the Commission receives correspondence from a person in Welsh we will reply in Welsh (if an answer is required), unless the person has indicated that there is no need to reply in Welsh.

When we correspond with individuals in Wales for the first time, we will ask them whether they wish to receive correspondence from us in Welsh, and if they respond to say that they do, we will keep a record of their wish and correspond with them in Welsh from then onwards including any forms we might send to them.

When we send, for the first time, correspondence addressed to two individuals in Wales who are members of the same household, we will ask them whether they wish to receive correspondence from us in Welsh, and if both of them respond to say that they wish to receive correspondence in Welsh, we will keep a record of that wish and correspond in Welsh from then onwards when sending correspondence addressed to both of them. We will do likewise if only one of them responded to say that he or she wishes to receive correspondence in Welsh.

When we send the same correspondence to several persons in Wales, we will send a bilingual version of the correspondence to all of them except the ones we have on record as saying they wish correspondence in Welsh only. When the Welsh language version and the English language version have to be sent separately, we will treat both versions equally as regards status and appearance, and both will be sent at the same time.

We will state in correspondence and in publications and notices that invite persons in Wales to respond or correspond with us, that we welcome receiving correspondence in Welsh, that we will respond to correspondence in Welsh, and that corresponding in Welsh will not lead to delay.

Telephone Communication

When a person contacts us on our main telephone number in Wales we will greet the person in Welsh and in English. Our reception staff will inform callers that a Welsh language service is available if they so wish and where necessary transfer the call to a member of staff who is able to deal with the call in Welsh until such point as it is necessary to transfer the call to a member of staff who does not speak Welsh who can provide a service on a specific subject matter when a Welsh speaking member of staff is unable to provide a service on that specific subject matter.

When we publish our main telephone number we will state in Welsh and in English that we welcome calls in Welsh.

Our main telephone call answering service in Wales uses a bilingual message which will inform persons calling, in Welsh, that they can leave a message in Welsh.

When a caller rings one of our direct lines in our office in Wales he or she will be greeted in Welsh and in English. If the person wishes to speak Welsh, but the person taking the call cannot do so, the call will be transferred to a Welsh speaking colleague qualified to deal with the enquiry. If no Welsh speaker qualified to deal with the enquiry is available, the caller will be given the choice, as appropriate, of having a Welsh speaker phone back as soon as possible, continuing the call in English or submitting his or her query in Welsh, by letter or e-mail.

When we telephone individuals for the first time we will ask whether they wish to receive telephone calls from us in Welsh. If they respond to say that they wish to receive telephone calls in Welsh we will keep a record of that wish, and conduct telephone calls made to them from then onwards in Welsh, until such point as it is necessary to transfer the call to a member of staff who does not speak Welsh who can provide a service on a specific subject matter when a Welsh speaking member of staff is unable to provide a service on that specific subject matter.

Meetings in Wales between the EHRC and other invited persons

When we invite one person only to a meeting we will ask whether he or she wishes to use the Welsh language at the meeting and inform that person that we will, if necessary, provide a translation service from Welsh to English for that purpose.

When we invite more than one person to a meeting, we will ask each one whether they wish to use the Welsh language at the meeting. When at least 10% (but less than 100%) of the persons invited have informed us that they wish to use the Welsh language at the meeting, we will arrange for a simultaneous translation service from Welsh to English to be available at the meeting.

Public meetings in Wales

The Commission does not normally hold meetings open to the general public. When that is the case we will ensure that a simultaneous translation service from Welsh to English is available at the meeting, and we will orally inform those present in Welsh that they are welcome to use the Welsh language, and that a simultaneous translation service is available.

However, we regularly hold conferences and events in Wales which are by invitation only and which are open to interested people in different sectors and different parts of Wales.

Invitations for such events will be sent out in Welsh and English.

When we invite key speakers to speak at such a meeting or event that we have arranged which is open to the public we will, when appropriate, ask each person invited to speak whether he or she wishes to use the Welsh language. If at least one of those persons informs us that he or she wishes to use the Welsh language at the meeting, we will provide a simultaneous translation service from Welsh to English for that purpose.

At such events, when at least 10% of the people that have registered an interest to attend have informed us that they wish to use the Welsh language at the event, we will provide a simultaneous translation service from Welsh to English for that purpose and we will orally inform those present in Welsh that they are welcome to use the Welsh language, and that a simultaneous translation service is available.

When we display any written material at such a meeting we will ensure that the material is displayed in Welsh and in English, both versions will be equal with regard to size, prominence and quality.

