

Relevant person	Investigation	Date decision notice was given	Commissioner's findings and determinations
<p><u>Betsi Cadwaladr University Health Board</u></p>	<p>CSG687 On 14/01/2020 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complainant attended the family planning clinic at Bryn Beryl Hospital Pwllheli. The complainant was unhappy that no one spoke to her in Welsh. The complainant was given an English form to complete and had to request a Welsh form.</p>	<p>30/03/2021</p>	<p>Commissioner's Findings</p> <p>Standard 38: If a body produces a document in both languages, it must ensure that the Welsh version of the document is treated no less favourably than the English version. English versions must contain a statement explaining that a Welsh version is available. In this case the complainant received an English copy of a form that was available in Welsh to complete. The English version contained a statement explaining that a Welsh version was available, but the complainant had to ask for a Welsh form and wait for it. As the complainant had to request a Welsh copy of the form the Health Board treated the Welsh version less favourably than the English version.</p> <p>Standard 50: Standard 50 requires any reception service available in English to also be available in Welsh without the visitor having to request it. In this case, although the member of staff who welcomed individuals to the clinic was able to speak Welsh, the complainant was not actively offered a Welsh language service in the clinic</p>

reception; when submitting her complaint the complainant stated that the clerk "clearly only spoke English". As the complainant was spoken to in English at the clinic reception and the complainant did not receive an active offer of a Welsh language service, the Health Board did not comply with standard 50 in this case.

Standard 52: Where a body is required to comply with standard 52, it must display a sign at its reception which states that persons are welcome to use the Welsh language at the reception. In this case there was no sign displayed at the main reception area of Bryn Beryl Hospital or on the clinic's welcome desk to state that persons are welcome to use Welsh at the reception. As there were no signs at the reception areas of Bryn Beryl Hospital when the complainant visited, the Health Board did not comply with standard 52 in this case.

Standard 53: A body must ensure that reception staff who are able to provide a Welsh language reception service wear a badge to convey that. In this case the complainant did not identify that the clerk receiving members of the public to the clinic could speak Welsh and the Health Board has not claimed that the clerk was wearing a 'working Welsh' badge. I therefore conclude that the clerk was not wearing a badge which conveyed that she was able to provide a Welsh language reception service. As I have not received confirmation that the clerk was wearing a badge to convey that she was able to provide a Welsh language reception service I determine that the Health Board did not comply with standard 53.

Standard 102: Standard 102 requires Betsi Cadwaladr University Health Board to provide language awareness training courses for its staff in order to develop their awareness of the Welsh language and an understanding of the duty to operate in accordance with the Welsh Language Standards and an understanding of how the Welsh language can be used in the workplace. When the complainant visited the clinic, she was not offered a Welsh form and the staff present did not make it clear to the complainant that they spoke Welsh. Due to these doubts regarding the language awareness levels of staff, the Health Board was asked whether it provided language awareness training courses. The Health Board confirmed that it provided language awareness courses although some staff present when the complainant visited had not attended a language awareness course. As the Health Board has confirmed that it offers language awareness training to its staff to develop their awareness of the Welsh language and an understanding of the duty to act in accordance with Welsh language standards and an understanding of how Welsh can be used in the workplace, I determine that the Health Board has complied with standard 102 in this case.

Standard 105: Standard 105 requires Betsi Cadwaladr University Health Board to make available to its Welsh speaking staff a badge that conveys that. The badge must make it clear that the member of staff wearing it are able to provide a Welsh language service. Standard 105 also requires Betsi Cadwaladr University Health Board to promote the wearing of the badge amongst the staff of the organisation. The Health Board provided information on

how it makes available to Welsh speaking Health Board staff 'working Welsh' pin badges and embroidered badges to be put on uniforms. As the Health Board has provided information showing that the Health Board provides 'Working Welsh' badges to its staff and promotes their use I am of the view that the Health Board complies with standard 105.

Commissioner's Determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Betsi Cadwaladr University Health Board has not failed to comply with standard 102 and 105, but that Betsi Cadwaladr University Health Board has failed to comply with standard 38, 50, 52 and 53.

Statement of further action

Further action was taken following the determination that Betsi Cadwaladr University Health Board has failed to comply with standard 38, 50, 52 and 53.

Statement of the further action

Standard 38 – requirement to take steps in accordance with section 77 of the Welsh Language Measure
1. The Health Board must take steps to remind administrative staff of the need to offer a language choice if there is a Welsh version of a form that is also available in English.

Timetable: Within 1 month of issuing the Commissioner's final determination.

Standard 50 – requirement to take steps in accordance with section 77 of the Welsh Language Measure
2. The Health Board must take steps to remind its reception staff of the need to actively offer a Welsh language service.
Timetable: Within 1 month of issuing the Commissioner's final determination.

Standard 52 – requirement to take steps in accordance with section 77 of the Welsh Language Measure
3. Betsi Cadwaladr University Health Board must display signs at each of its reception areas stating in Welsh that persons are welcome to use the Welsh language at reception.
Timetable: Within 1 month of issuing the Commissioner's final determination.

Standard 53 – requirement to take steps in accordance with section 77 of the Welsh Language Measure
4. Betsi Cadwaladr University Health Board must provide badges to all reception staff who can speak Welsh.
5. Betsi Cadwaladr University Health Board must take steps to remind reception staff who are able provide a reception service in Welsh of the need to wear a badge that conveys that.
Timetable: Within 3 months of issuing the Commissioner's final determination.

Standard 102 – recommendation in accordance with section 76 of the Welsh Language Measure
I recommend that the Health Board looks at its approach to organising language awareness courses and considers

how best to introduce language awareness courses for staff who have not attended a language awareness course.

6. Betsi Cadwaladr University Health Board must provide sufficient written evidence to satisfy the Welsh Language Commissioner that it has carried out enforcement actions 1-5.

Timetable: Within 3 months of issuing the Commissioner's final determination.

Decision notice given

The Decision Notice was given to Betsi Cadwaladr University Health Board on 30/03/2021.

Appeals made to the tribunal

No appeal was made to the Tribunal.

CSG741 On 24/06/2020 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complainant claimed that it was not possible to receive a Welsh language service on the telephone number 02920444500 (emergency dentist). After 55 minutes of waiting for a response in Welsh, the complainant terminated the call. Approximately 45 minutes into the call, the complainant asked her son to try the number and ask for an English option, and he received a

25/03/2021

Commissioner's Findings

Standard 10: Standard 10 requires Cardiff and Vale University Health Board to deal with a call in Welsh if the caller so wishes. This is the case until 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; and until there is no Welsh-speaking member of staff available to provide a service on that specific subject matter. In this case, the complainant called the telephone line in question, and chose the Welsh option. She waited 55 minutes without a reply, and so decided to terminate the call. The complainant called the same number again and chose the English option. She received a reply within minutes and received a service in English only. The complainant did not receive a service in Welsh at all,

Cardiff and Vale
University
Health Board

reply within 3-4 minutes. After terminating the call, 55 minutes after the start of the call, the complainant dialled again, but chose the English option, and received a reply within a couple of minutes. When complaining to the staff member who answered the English call, the staff member noted that several people had complained about the same issue.

although her wish to do so was clear by choosing the Welsh option when making the call. This is therefore a failure to comply with standard 10.

Commissioner's Determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Cardiff and Vale University Health Board has failed to comply with standard 10.

Statement of further action

Further action was taken following the determination that Cardiff and Vale University Health Board has failed to comply with standard 10.

Statement of the further action

Standard 10 – requirement to take steps in accordance with section 77(3)(b) of the Welsh Language Measure

1. Cardiff and Vale University Health Board must ensure that calls to the Welsh line are answered, and that that happens in accordance with the targets or performance indicators that exist for that service.
2. The Health Board must deal with these calls in a way that meets the requirements of standard 10. The Health Board must undertake regular exercises to check that calls to the Welsh line are answered in accordance with the requirements of the standards and in accordance with performance indicators, and report the results of those exercises to relevant performance monitoring committees and forums. The Health Board must provide written evidence that satisfies the Welsh Language

Commissioner that enforcement actions 1-2 have been completed.

Timetable: Within 3 months of issuing the Commissioner's final determination.

Recommendation under section 77(4)(a) of the Welsh Language Measure

1. I recommend that the Health Board undertake a review of their arrangements to provide a telephone service through CAV 24/7, and act on their findings, to ensure that that service complies with the requirements of the Welsh language standards.

I recommend that the Health Board shares the results of the review with the Commissioner within 3 months of issuing the Commissioner's final determination.

Decision notice given

The Decision Notice was given to Cardiff and Vale University Health Board on 25/03/2021.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Cardiff and Vale
University
Health Board

CSG710 On 17/02/2020 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure and was therefore a valid complaint. The complainant (P) claimed that there is no Welsh text at all on Cardiff and Vale

25/03/2021

Commissioner's Findings

Standard 45: Standard 45 requires D not treat the Welsh language less favourably than the English language when using social media on its corporate and departmental accounts. The duties of the standard include a requirement for D to ensure that—if it publishes a message in English on social media—that it also publishes the message in Welsh. This complaint has shown that D does not always provide material in Welsh

University Health Board's Twitter (https://twitter.com/CV_UHB) and Facebook (<https://www.facebook.com/cardiffandvaleuhb/>) social media accounts. The whole content of both accounts was said to be in English only.

on its social media, and that there is far more text being published in English than in Welsh on its accounts, meaning that the Welsh language is being treated less favourably than the English language. This is a failure to comply with standard 45.

Commissioner's Determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Cardiff and Vale University Health Board has failed to comply with standard 45.

Statement of further action

Further action was taken following the determination that Cardiff and Vale University Health Board has failed to comply with standard 45.

Statement of the further action

Standard 45 – Requirement to prepare an action plan in accordance with section 77(3)(a) of the Welsh Language Measure

1. I require Cardiff and Vale University Health Board (D) to prepare an action plan. I am doing this for the purpose of preventing the continuation or repetition of D's failure to comply with the relevant requirement—namely the requirement, in accordance with standard 45, to not treat the Welsh language less favourably than the English language when using social media.

The action plan must include the following information:
o a description of every step D will take to ensure that it does not treat the Welsh language less favourably than

the English language when using social media on its corporate and departmental accounts

- o who will be responsible and accountable for each action
- o a definite timetable for the delivery of each action (including any milestones)
- o the resources (e.g., finance/staff) required to carry out each action

The action plan should, among other actions, include actions to ensure—

- o that D conducts an audit of its corporate and departmental accounts to assess whether they comply with the requirements of standard 45, and that D takes action if they do not comply.

- o D has the resources to be able to publish content in Welsh on its social media accounts at the same time as it publishes equivalent content in English. For example, this could mean taking actions such as:

- ensuring that there are adequate translation resources (internally or externally) to support non-Welsh speaking staff members of the communications team to publish content in Welsh

- ensuring that the communications team has the relevant Welsh language skills to be able to translate content from English into Welsh themselves (by recruiting (an) additional member(s) of staff to the team with the relevant Welsh language skills or by improving the Welsh language skills of current staff members)

- ensuring that communication staff's awareness of the requirements of standard 45, and of how to comply with standard 45, is sufficient, and for staff to receive training if it is not sufficient

- o if D publishes a message (including a temporary message) in English on its English account, that D publishes the message in Welsh (at least at the same time) on its corresponding Welsh account
- o if D publishes a message from another person on its English account (e.g., retweets a message from another organisation), that D publishes the following on its corresponding Welsh account:
 - the Welsh language version of the message (if a Welsh language version is available)
 - the English language version of the message (if a Welsh language version is not available)
- o that any static content (e.g., the bio and the web address on the Twitter account) published on D's English language account is published in Welsh on its Welsh language account.

If D operates separate Welsh and English language accounts (as opposed to a bilingual account), the action plan should, amongst other actions (and in addition to the general actions set out above), include actions to ensure that:

- o D raises awareness of the Welsh language account on the corresponding English language account, for example, by providing a direct link to the Welsh account.

If D operates a bilingual account (as opposed to separate Welsh and English language accounts), the action plan should, amongst other actions (and in addition to the general actions set out above), include actions to ensure that:

o the account's display name and handle is Welsh, bilingual or neutral in terms of language
o D does not treat the Welsh language less favourably than the English language when it publishes a message with the Welsh and English text within the same message (e.g., ensuring that the Welsh language text is not hidden because the English language text has been placed above the Welsh language text)

Timetable: D must produce the first draft of the action plan and give the draft to the Commissioner within 3 months of the date of publishing the Commissioner's final determination, namely by 25/06/2021.

Decision notice given

The Decision Notice was given to Cardiff and Vale University Health Board on 25/03/2021.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Ceredigion
County Council

CSG721 On 24 March 2020 a complaint was received from a member of the public. It met the conditions of section 93 of the Welsh Language Measure and was therefore valid. The complaint related to email correspondence and had two elements. Firstly, the complainant explained that they had registered their details on the council's website in order to receive online services. They received an email from the council thanking them for

25/03/2021

Commissioner's Findings

Standard 1: When the council receives correspondence in Welsh, and it is required to reply to that correspondence, it must reply in Welsh unless the person sending the correspondence has indicated that there is no need to do so. The complainant sent two applications for a service in Welsh to the council through its website. It appears that the council considered these applications as correspondence which required a response as it acknowledged them automatically with two emails which were in English. The complainant did not notify the council

registering and asking them to confirm their details. The email was in English. It was sent from devandcontrol@ceredigion.gov.uk at 13:18 on 24 March 2020 under the subject 'Registration Activation'.

that it did not need to respond to their applications in Welsh. This was a failure by the council to comply with standard 1.

Standard 5: Standard 5 means that the council must provide a Welsh language version of any correspondence it sends to a person if their language preference is not known. The council sent correspondence, namely two automatic email acknowledgements, to the complainant. The complainant's language preference was not checked before sending them. The correspondence was in English. This was a failure by the council to comply with standard 5.

Commissioner's Determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Ceredigion County Council has failed to comply with standard 1 and 5.

Statement of further action

Further action was taken following the determination that Ceredigion County Council has failed to comply with standard 1 and 5.

Statement on the further action

Standard 1 – Requirement to take steps in accordance with section 77 of the Welsh Language Measure 3. The council should take steps to identify all bilingual correspondence which are generated automatically to ensure that they are not likely to be affected by the same problem which affected the emails in question in this investigation.

4. The council must provide written evidence that satisfies the Welsh Language Commissioner that enforcement step 1 has been completed.

Timetable: By 1 July, 2021

Decision notice given

The Decision Notice was given to Ceredigion County Council on 23/03/2021.

Appeals made to the tribunal

No appeal was made to the Tribunal.

CSG618 On 19 August 2019, a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore valid. It pertained to a Betsi Cadwaladr University Health Board out of hours GP service (the health board). The complainant explained that he had called the service on the morning of Saturday 17 August 2019. He wanted to arrange an appointment with a GP for his young child who was poorly. He called the relevant number and chose the option to receive a Welsh service. Even though he waited for an hour, the call was not answered. At around 12pm he called the same number using a different phone. This time he chose the English option. This call was answered immediately.

30/11/2020

Commissioner's Findings

Standard 10: The health board must deal with telephone calls it receives in Welsh if that is the caller's wish. The complainant called the health board's out of hours GP service and chose the option to receive a Welsh language service. Following this, the phone rang for a long time with no answer. The call was eventually ended when he got through to the English language service using another phone. Without evidence to prove exactly what happened to the complainant's first call, I cannot determine that the health board failed to comply with the standard under the circumstances.

Standard 14: The Health Board must ensure that its performance indicators for dealing with telephone calls do not set measures which would treat telephone calls made in Welsh less favourably than calls made in English. The health board attributes the same performance standards to calls made in Welsh and English to the out of hours GP

Betsi Cadwaladr
University
Health Board

service. This does not show a failure to comply with the standard on the health board's behalf.

Commissioner's Determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Betsi Cadwaladr University Health Board has not failed to comply with standard 10 and 14.

Statement of further action

Section 76 of the Welsh Language Measure allows me to take further action where there has been no failure to comply with a standard.

In the case of my determination that the health board did not fail to comply with standard 10, I will take further action because to make recommendations to the health board. I consider that the circumstances of the complaint create sufficient suspicion to justify taking this action. Details of the further action are as follows.

Statement on the further action

Standard 10 - Recommendation under subsection 76(3)(a) of the Welsh Language Measure

The health board should test the effectiveness of the out-of-hours GP telephone service at different times of the day/night for a period of 3 months and report its findings to the Commissioner.

Decision notice given

The Decision Notice was given to Betsi Cadwaladr University Health Board on 30/11/2020.

Welsh Ministers

CSG653 On 06/10/2019 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complaint related to the lack of a Welsh language reception service at Strata Florida Abbey. The complainant had visited the Abbey and on arrival had sought a Welsh language service when purchasing tickets and receiving information about the Abbey. Strata Florida Abbey is under the care of CADW. The services provided by CADW are subject to the Welsh Ministers' Compliance Notice. The complainant had visited the Abbey on 28 September 2019 and submitted a complaint as he was not greeted in Welsh nor had he received a reception service through the medium of Welsh.

12/11/2020

Appeals made to the tribunal

No appeal was made to the Tribunal.