When we fund at least 50% of a public event, we will ensure that, in promoting the event, all publicity and advertising material for such event will be equal with regard to size, prominence and quality. All services offered to persons attending the event will be in Welsh and English, when it's reasonable and proportionate to do so, as well as any audio announcements made at the event.

Other Meetings with the Public in Wales

When we arrange a visit or appointment for members of the public to the office in Cardiff in advance, we will ask each person whether he/she wishes to receive a Welsh language reception service. We will record the name of each person who requests that service and provide a face to face Welsh language reception service for them.

Advertising and Publicity Material

All of the publicity, public information, exhibition and advertising material we use in Wales will be produced bilingually, or as separate Welsh and English versions. If the Welsh and English versions have to be published separately, both versions will be equal with regard to size, prominence and quality - and both versions will be available simultaneously and will be equally accessible.

As regards any material aimed at a limited and specialised audience, we will consider the need to produce this bilingually in each case, whilst bearing in mind the nature of the audience and the subject being dealt with.

Any advertisements placed in English language newspapers (or similar material) distributed mainly or wholly in Wales will be bilingual, or will appear as separate Welsh and English versions (with both versions appearing simultaneously, and being equal with regard to size, prominence and quality).

Job adverts for posts in the Wales office will state that application forms may be submitted in Welsh.

Direct marketing campaigns in Wales will be conducted in English and Welsh.

Promotional and information materials displayed by the Commission at events in Wales will invite the public to communicate with the Commission in Welsh as well as English.

Where practicable, bilingual staff will staff stands and displays at events.

Publishing and Printing Material

Our normal practice will be to publish material made available to the public bilingually, with the Welsh and English versions together in one document.

If the Welsh and English versions have to be published separately (for instance, where a single document would be too lengthy or bulky), both versions will be of equal size and quality - and our normal practice will be to ensure that both versions are available at the same time and are equally accessible. Each version will note clearly that the material is available in the other language.

Because research reports are produced for a specialist audience, we do not publish them in Welsh as well as English. However, where the Commission considers that the subject or nature of the research is of particular relevance to a Welsh

audience, we will look to produce research summaries in both English and Welsh.

All forms for use by the public in Wales will be in both languages as will any information pre-entered on them. Should the versions be printed as separate documents for any reason, both versions will be printed simultaneously, be of equal size and quality, be equally available and distributed together by post or over the counter. Each language version will carry a message confirming that the form is also available in the other language.

All press releases in Wales will be published in Welsh and in English simultaneously.

Website

The text of each page of our GB website that is relevant to the public in Wales, but excluding those relevant to England and Scotland only, will be available in Welsh. Every Welsh language page will be fully functional and equal to the English language page as regards design, interface, menus and quality. Each webpage will have a toggle to link it directly with its corresponding mirror page in the other language. We will endeavour to publish the English language page and its mirror Welsh language page at the same time. Whenever it is not possible to do so, we will publish the mirror page within a day of the English page or as soon as possible afterwards.

Apps

When relevant to the public in Wales, all apps will be published in Welsh and English and both versions will be of equal size and quality. Our normal practice will be to ensure that both versions are available at the same time.

Social media

When we use social media the Welsh language version will be of equal quality to the English language version as regards visual presentation and we will endeavour to publish both at the same time.

If a person contacts us by social media in Welsh, we will reply in Welsh (if an answer is required).

Signs in Wales

Our normal practice will be to ensure that all of our permanent and temporary signs, which give information to the public, will be bilingual with the Welsh and English text being treated equally with regard to size, legibility and prominence. Welsh language text will appear first and it will be accurate in terms of meaning and expression.

We will adhere to this practice whenever signs are being installed for the first time, or whenever we are replacing signs.

If separate Welsh and English signs are provided, they will be equal in terms of format, size, quality and prominence.

Awarding contracts

When the subject matter of any tender for a contract suggests that it should be produced in Welsh, or when the anticipated audience, and their expectations, suggests that the document should be produced in Welsh, the Commission will publish the invitations for tender in Welsh and in English, with both versions equal in size and quality, and distributed together. Both versions will state that tenders may be submitted in Welsh and that such tenders will be treated no less favourably than a tender submitted in English.

When we receive a tender in Welsh and it is necessary to interview that tenderer as part of our assessment of the tender, we will ascertain whether he/she wishes to use the Welsh

language at the interview and provide a simultaneous translation service for that purpose.

When we inform a tenderer, who submitted the tender in Welsh, of our decision in relation to that tender, we will do so in Welsh.