Commissioner's findings

Standard 64: A body must ensure that any reception service available in English is also available in Welsh. It must also ensure that a person who requires a Welsh language reception service must not be treated less favourably than a person who requires an English language reception service. I received a complaint from a member of the public who had visited Strata Florida Abbey which is under CADW's care on 28 September 2019 alleging that they had not received a Welsh language reception service. I find that there was no Welsh language reception service available at Strata Florida Abbey during the complainant's visit and alternative methods of providing the reception service in Welsh treated the Welsh language less favourably than English, contrary to the requirement of the standard.

Commissioner's Determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Welsh Ministers has failed to comply with Standard 64.

Statement of further action

Further action was taken following the determination that Welsh Ministers has failed to comply with Standard 64.

Statement on the further action

			<p>Standard 64 – Requirement to prepare an action plan in accordance with section 77(3)(a) of the Welsh Language Measure</p> <p>1. I require the Welsh Ministers to prepare an action plan to ensure that CADW complies with the requirements of standard 64 at all sites for which it is responsible.</p> <p>Timetable: The Welsh Ministers must provide the Commissioner with a first draft of the action plan within 6 weeks of the date of the final determination, which is by 24/12/2020.</p> <p>Decision notice given The Decision Notice was given to Welsh Ministers on 12/11/2020.</p> <p>Appeals made to the tribunal No appeal was made to the Tribunal.</p>
<p><u>Welsh Ministers</u></p>	<p>CSG690 On 16 January 2020, a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore valid. It related to the Help with Health Costs telephone service. The complainant explained that they telephoned the number, 0345 603 1108, on 15 January 2020 to order dental expense claim forms. They claimed that no one was available to deal with their call in Welsh. They were subsequently transferred to a service provided by the</p>	<p>10/11/2020</p>	<p>Commissioner’s findings Standard 10: Standard 10 requires Welsh Ministers to deal with telephone calls to helpline numbers wholly in Welsh if that is the caller’s wish. The complainant telephoned the Help with Health Costs helpline number, which is provided by Welsh Ministers, on 15 January 2020 and expressed a wish to speak Welsh. The officer who answered the call was unable to speak Welsh. The call was not therefore dealt with in Welsh. This was a failure to comply with the standard.</p> <p>Commissioner’s Determination</p>

NHS in England, before then being transferred again to the National Assembly for Wales' 'Welsh Publications Line'.

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Welsh Ministers has failed to comply with Standard 10.

Statement of further action

Further action was taken following the determination that Welsh Ministers has failed to comply with Standard 10.

Statement on the further action

Standard 10 – Requirement to take steps in accordance with subsection 77(3)(b) of the Welsh Language Measure

1. Welsh Ministers must take steps to ensure that Mediascene Ltd's arrangements for providing the Help with Health Costs telephone service comply fully with the requirements of standard 10.

2. Welsh Ministers must review their arrangements with third party providers in order to identify where call back arrangements exists and take steps to amend those practices where necessary.

3. Welsh Ministers must provide written evidence written evidence that shows that you have complied with enforcement steps 1-2.

Timetable: Within 3 months from the date of publication of the Commissioner's final determination.

Decision notice given

The Decision Notice was given to Welsh Ministers on 10/11/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Wrexham
County Borough
Council

CSG719 On 16 March 2020 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complaint was in relation to a letter received by the complainant in English from Wrexham County Borough Council relating to the "Chargeable Garden Waste Collection Service" for the following financial year.

23/10/2020

Commissioner's findings

Standard 2: If a body is corresponding with an individual for the first time, it must ask the individual whether they wish to receive correspondence from it in Welsh. If the individual responds to say that they do wish to receive correspondence in Welsh from the body, the body must keep a record of that wish, and correspond with that individual, and send them any forms, in Welsh from then onwards. In this case, following the organisation of a garden waste service over the telephone with the Council, the complainant received correspondence confirming the licence etc. in English only. Following consideration of the evidence, I find that the requirements of standard 2 do not apply to the circumstances of the complaint. There is no evidence that this was the first correspondence the Council has sent to the complainant, and it is not personalised correspondence.

Standard 4: If a body sends the same correspondence to several persons, it must send a Welsh language version of that correspondence. The body must also ensure that the Welsh language version of the correspondence is sent at the same time as it sends any English language version. The complainant received English-only correspondence confirming garden waste collection arrangements. Following full consideration of the evidence, I find that the correspondence in question is an example of the same correspondence being sent to several persons, and therefore there is a requirement for the correspondence to be sent in both Welsh and English.

Commissioner's Determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Wrexham County Borough Council has not failed to comply with standard 2, but that Wrexham County Borough Council has failed to comply with Standard 4.

Statement of further action

Further action was taken following the determination that Wrexham County Borough Council has failed to comply with Standard 4.

Statement on the further action

Standard 2 – providing recommendations in accordance with section 77(3)(a)

I recommend that Wrexham County Borough Council checks its current customer information management system to ensure that records of the language choice of individuals that the Council had collated since the imposition day were accurate. Any record of language choice should be transferred from previous systems to the current system.

Standard 4 – requirement to take steps in accordance with section 77(3)(b) of the Welsh Language Measure

1. Wrexham County Borough Council must ensure that letters sent to several persons are sent in both English and Welsh.

To ensure this, it should

I. conduct a review of and identify the letters sent to several persons, keeping a central record of the relevant letters

- II. ensure that there is an up-to-date Welsh version of each letter
- III. strengthen the arrangements of each team to ensure that they send a letter in Welsh and English at the same time
- IV. develop arrangements to check and inspect a sample of letters sent regularly to identify any errors through self-regulation.

2. Wrexham County Borough Council must provide sufficient written evidence to satisfy the Welsh Language Commissioner that enforcement action 1 has been completed.

Timetable: Within 90 days of issuing the Commissioner's final determination.

Decision notice given

The Decision Notice was given to Wrexham County Borough Council on 23/10/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Neath Port
Talbot County
Borough Council

CSG650 On 01/10/2019 A complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complainant telephoned the Council's general enquiry number and was greeted in English before the officer then spoke in Welsh. The complainant

12/10/2020

Commissioner's findings

Standard 8: Standard 8 requires the Council to greet a caller in Welsh. This requirement applies to each greeting during the call, not just the first greeting. In this case the complainant was greeted in Welsh on an automated basis at the start of the call. However, he was greeted in English by the first officer who spoke to him. According to the complainant he was greeted in English on at least one other occasion during the same call but the Council has

explained that he wanted to talk to someone about school transport, and the call was transferred to another officer who answered the telephone in English. The complainant asked whether there was someone available who spoke Welsh. The call was transferred to another officer who, according to the complainant, also answered the telephone in English. According to the complainant he twice asked whether this officer spoke Welsh and then, according to the complainant, the officer put the phone down.

not been able to provide information on this part of the call. As the complainant was greeted in English only at least once during the call made to the Council's main telephone line I am of the view that the Council has not complied with standard 8 in this case.

Standard 9: Standard 9 requires the Council to inform the person contacting the body on one of the relevant telephone numbers that a Welsh language telephone service is available. In this case the complainant contacted the Council on the main telephone number. The Council's main telephone number gives automated options to press for a Welsh or English language Service. As the Council has provided an automated option to continue with the call in Welsh then I consider that the Council has complied with standard 9 in this case.

Standard 10: In order to comply with standard 10 the Council needed to ensure that for individuals who telephone the Council on one of its relevant telephone numbers, the Council must deal with the call in Welsh in its entirety if that is the individual's wish. The body must deal with the call in Welsh in its entirety once the organisation is aware that the individual wishes to use the Welsh language. In this case the complainant was offered an automated language choice on the telephone and the first officer who spoke to him was able to deal with the call through the medium of Welsh, although the officer did provide the greeting in English, in error. However, according to the complainant, the call was transferred to a non-Welsh speaking officer and then on to another non-Welsh speaking officer. As the complainant had been

transferred to a non-Welsh speaking officer after he had chosen the Welsh option his call was not treated in a manner which complied with standard 10.

Commissioner's Determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Neath Port Talbot County Borough Council has not failed to comply with standard 9, but that Neath Port Talbot County Borough Council has failed to comply with standards 8 and 10.

Statement of further action

Further action was taken following the determination that Neath Port Talbot County Borough Council has failed to comply with standards 8 and 10.

Statement on the further action

Standard 8 – requirement to take steps in accordance with section 77 of the Welsh Language Measure

1. The Council must take steps to remind all staff who receive telephone calls within the Council that all callers need to be greeted in a manner which complies with standard 8.

Timetable: Within 1 month of issuing the Commissioner's final determination.

2. Neath Port Talbot County Borough Council must provide written evidence which satisfies the Welsh Language Commissioner that it has taken enforcement action 1.

Timetable: Within 1 month of issuing the Commissioner's final determination.

The City and
County of
Swansea
Council

CSG672 I considered that there was a suspicion that Swansea Council (“the Council”) had failed to comply with a requirement included in a decision notice following investigation CSG484, based on evidence provided by the Council when reporting on the completion of the actions.

06/10/2020

Decision notice given

The Decision Notice was given to Neath Port Talbot County Borough Council on 12/10/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Commissioner’s findings

Enforcement action 1: The purpose of the enforcement action imposed on the Council was to ensure that it has robust arrangements in place to ensure that it sends a Welsh language version of correspondence to a person at all times, until it knows that the person does not wish to receive correspondence in Welsh. The Council's response to enforcement action 1 made me suspect that it had not taken steps to ensure that there were sufficient arrangements in place so that it provided a Welsh language version of correspondence in accordance with the requirements of standard 5 until it knew that a person did not wish to receive correspondence in Welsh. Having received further evidence, I now find that there are arrangements in place within the Council Tax section to enable compliance with standard 5. However, the evidence does not allow me to ascertain whether or not these arrangements were in place by 18 November 2019, the day the Council was required to complete the enforcement action. Based on that, I cannot conclude that the Council has failed to comply with the enforcement action. Furthermore, the evidence in my possession does not allow me to ascertain what arrangements are in place within other Council departments to enable compliance

with standard 5. Based on that, I do not have evidence of the Council's arrangements to comply with standard 5 across the organisation therefore I cannot conclude that the Council has failed to comply with the enforcement action.

Enforcement actions 4 and 5: The purpose of the enforcement actions imposed was to ensure that the Council Tax Department includes a statement which complies fully with standard 7 in:

- correspondence;
- publications that invite persons to respond to or correspond with the body; and
- official notices that invite persons to respond to or correspond with the body

and that staff are aware of the requirement to do so. The Council's evidence in response to enforcement actions 4 and 5 created suspicion as to whether or not the actions had been completed in full. It appears that the Council Tax Department's letter and form templates have been reviewed to include a statement within that correspondence which complies fully with the requirements of standard 7. However, the evidence in my possession does not allow me to ascertain whether the review had been completed by 18 November 2019 in accordance with the timescale set for completing enforcement action 4. Neither does it allow me to ascertain whether the Department has templates for publications and official notices, nor the extent to which they been reviewed to include the appropriate statement. In this instance I find that the Council has not failed to comply with enforcement action 4. That is based on not

having evidence that the Council had failed to comply with enforcement action 4 within the timescale allowed. Evidence provided by the Council Tax Department shows that it has held an awareness raising campaign and provided staff guidelines to staff on ensuring that a statement which complies with the requirements of standard 7 is included in correspondence and publications and official notices which ask persons to respond to or correspond with the Council. However, the guidance provided by 18 November 2019 was limited and neither the guidance that referred to the requirements about publications and official notices, as required, nor the more comprehensive guidelines were shared with staff until after 18 November 2019, therefore the enforcement action was not completed in a timely manner. I therefore find that the Council has failed to comply with enforcement action 5. Despite providing limited guidance to staff by the required date, it was insufficient in order to comply with the requirements of the enforcement action as there was no reference to publications and official notices. Despite sharing further guidance and guidelines with staff after the date by which the Council was required to complete the action, they continue to be insufficient as they do not make clear that the requirements of standard 7 also continue to extend to publications and official notices. I note that the Council as a result of this investigation has taken further steps to ensure that staff are fully aware that the requirements of standard 7 also extend to publications and official notices.

Enforcement action 10: The purpose of enforcement action 10 is to ensure that, where the Council produces

forms, that a Welsh language version of a form is not treated less favourably than an English language version. In particular, the action asks the Council to ensure that a Welsh language version of a form is published and provided at the same time as the English language version. The Council's response to enforcement action 10 created suspicion as to whether it had completed the action in full and in a timely manner. The evidence in my possession suggests that the Council has taken steps towards complying with enforcement action 10 and that there are arrangements in place to ensure that Welsh language version of forms are published at the same times as English language forms on its website. However, it is not clear, whether or not these arrangements were in place by 18 November 2019 or what arrangements are in place to publish and provide forms in other formats in Welsh and English at the same time. I also consider that the staff guidelines and guidance could be clearer in order to ensure that staff are aware that Welsh and English language versions of forms (be they online or otherwise) must be published and provided at the same time. However the evidence in my possession has highlighted that forms did not include a direct link to the Council's Welsh language page when noting the Council's contact details whilst the English language version of the contact details included a direct link. It appears that it was an error to include a link within the English address. I therefore find that the Council has failed to comply with enforcement action 10. This is based on forms treating the Welsh language less favourably than the English language by providing a direct link to the Council's webpage in the English version of the contact details but

not within the Welsh language version of the contact details. I note that the Council has since take steps as a result of this investigation to correct the error.

Enforcement action 12: The purpose of the enforcement action was to receive evidence that the Council had completed enforcement actions imposed in relation to case CSG484. The Council's insufficient evidence in response to enforcement actions 1, 4, 5, and 10 in relation to case CSG484 created suspicion as to whether the Council had completed those enforcement actions in full and / or in a timely manner. I find that the Council has failed to comply with enforcement action 12. That is based on not having evidence that enforcement actions 1, 4, 5, and 10 imposed in relation to case CSG484 were completed sufficiently and/or in a timely manner by 18 November 2019, and in accordance with the extension granted.

Commissioner's Determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that the City and County of Swansea Council has not failed to comply with enforcement actions 1 and 4, but that the City and County of Swansea Council has failed to comply with enforcement actions 5, 10 and 12.

Statement of further action

Further action was taken following the determination that the City and County of Swansea Council has failed to comply with enforcement actions 5, 10 and 12.

Statement on the further action

Enforcement action 1 – advice in accordance with section 76 of the Welsh Language Measure

1. The Council should ensure that all departments (including sections) have sufficient arrangements in place to provide a Welsh language version of correspondence in accordance with the requirements of standard 5 until it knows that a person does not wish to receive it.

Advice in accordance with section 4 of the Welsh Language Measure

2. I advise the Council to review and ensure that correspondence templates do not treat the Welsh language less favourably than the English language.

Enforcement action 5 – advice in accordance with section 77 of the Welsh Language Measure

3. I advise the Council to raise awareness and review staff guidelines in order to make it completely clear that the requirements of standard 7 mean that a statement which fully complies with the requirements of standard 7 must also be included in publications and official notices.

Advice in accordance with section 4 of the Welsh Language Measure

4. I advise the Council to consider my comments in paragraph 3.48 of this report in terms of reviewing and revising any guidelines or guidance available to staff in order to ensure that any arrangements outlined comply fully with all of the standards to which the guide or guidance apply

Enforcement action 10 – advice in accordance with section 77 of the Welsh Language Measure

5. I advise the Council to revise forms to ensure that the Welsh language is not treated less favourably than the English language.

Advice in accordance with section 4 of the Welsh Language Measure

6. I advise the Council to raise awareness and review staff guidelines in order to make it completely clear that a Welsh language version of a form must be published and provided at the same time as the English language version.

Enforcement action 12 – advice in accordance with section 77 of the Welsh Language Measure

7. I advise the Council to ensure that it has sufficient and robust arrangements in place to be able to provide sufficient and timely evidence to the Commissioner that it has completed enforcement actions in full.

Decision notice given

The Decision Notice was given to the City and County of Swansea Council on 06/10/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Welsh Ministers

CSG666 On 12/11/2019 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language

03/09/2020

Commissioner's findings

Standard 8: The standard provides that a body must ensure that a person who telephones any of its main telephone numbers is greeted in Welsh. The complainant

Measure, and was therefore a valid complaint. An allegation was received that the complainant and her son received a bilingual letter through the post regarding the Nest / Nyth scheme. The Nest Scheme is a Warm Homes programme which offers a service for people to make their homes warmer, and it is run and maintained by the Welsh Government. On 12/11/2019, the complainant alleged that she telephoned the freephone number 08088082244 on the letter received at approximately 1.20pm. This number leads to the Nest Contact Centre, which is the first point of inquiry for the Nest scheme. The call was answered by a non-Welsh speaker, and the complainant alleged that she failed to receive a Welsh language service.

telephoned the Nest/Nyth scheme and failed to receive a Welsh language service. No reference is made to the greeting in the allegation. Welsh Ministers noted that a bilingual greeting is given to welcome all callers before stating that they will be introduced to a customer advisor. My finding is that Welsh Ministers have put a bilingual greeting on an automated machine, but that the customer advisor who dealt with the call failed to deal with the call in Welsh. As a result, I conclude that the standard has not been broken.

Standard 9: The standard requires a body to actively inform a person who telephones it that a Welsh language service is available so that they can choose to continue the call in Welsh if they so wish. The complainant telephoned the Nest/Nyth scheme and the call was answered by an automated bilingual message, before a non-Welsh speaking business advisor answered the call. The advisor explained that a Welsh speaker would return the call, which is equivalent to informing the caller that a Welsh language service is available.