Any agreements or arrangements which we make with third parties will be consistent with the relevant Welsh Language Standards, when those agreements or arrangements relate to the provision of services to the public in Wales. This will ensure that third parties provide those services in accordance with the standards.

Corporate Identity

We will adopt a bilingual corporate identity in Wales. Our name, contact details, logo, slogans and other standard information will appear in Welsh and English on all material which displays our corporate identity. This includes our stationery - and material such as business cards, identity badges, acknowledgement cards, compliment slips and invitations.

All Wales staff e-mail signatures will show the Commission's bilingual logo, their job title in Welsh and English and will indicate that the Commission welcomes correspondence in Welsh or English and when appropriate will indicate if the member of staff speaks Welsh fluently or are learning the language.

Educational courses offered by the Commission

When we develop an education course that is to be offered to the public, we will assess the need for that course to be offered in Welsh. When appropriate, we will offer all educational courses in Welsh unless the assessment comes to the conclusion that there is no need for the course to be offered in Welsh. The conclusion of assessments will be published on our website.

Policy Making Standards in Wales

The Equality and Human Rights Commission has adopted the principle, so far as it is both appropriate in the circumstances and reasonably practicable, that in the conduct of its public business in Wales, it will treat the Welsh and English languages on a basis of equality.

The Commission will promote the Welsh language through all its policies, strategies, projects, research, consultation documents, partnerships and services to the public in Wales and will, whenever possible, help the public in Wales use Welsh as part of their day-to-day lives.

The EHRC values working in partnership with other organisations in the development and delivery of policies, initiatives and new legislation and in a more enabling role that maximises its value to the public.

When we contribute to the development or delivery of policies and initiatives, or new legislation led by other organisations, we will do so in a way, which considers their effect on opportunities to use Welsh and will strive to ensure that all effects, direct or indirect, are constructive.

Welsh language requirements will be addressed in the Equality and Human Rights Considerations section of Assignment Briefs, a mandatory foundation document for delivering the EHRC business plan, which are approved ahead of the Business Plan for the year.

Operational Standards in Wales

Our workplace in Wales needs access to sufficient and appropriately skilled Welsh speaking staff to enable it to deliver a full service in Welsh.

Periodically, we will undertake an audit to establish the number of fluent Welsh language speakers in the workforce and those with some ability in speaking or understanding Welsh.

The Commission will always support those employees in using Welsh in their everyday working role activities when it is appropriate, sensible and practical to do so.

When we offer a new post to an individual, we will ascertain if he or she wishes for the contract of employment or contract for services and any related paper correspondence which is addressed to them personally to be provided in Welsh. If that is the individual's wish we will provide the contract and the correspondence in Welsh.

Computer software, such as Cysgliad, for checking spelling and grammar in Welsh and for providing a collection of bilingual electronic dictionaries, will be provided to staff on request as well as Welsh language interfaces for software where an interface exists.

Our complaint policy and procedure document will notify that members of staff who wish to make complaints to the Commission in Welsh can do so as well as responding in Welsh to any complaint made about themselves. In any subsequent meeting we will ascertain whether those members of staff wish to use the Welsh language at the meeting and explain that a simultaneous translation service from Welsh to English will be provided if necessary. Such staff will be informed in Welsh about any subsequent information and decisions regarding the complaint.

The same provision will apply to staff included in any internal disciplinary process and our Disciplinary Policy will affirm that provision.

Through the Commission's Learning and Development Policy, staff will be encouraged to learn or improve their Welsh, when Welsh language skills are essential for their post, need to be learnt when appointed to the post or are desirable for the post. To this end, all employees may request through the Commission's Learning and Development Policy a change to their working pattern to enable them to pursue such training or study.

The Policy also considers applications for financial support for external study where this is relevant to an employee's current role or for their longer term career development.

The Commission in Wales is a member of the Welsh Government's Public Service Management Programme and there is a system in place to identify needs and access training, including the Welsh language.

In the Commission's Cardiff office library, there are resources for learning Welsh. There are two sets of Foundation and Intermediate Course books with Practice Packs and revision CDs. These include two appendices, one for staff who are learning in the workplace and one for parents with children under five. There are also two up- to- date versions of a Teach Yourself Welsh pack and CD for those whose goal is to gain all round confidence in the language. There are Welsh learners' Grammar Guide books and suitable dictionaries available also.

Members of staff will be encouraged to use this resource and to practice and use what they learn with colleagues at work. The Commission's Welsh Language Officer will always welcome opportunities to help and support members of staff as they learn and use the resource.