Standard 10: Standard 10 requires a body to deal with calls made to its main telephone line in Welsh in their entirety if that is the person's wish. If the call needs to be transferred to another member of staff in order to deal with the call, that member of staff must deal with the call in Welsh. The complainant telephoned the Nest/Nyth scheme and the call was answered by a non-Welsh speaking business advisor. The advisor explained in English that a Welsh speaker would return the call.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Welsh Ministers has not failed to comply with standard 8 and 9, but that Welsh Ministers has failed to comply with Standard 10.

Statement of further action

Further action was taken following the determination that Welsh Ministers has failed to comply with Standard 10.

Statement on the further action

Standard 10 – requirement to take steps in accordance with section 77(3)(b) of the Welsh Language Measure

1. Welsh Ministers must conduct a review of their current arrangements for dealing with telephone calls, and act on the findings in order to ensure that telephone calls by those who wish to have a Welsh language service are dealt with by Welsh speakers.

2. Welsh Ministers must provide sufficient written evidence that satisfies the Welsh Language Commissioner that enforcement steps 1 and 2 have been completed.

Timetable: Within 3 months from the date of publication of the Commissioner's final determination.

Decision notice given

The Decision Notice was given to Welsh Ministers on 03/09/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

CSG662 On 28/10/2019 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complainant had received a "Notice to Owner" document from the City and County of the City and County of Swansea Council in late August relating to a parking penalty charge which had not yet been paid. The complainant provided a copy of the document. The complainant states that the English appeared first and was of the view that this treated the Welsh language less favourably than the English language. The complainant also notes that there are several English words and phrases in the Welsh version for example, the department's address is in English; the posting date is in English; the date of the notice being issued is in English; the colour of the car is in English and the name of the car park is in English. Also, in the Welsh version it is stated that £70 is owed but according to the English version this sum is £50. The document also refers to a website for submitting representations online – <http://parcio.abertawe.gov.uk/> The complainant states that the Welsh language web address in the document does not exist even though the English

17/9/2020

Commissioner's findings

Standard 1: Standard 1 requires a body to reply in Welsh to Welsh language correspondence unless no reply is required, or that the person sending the correspondence in Welsh has indicated that there is no need to reply in Welsh. In this case the complainant sent an email in Welsh to three email addresses within the Council. She received a response in Welsh from one of the addresses and an email in English from another email address. As the complainant received an email in English only in response to a Welsh language email which she sent to the Council, the Council has not been able to comply with standard 1 in this case.

Standard 6: In order to comply with standard 6 the Council needed to ensure that any correspondence it produces does not treat the Welsh language less favourably than the English language. In this case the complainant had to search to find that the same information was available in Welsh in the "Notice to Owner" correspondence. There were a number of English language words in the Welsh version of the correspondence and the debt outstanding and the website address provided for representations differed in both versions. The title of further correspondence received by the complainant was in English only. As the correspondence "Notice to Owner" and the email "Making a formal representation against a PCN" treat the Welsh version less favourably than the English version I am of the view that the Council did not comply with standard 6 in this case.

equivalent works. The complainant sent an email to Meysydd.Parcio@abertawe.gov.uk with a copy to Cymraeg@abertawe.gov.uk The complainant received responses from Car.Parks@swansea.gov.uk in English only and according to the complainant the email does not make sense as it thanked the complainant for her appeal but she did not submit an appeal in her email. She received two responses from the Council in Welsh. One thanks her for her email and the other provides a direct link to the website (<https://abertawe.gov.uk/apelpcn>). This address is very different from the one on the document. After the complainant successfully submitted representations on the parking penalty charge notice she received an email confirming receipt of the representations. There were English words and phrases in this email (eg the headings - Online Form Submission / Form / Article and The user was viewing), and an English main heading in bold – "Making a formal representation against a PCN (Welsh)".

Standard 52: Standard 52 requires the Council to ensure that the text of each page of the Council's website is available in Welsh, that every Welsh language page on the website is fully functional, and the Welsh language is not treated less favourably than the English language on the website. In this case the complainant contacted the organisation to say that the web address that was in the correspondence received was not working. From the investigation of the complaint it became clear that there was an error in the correspondence here rather than a problem with the Council's website. As it is a problem with the way in which the address is written in the correspondence rather than the non-compliance of the Council's website with standard 52 I am not of the view that the Council has failed to comply with standard 52 in this case.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that the City and County of Swansea Council has not failed to comply with standard 52, but that the City and County of Swansea Council has failed to comply with standards 1 and 6.

Statement of further action

Further action was taken following the determination that the City and County of Swansea Council has failed to comply with standards 1 and 6.

Statement on the further action

Standard 1 – requirement to take steps in accordance with section 77 of the Welsh Language Measure

1. The City and County of Swansea Council must provide clear guidance to parking services staff on how to deal with any Welsh language correspondence they receive that requires a response in Welsh.

Standard 6 – requirement to take steps in accordance with section 77 of the Welsh Language Measure

2. The City and County of Swansea Council must undertake a review of all the standard Parking Services correspondence and act on the findings of that review to ensure that it complies with standard 6.

3. City and County of Swansea Council must provide written evidence that satisfies the Welsh Language Commissioner that enforcement steps [1 to 3] have been completed.

Timetable: Within 3 months of issuing the Commissioner's final determination.

Decision notice given

The Decision Notice was given to the City and County of Swansea Council on 17/09/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

CSG543 On 7 May, 2019 I a complaint was received from a member of the public. It met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. There were two elements to the complaint. The first element was in relation to a decision

4/9/2020

Commissioner's findings

Standards 94, 95 and 96: The University is required to consider and identify all the possible effects a policy decision may have on opportunities for persons to use the Welsh language, or on treating the Welsh language no less favourably than the English language. It is required to consider how to ensure that the policy decision would

Bangor University

by Bangor University (the University) to reduce the number of lecturers responsible for delivering a learning disability nursing course. The complainant alleged that the decision meant the loss of a Welsh speaking member of staff. This would, in the complainant's opinion, lead to the failure to maintain the Welsh medium learning provision for the course, and a failure to meet the same standard of provision in the future. The second element involved recruitment. The complainant alleged that the University had advertised four new positions for associate lecturers in preregistration nursing with the ability to use Welsh as only a desirable requirement for candidates.

have positive effects, or increased adverse effects, on opportunities for persons to use the Welsh language, and treating the Welsh language no less favourably than the English language. It is also required to consider how to ensure that the policy decision would have no adverse effects, or so that it would have decreased adverse effects, on opportunities for persons to use the Welsh language, and treating the Welsh language no less favourably than the English language. The investigation showed that the University had assessed the impact of its policy decision to make changes to the School's staffing structure on the Welsh language. It did so as part of an equality impact assessment on the School's Business Case for Change. The investigation showed that the impact assessment was sufficient to demonstrate that all aspects of the standards had been taken into account. The University complied with the requirements of the standards as part of the equality impact assessment.

Standard 145: The University is required to assess the need for Welsh language skills when assessing the requirements for a new or vacant post. It must then categorise the post as one where one or more of the following categories apply: Welsh language skills are essential; Welsh language skills need to be learnt when appointed to the post; Welsh language skills are desirable; Welsh language skills are not necessary. The University undertook an assessment of the need for Welsh language skills for four academic posts of Associate Lecturer (Pre-registration Nursing) in accordance with its Code of Practice on the Appointment of Staff in accordance with Welsh Language Standards.

Three of those posts were new posts and one was a vacant post. The assessment concluded that the category of Welsh language skills was desirable and this was set out in the specifications relating to the four posts. The University complied with the requirements of the standard in undertaking an assessment of the need for Welsh language skills and categorised the posts as having Welsh language skills as desirable.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Bangor University has not failed to comply with standard 94, 95, 96 and 145.

Statement of further action

Further action was taken following the determination that Bangor University has not failed to comply with standard 94, 95, 96 and 145.

Statement on the further action

Standards 94, 95 and 96 - recommendation in accordance with section 76(3)(a) of the Welsh Language Measure.

1. The University should amend its equality impact assessment template to ensure that it fully reflects the requirements of the above standards.
2. The University should raise awareness of its specific template for assessing the impact of decisions on the Welsh language. It should note in the equality impact assessment that, in some circumstances, it may be more appropriate to use the specific Welsh language impact assessment template.

Wrexham
County Borough
Council

CSG679 On 12/12/2019 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complainant alleged that he wrote to Wrexham Council in Welsh on 10/12/2019 and received an answer in Welsh on 11/12/2019. However, at the bottom of the message, he alleged that the text of the footnote was in English only.

30/7/2020

Standard 145 - recommendation in accordance with section 76(3)(a) of the Welsh Language Measure.
3. The University should amend its Code of Practice on the Appointment of Staff in accordance with the Welsh Language Standards to make it clear that it applies to vacant posts as well as new posts.

Decision notice given

The Decision Notice was given to Bangor University on 04/09/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Commissioner's findings

Standard 1: When the Council receives correspondence in Welsh, and the Council is required to reply to that correspondence, it must reply in Welsh unless the person sending the correspondence has indicated that there is no need to do so. The complainant received a response in Welsh from the Council to his correspondence dated 10/12/2019, but the footnote at the bottom of the letter was in English only. This equates to a failure to fully comply with the requirements of standard 1.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Wrexham County Borough Council has failed to comply with standard 1.

Statement of further action

Further action was taken following the determination that Wrexham County Borough Council has failed to comply with standard 1.

Statement on the further action

Standard 1 – requirement to take steps in accordance with section 77 of the Welsh Language Measure

1. Wrexham County Borough Council must remind its staff of the requirements of this specific standard, as well as the arrangements in place to operate in accordance with those processes.

2. Wrexham County Borough Council must provide written evidence that satisfies the Welsh Language Commissioner that enforcement step 1 has been completed.

Timetable: Within 3 months from the date of publication of the Commissioner's final determination.

Decision notice given

The Decision Notice was given to Wrexham County Borough Council on 30/07/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Commissioner's findings

Standard 52: Standard 52 requires the Council to ensure that the text of each page of the Council's website is available in Welsh, that every Welsh language page on the website is fully functional, and the Welsh language is not treated less favourably than the English language on the website. A member of the public contacted the

CSG657 On 21/10/2019 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. A complainant contacted the Commissioner to say that he was unable

7/7/2020

Newport City Council

to order hygiene bags through the Council's website in Welsh and that he had to use the website in English.

Commissioner to say that he had not been able to order hygiene bags from Newport City Council's Welsh language website and that he had to use the English version of the website. The complaint highlighted that not all the text on the website was available in Welsh, the website was not fully functional in Welsh as the options were not working and the website treated the Welsh language less favourably than English because it there was less information on the Welsh language website compared to the English website.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Newport County Council has failed to comply with standard 52.

Statement of further action

Further action was taken following the determination that Newport County Council has failed to comply with standard 52.

Statement on the further action

On the basis that the Council has taken appropriate steps to prevent the continuation or repetition of the failure to comply I have decided to take no further action in this instance.

Decision notice given

The Decision Notice was given to Newport County Council on 07/07/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

The Chief
Constable of
South Wales
Police

CSG676 On 05/12/2019 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complainant alleged that the Chief Constable of South Wales Police's Facebook page does not include much Welsh language text and, when the message is bilingual, the English language appears first.

19/6/2020

Commissioner's findings

Standard 55: The standard requires a body to treat the Welsh language no less favourably than the English language when using social media. The complainant alleged that the South Wales Police Facebook page does not include much Welsh text, and that the Welsh language appears below the English language text when the message is bilingual. Following research by one of my officers, it is noted that the Facebook page includes bilingual text, but that the English language appears before the Welsh language. The standard does not require the Welsh language text to be positioned first. However, in a recent case, the Welsh Language Tribunal noted that if further action is needed to read Welsh language text compared with English language text, such as pressing a button, then placing the English language above the Welsh language means that the Welsh language is treated less favourably. It appears that the reader's language choice can affect the prominence of any Welsh language text which is published on the page. The Police explained that there will be exceptions when a message is published in English only, namely an urgent message, and that it will attempt to upload a translation as soon as possible following this. As an additional step is needed, namely pressing the 'see more...' button to see the Welsh language text, it appears that South Wales Police has failed to comply with standard 55.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that the Chief Constable of South Wales Police has failed to comply with standard 55.

Statement of further action

Further action was taken following the determination that the Chief Constable of South Wales Police has failed to comply with standard 55.

Statement on the further action

Standard 55 – requirement to take steps in accordance with section 77 of the Welsh Language Measure

1. South Wales Police must ensure that, when using social media, the Welsh language text can be seen without having to press a button or scroll down the page so that the Welsh language is treated no less favourably than the English language.

2. I advise South Wales Police to continue to develop the repository of regular posts so that it is possible to avoid any delay between publishing urgent messages bilingually in the future.

Timetable: Within 2 months from the date of publication of the Commissioner's final determination.

Decision notice given

The Decision Notice was given to the Chief Constable of South Wales Police on 19/06/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Wrexham
County Borough
Council

CSG623 On 27/08/2019 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complainant's allegation related to not receiving a Welsh language service on Wrexham Waterworld's telephone line. The complainant submitted an enquiry in Welsh on the Council's website and received a Welsh language reply, stating that he needed to contact Waterworld by calling 01978 272300 to receive a full reply to his enquiry which related to the availability of swimming lessons for his child. The complainant said that he contacted Waterworld on 22/08/19 and was informed that the service he required was only available in English and that, because he wished to receive the service in Welsh, he would have to wait for someone to call him back. Up until 27/08/19, he claims that no one called him back. The complainant called the number 01978 272 300 again on 27/08/19 and spoke to three different people. The complainant alleged that the first person did not acknowledge that he spoke Welsh and transferred the call to a second person. The complainant alleged that the second person asked him to

19/6/2020

Commissioner's findings

Standard 19: The complainant called the Council on 22 August 2019 and received an English only service contrary to the requirements of standard 19. The call related to a general enquiry about swimming lessons. The Council said that someone would return the complainant's call. The standard does not allow this. A non-Welsh speaking member of the Council's staff called the complainant back, despite having been told that he wished to receive a Welsh language service. The non-Welsh speaking member of staff said that someone else would call him back. A Welsh speaking member of staff then called the complainant but could not get an answer.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Wrexham County Borough Council has failed to comply with standard 19.

Statement of further action

Further action was taken following the determination that Wrexham County Borough Council has failed to comply with standard 19.

Statement on the further action

Standard 19 – requirement to take steps in accordance with section 77 (3)(b) of the Welsh Language Measure 1. Wrexham County Borough Council must undertake a review of Freedom Leisure's arrangements for answering telephone calls made to the leisure centres it runs by arrangement with the Council.

speak in English before transferring him to another colleague. He alleged that the third person said something in Welsh to the effect that there was no Welsh language service available (the complainant does not remember the exact conversation).

2. Wrexham County Borough Council must implement the findings of the review and introduce a policy and procedure for answering telephone calls, which will allow it to comply with standard 19.

3. Wrexham County Borough Council must provide sufficient written evidence to satisfy the Welsh Language Commissioner that enforcement action 1 has been completed.

Timetable: Within 3 months from the date of publication of the Commissioner's final determination.

Decision notice given

The Decision Notice was given to Wrexham County Borough Council on 19/06/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Wrexham
County Borough
Council

CSG636 On 06/09/2019 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complaint relates to an alleged failure by Wrexham County Borough Council to provide swimming lessons in Welsh to the complainant's child. After contacting one of the county's leisure centres (the complaint does not specify which leisure centre), he alleges that he was told that his 4 year old child would be able to attend swimming

19/6/2020

Commissioner's findings

Standard 84: If a body offers a course that is open to the public, the standard requires it to offer that course in Welsh. The Council states that Welsh lessons are available at the Gwyn Evans Centre, and that it can provide 1-1 lessons in Welsh if there was a demand. The complainant alleged that he was of the understanding that his child would have to have a lesson in English with some Welsh. I am of the view that Welsh swimming lessons are provided by the Council as required, and there was a demand on this occasion, but the course was not offered to the complainant. Standard 86: The standard makes it clear that an organisation is expected to develop an education course, to assess the need for the course to

lessons "provided he agrees to her attending lessons in English, or possibly an English lesson with some use of the Welsh language".

be offered in Welsh, and to publish that assessment on the organisations's website. The Council has not developed a course since the last assessment was carried out in December 2016. The Council undertook an assessment of the need to develop swimming lessons in Welsh at that time by distributing questionnaires to the county's primary and secondary schools. The outcome of the assessment has been published in the form of a statement appearing on the Council's web page. There has therefore been no failure to comply with the requirements of standard 86 in this case. An enforcement action issued to the Council following the CSG134 investigation: Standard 84 – requirement to prepare an action plan in accordance with section 77(3) of the Welsh Language Measure. I require the Council to prepare an action plan outlining what action it will take in order to comply with standard 84 in relation to swimming lessons. The Council should prepare the first draft action plan within 12 weeks, namely by 17 October 2017. I will act in accordance with section 80 of the Welsh Language Measure in relation to the action plan. I have provided the Council with an advice document which will assist in the preparation of the action plan. Standard 86 – advice in accordance with section 76(3) of the Welsh Language Measure When the Council develops an education course in relation to swimming lessons, it will be required to comply with standard 86. The enforcement action requires the Council to draw up an action plan. This was done and the Council noted that it would advertise the availability of swimming lessons in Welsh, noting the time and place of lessons. The list of swimming lessons provided by the Council does not specify the language of the lessons, and

Freedom Leisure did not advertise the availability of swimming lessons in Welsh. This indicates a failure by the Council to comply with one element of its action plan.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Wrexham County Borough Council has not failed to comply with standard 86, but that Wrexham County Borough Council has failed to comply with standard 84 and has failed to carry out an action set out in its action plan for case CSG134.