An induction process will raise new employees' awareness of the Welsh language, its history and its role in Welsh culture, and the requirements of the Welsh Language Standards that apply to the Commission.

In the Commission in Wales section of the intranet there is guidance for staff on how to implement the Welsh Language Standards. This sets out good practice when dealing with the

Welsh speaking public, either through written or telephone communication. It explains the procedure to follow to ensure that communicating or corresponding through the medium of Welsh does not of itself lead to a delay or impede quality of service. The section also has a Welsh Language glossary of standardised equality and human rights terminology that employees can refer to in order to ensure that the language used is acceptable to our stakeholders.

When the Commission provides training in the areas of recruitment and interviewing, performance management, complaints and disciplinary procedures, induction, dealing with the public, health and safety and on using Welsh effectively in meetings, interviews and complaints and disciplinary procedures, the training will be provided in Welsh for employees who wish to receive such training in Welsh when its reasonable and proportionate to do so.

All Wales staff e-mail signatures will show the Commission's bilingual logo, their job title in Welsh and English and will indicate that the Commission welcomes correspondence in Welsh or English and when appropriate will indicate if the member of staff speaks Welsh fluently or are learning the language.

Staffing in Wales

Our workplace in Wales needs access to sufficient and appropriately skilled Welsh speaking staff to enable it to deliver a full service in Welsh. As such, we identify those jobs where the ability to speak Welsh is desirable or essential. This requirement is defined as a component of a workplace or team, or attached to a particular job. In the case of 'essential', the ability to communicate bilingually through the medium of Welsh and English will be required.

Linguistic ability will be one of a number of skills considered in staff appointments. Where bilingual communication skills through the medium of Welsh and English are considered essential or desirable for any post, this will be specified in the

job specification and in the advertisement when recruiting to that post.

A candidate unable to speak Welsh may be appointed to a post for which Welsh is considered essential, but where time can be allowed to learn the language. In these cases, learning the language to the required level of competence, within a reasonable agreed period, will be a specific performance criterion.

When no suitable Welsh speaking candidates can be found for a post where Welsh is essential (or whilst a candidate unable to speak Welsh has been appointed and is learning the language) we will make temporary arrangements under which the Welsh language service can be provided (by using, for example, Welsh speaking staff from elsewhere in our organisation to deliver parts of the service).

Job descriptions, job specifications and application forms for jobs will be available in Welsh as well as material that explains our procedure for applying for posts, information about our interview process and any other assessment methods when applying for posts.

Application forms for posts will 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. We will provide a translation service from Welsh to English for that purpose if it is required. When we inform an individual of our decision in relation to an application for a post, we will do so in Welsh if the application was made in Welsh.

Record Keeping Standards

In relation to each financial year, we will keep a record of the number of complaints we receive relating to our compliance with standards that we are under a duty to comply. We will keep a copy of each such written complaint, along with any complaint that relates to the Welsh language whether or not it relates to the standards.

We will keep a record of any steps that we have taken in order to ensure compliance with the policy making standards.

Following assessments of our employees' Welsh language skills, we will keep a record of the number of employees who have such skills and at which level. We will keep a record of the number of our staff who attend any training courses provided by the Commission in Welsh and will include that number as a percentage of the total number of staff attending such training in Welsh or English.

We will keep a copy of every assessment that we carry out in respect of the Welsh language skills that may be needed in relation to a new or vacant post and the number of new and vacant posts which were categorised as posts where Welsh language skills are essential, need to be learnt when appointed to the post, are desirable or not necessary.

Supplementary Standards

The Welsh Language Standards with which we are under a duty to comply, and the extent to which we are under a duty to comply with those standards is available on our website. At the bottom of every page there is a link to the document 'Implementing the Welsh Language Standards' which describes how the Commission will comply with them.

The Commission's Welsh Language Officer will oversee and monitor, on behalf of the Commission's National Director for Wales, the day to day implementation of the Standards and will compile an annual monitoring report on the Commission's compliance performance and publish it on the Commission's website no later than 6 months following the end of the financial year to which the report relates.

The annual report will include the number of complaints that we received during that year which relates to our compliance with the service delivery, policy making and operational standards.

It will also include the number of employees who have Welsh language skills at the end of the year in question, the number of members of staff who attended training courses that were offered in Welsh during the year, the percentage of the total number of staff attending the course who attended the Welsh version, the number of new and vacant posts that we advertised during the year which were categorised as posts where Welsh language skills were essential, needed to be learnt when appointed to the post, were desirable, or not necessary.