Statement of further action

Further action was taken following the determination that Wrexham County Borough Council has failed to comply with standard 84 and has failed to carry out an action set out in its action plan for case CSG134.

Statement on the further action

Standard 84 – requirement to take steps in accordance with section 77 of the Welsh Language Measure

1. Wrexham County Borough Council must re-run the advertisements for swimming coaches with the Welsh language as essential on a regular basis until it has successfully recruited.
2. Wrexham County Borough Council must upskill more staff to hold swimming lessons in Welsh.
3. Wrexham County Borough Council must make it known that swimming lessons in Welsh are provided in accordance with demand.
4. Wrexham County Borough Council must provide sufficient written evidence to satisfy the Welsh Language

			<p>Commissioner that it has completed enforcement actions 1, 2 and 3. Timetable: Within 2 months of publishing the Commissioner's final determination.</p> <p>CSG134 investigation enforcement action: Requirement to take steps in accordance with section 77(3) (b) of the Welsh Language Measure 5. Wrexham County Borough Council must ensure that Freedom Leisure makes it clear on its website that lessons are available in Welsh. 6. Wrexham County Borough Council must provide sufficient written evidence to satisfy the Welsh Language Commissioner that it has completed enforcement action 5. Timetable: Within 2 months of publishing the Commissioner's final determination.</p> <p>Decision notice given The Decision Notice was given to Wrexham County Borough Council on 19/06/2020.</p> <p>Appeals made to the tribunal No appeal was made to the Tribunal.</p>
<p><u>Bridgend County Borough Council</u></p>	<p>CSG658 On 16 October 2020 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore valid. It related to an email sent to the complainant acknowledging receipt of</p>	<p>9/6/2020</p>	<p>Commissioner's findings Standard 2: The standard imposes several requirements on the council. Relevant to this investigation is the requirement to correspond in Welsh with individuals who wish to receive correspondence in Welsh from the council. The council sent correspondence to the complainant on three occasions in the form of invoices for</p>

payment of council tax. The email appeared to be an automated one; it was sent at 14:02 on 16 October 2019 from the address AUTOMAILER@E-PAYCAPITA.COM. The complaint alleged that the email message was erroneous. Reference was made in it to Carmarthenshire County Council and, although the content was mostly written in Welsh, some of the text appeared in English. It appeared to the complainant that the content had been machine-translated. This was the second time that the complainant had complained to me about this very issue. The complainant noted: I believe that this investigation should be linked to the last one you undertook on this matter and that the council should be strictly penalised for claiming that work had been done to rectify errors in its system when the truth is that nothing has been done. I would also like to make the same comment as I did last time: This shows the negative attitude of Bridgend County Borough Council towards the Welsh language, which is to do as little as possible until somebody complains. (Author's translation.) The complainant received similar emails acknowledging receipt of payments on 14 August and 6 November 2019.

council tax payments. Although it contained errors, the correspondence was in Welsh. On the basis that the council has established that Welsh is the chosen language of the complainant and has corresponded with him in Welsh, I conclude that it has not failed to comply with the requirements of the standard.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Bridgend County Borough Council has not failed to comply with standard 2.

Statement of further action

Further action was taken following the determination that Bridgend County Borough Council has not failed to comply with standard 2.

Statement on the further action

Standard 2 – Requirement to take steps in accordance with section 76(3)(a) and (b) of the Welsh Language Measure

1. I recommend that the council ensures that all content of the council tax invoice is read by a competent officer or translator.
2. I recommend that the council then rectifies the content to ensure that it is accurate in meaning and expression, to the same extent as it would have been produced in English.
3. I advise the council to provide me with full and transparent comments in relation to complaints submitted against it.

Bangor
University

CSG595 On 5 July 2019 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complaint was, at that time, an employee of Bangor University. The complainant alleged that the university's online, paperless system for managing absence from work did not allow employees to apply for annual leave in Welsh. In support of the complaint, the complainant provided a copy of a email which was sent the following day by the Head of the School of Education introducing the new system to staff. The complainant was of the understanding that it was possible to apply for annual leave in Welsh but that this involved completing a paper form which would then be processed by an administrative officer. The complainant stated that employees who chose to use the online system could easily view, adapt, apply and record their annual

9/6/2020

Decision notice given

The Decision Notice was given to Bridgend County Borough Council on 09/06/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Commissioner's findings

Standard 111: The university must ask all its employees whether they wish to apply for annual leave in Welsh. If an employee tells the university that they wish to receive an annual leave form in Welsh, the university must provide it to them in Welsh. The investigation showed that the university has an administrative arrangement in place which means that employees can apply for annual leave in Welsh by completing emailing a relevant administrator. It also showed that the university has appropriate arrangements for recording the language choice of its employees in order to establish whether they wish to receive an annual leave form in Welsh. These arrangements meet the requirements of the standard.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Bangor University has not failed to comply with standard 111.

Statement of further action

Further action was taken following the determination that Bangor University has not failed to comply with standard 111.

leave. The complainant was concerned that the paper system available to Welsh users was not as good, and because of that the university had acted in a way that treated the Welsh language in a more inequitable and inferior way to the English language.

Statement on the further action

Standard 111 - Advice in accordance with subsection 76(3)(b) of the Welsh Language Measure. The university should give due consideration to the requirements of relevant operational standards and the needs and rights of its employees who wish to receive services relating to their employment in Welsh before piloting or adopting any relevant systems in the future.

Decision notice given

The Decision Notice was given to Bangor University on 09/06/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Wrexham
County Borough
Council

CSG537 On 17 April 2019 I received a complaint from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complaint was received from a member of the public who was submitting a complaint on someone else's behalf with his consent. The complainant claimed that the person affected had received correspondence which did not comply with the requirements of the Welsh language standards. The complaint concerns correspondence from Wrexham County Borough Council, namely a non-domestic

4/6/2020

Commissioner's findings

Standard 6: If a body produces corresponding Welsh and English language versions of correspondence (whether separate versions or not), it must not treat the Welsh language version of the correspondence less favourably than the English language version. The Council has produced 'non-domestic demand notice' correspondence containing linguistic errors in the Welsh text and containing some English-only text. I am of the view that producing correspondence that is inaccurate or contains English only text equates to treating the Welsh language less favourably than English and therefore is a failure to comply with the requirements of standard 6.

Standard 47: If a body produces a document for public use, and no other standard has required it to produce the

demand notice. The complaint relates to the following 3 pieces of correspondence: (1) A non-domestic demand notice (2) Direct debit consent document (3) 'Non-Domestic Annual Demand FAQs '. For documents (1) and (3) the complainant notes the following allegations: (1) Non-domestic demand notice (a) significant parts of the document are in English only. (b) Those parts which are bilingual treat the Welsh text less favourably in placing it below or to the right of the English. (c) There are mistakes in the Welsh (8.30 y.b.i.-5.00 y.p.o.) (d) There is inaccurate information in Welsh (the telephone number "Wrexham 200000"- on the reverse of the document - does not exist.) (e) Information is missing in the Welsh (the section for agreeing to the Council's terms when paying over the internet). (3) 'Non-domestic Annual Demand FAQ's' (a) This document is in English only.

document in Welsh, it must assess: if the subject matter of the document suggests that it should be produced in Welsh, or if the anticipated audience, and their expectations, suggests that the document should be produced in Welsh. A body should then produce the document in Welsh (or otherwise) in accordance with the outcome of that assessment. The parties are in agreement that the Council has produced a ' Non-domestic Annual Demand FAQs ' document for public use in English only. There is no evidence that the Council has conducted an assesment to consider the need to produce it in Welsh or not. I am of the view that the subject matter of the document and the anticipated audience for the document in question suggests that the document should have been produced in Welsh. I therefore find that the Council has acted contrary to the requirements of standard 47 in this case as it has not carried out an assessment as to whether the document in question should be produced in Welsh.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Wrexham County Borough Council have failed to comply with standards 6 & 47.

Statement of further action

Further action was taken following the determination that Wrexham County Borough Council have failed to comply with standards 6 & 47.

Statement on the further action

Standard 6 – requirement to take steps in accordance with section 77(3) (b) of the Welsh Language Measure

1. Wrexham County Borough Council must ensure that all correspondence relating to tax notices of any kind complies fully with the requirements of the standards. It must be ensured that the use of software or information from a third party does not allow language errors or use of English only text.

Standard 6 – requirement to publicise in accordance with section 77(3)(c) of the Welsh Language Measure

2. The Council must publicise its failure by publishing this report in a prominent place on its website and include an item on the investigation in its news section.

Timetable: within 28 days of the Commissioner's final determination.

Standard 47 – requirement to take steps in accordance with section 77(3) (b) of the Welsh Language Measure

3. Wrexham County Borough Council must develop a practical toolkit for officers responsible for producing any document for public use. The toolkit must include a practical method for assessing the need to produce a document in Welsh in accordance with standard 47 including a practical method of recording and securing the approval of a Senior Officer following the assessment. The toolkit must include a method of verifying that the outcome of an assessment requiring a document to be produced in Welsh is implemented.

4. Wrexham County Borough Council must provide written evidence to satisfy the Welsh Language Commissioner that it has completed enforcement action 1,2 and 3.

Timetable: Within 90 days of issuing the Commissioner's final determination.

Decision notice given

The Decision Notice was given to Wrexham County Borough Council on 04/06/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Torfaen County
Borough Council

CSG660 On 25/10/2019 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complainant alleged that he received an automatic reply in English only after sending correspondence to the Council via your.call@torfaen.gov.uk on 24/10/2019 in response to its e-mail.

27/5/2020

Commissioner's findings

Standard 1: When the Council receives correspondence in Welsh, and the Council is required to reply to that correspondence, it must reply in Welsh unless the person sending the correspondence has indicated that there is no need to do so. The complainant sent correspondence to the Council in Welsh. He received a reply in the form of an automatic e-mail message written in English. It appears that the Council does have appropriate arrangements in place to reply in Welsh, and it is unclear as to why the complainant received an English only reply on this occasion. As a result, it appears that the Council has failed to comply with standard 1 on this occasion.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Torfaen County Borough Council has failed to comply with standard 1.

Statement of further action

Further action was taken following the determination that Torfaen County Borough Council has failed to comply with standard 1.

Statement on the further action

Standard 1 – Requirement to take action in accordance with section 77(3)(b) of the Welsh Language Measure

1. The Council must check its software system in order to ensure that the bilingual message written is sent in response to ALL correspondence which reaches the Council.

3. The Council must provide written evidence that satisfies the Welsh Language Commissioner that enforcement step 1 has been completed.

Timetable: Within 3 months from the date of publication of the Commissioner's final determination.

Decision notice given

The Decision Notice was given to Torfaen County Borough Council on 27/05/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

The British
Broadcasting
Corporation

CSG544 On 5 May 2019 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complaint related to correspondence received by the complainant from the Trustee's of the

13/5/2020

Commissioner's findings

Standard 1: If a body receives correspondence from a person in Welsh, it must reply in Welsh (if an answer is required). A body does not have to reply in Welsh if a person has indicated that there is no need to reply in Welsh. I received a complaint regarding correspondence received by the complainant from the trustee of the British Broadcasting Corporation's (the BBC) pension fund. The

British Broadcasting Corporation's (the BBC) pension fund. The complainant received a response in English to an email that had been sent in Welsh to the Trustee of the pension fund. The original email sent in Welsh email by the complainant to the Trustee requested correspondence in Welsh in line with the complainant's preferred language for all correspondence from the BBC's Pension Fund.

complainant received a response in English to an email that he sent in Welsh to the pension fund. I find that the parties agree that the complainant received a response in English only to their Welsh correspondence. However, this correspondence is not subject to the standards of the BBC as the pension fund is not acting on behalf of the BBC in this context.

Standard 96: A body must 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. I received a complaint from a member of the public after their request to receive correspondence in Welsh from the BBC's Pension Fund was refused. I find that the requirements of standard 96 do not apply in this context as the correspondence in question is not paper correspondence relating to employment. It is not correspondence between the employer and the employee, although it was addressed to the employee personally. The fund is not acting on behalf of the BBC in preparing the correspondence in question.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that the BBC has not failed to comply with standards 1 and 96.

Statement of further action

I will not be taking any further action in this case.

Statement on the further action

I will not be taking any further action in this case.

Cardiff Council

CSG610 On 18/01/2019 A complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complaint alleged that the complainant's address was not displayed in Welsh in correspondence from the Council's parking services, and that it was in English only. The complainant provided a copy of a letter dated 5/12/2018 which he received from the parking department to remind him to renew his parking permit. It is clear from the copy I have received that the address on the Welsh version of the letter is in English only, and the words 'Sylw – Nid Yw'r Cyfeiriad Yn Gymraeg – Cywirwch Os' is noted on that version with an English address below.

29/4/2020

Decision notice given

The Decision Notice was given to the BBC on 13/05/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Commissioner's findings

Standard 2: Standard 2 imposes a requirement when corresponding for the first time with individuals to ask if they wish to receive correspondence in Welsh. The standard also places a requirement on a body to keep a record of any individuals who respond to say they wish to receive correspondence in Welsh, and to ensure that correspondence and forms are sent to them in Welsh in accordance with that wish from then on. I consider in this case that there was no requirement on the Council to ask about language choice in the correspondence received by the complainant as this is not the first time that the Council has corresponded with the complainant. I also consider that the Council did not know of the complainant's wish to receive correspondence in Welsh on the basis of the language he used to complete his permit application on the website and on the grounds of lack of evidence that the complainant had informed the Council of his wish. On that basis, I conclude that there was no requirement on the Council to keep a record of the complainant's wish to receive correspondence in Welsh at the time of sending him correspondence on 5/12/2018 or to send that correspondence in Welsh in accordance with element (b) of the standard.

Standard 5: Standard 5 requires that a Welsh language version of correspondence is provided if a body does not know if the person corresponded with wishes to receive correspondence in Welsh. I consider that the whole of the correspondence needs to be in Welsh in order to comply. I conclude in this case that the Council was unaware of the complainant's chosen language, and that it had sent Welsh correspondence to the complainant which contained an English only address. I also conclude that the CSG192 action plan did not affect this case in respect of the Council's compliance with standard 5, as the action plan was concerned with ensuring the Council's compliance with standard 6 in particular. As not all elements of the correspondence were in Welsh, as there was an English address on the Welsh correspondence received by the complainant, I consider this to be contrary to the requirement of standard 5.

Standard 6: The requirement of standard 6 is to ensure that the Welsh language is treated no less favourably than English when producing a Welsh version and equivalent English version of correspondence, and that the Welsh version is treated at least in the same way as the English version. In this case the complainant received a Welsh and English letter from the Council reminding him of the need to renew his parking permit. A Welsh language version of the letter included an address in English only while the English version of the letter included the address in the same language as the rest of the contents. Although the erroneous words 'Sylw – Nid Yw'r Cyfeiriad Yn Gymraeg – Cywirwch Os' are included on the Welsh version of the letter, I do not consider that the Welsh

version of the letter has been treated less favourably than the English version as the English version also contains the erroneous wording. I conclude that the Council in this case was not wholly dependent on the implementation of every element of the CSG192 action plan before being able to send correspondence with a Welsh language address. I am not convinced from this investigation that there are obstacles to the Council being able to ensure that there is a Welsh language address on the correspondence or that it is wholly dependent on the Council's systems to enable that to happen. CSG192 action plan: The action plan following the CSG192 investigation required the Council to ensure that it had adequate arrangements in place to comply with standard 6 for including household addresses in Welsh on Welsh language correspondence. The action plan came into force on 18/09/2018. In considering the information available to me, I find that Cardiff Council has failed to comply with the action plan. This is because it has not achieved any of the actions within the action plan by the required dates. Although the Council has now completed actions 1 and 2, actions 3 – 7 of the action plan have still not been fully achieved.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Cardiff Council have failed to comply with standards 5, 6 and the action plan of case CSG192; and that Cardiff Council has not failed to comply with standard 2.

Statement of further action

Further action was taken following the determination that Cardiff Council have failed to comply with standards 5, 6 and the action plan of case CSG192.

Statement on the further action

Standard 5 – requirement to take steps in accordance with section 77 of the Welsh Language Measure

3. If you don't know whether a person wishes to receive correspondence from you in Welsh, you must ensure that all elements of the correspondence are provided in Welsh, including the address, where a Welsh address exists. If the systems used to produce the correspondence do not enable this then there must be a separate process to ensure that a Welsh language version of an address is included on all Welsh correspondence.

4. You must provide written evidence that satisfies the Welsh Language Commissioner that the enforcement action has been completed.

Timetable: 3 months of issuing the Commissioner's final determination.

Standard 6 – requirement to take steps in accordance with section 77 of the Welsh Language Measure

5. The Council's parking department must ensure that it has arrangements in place to check the contents of Welsh correspondence before it is sent to ensure that correspondence is treated no less favourably than the English equivalent.

6. If you produce a Welsh language version and a corresponding English language version of correspondence, you must ensure that all elements of the

correspondence are provided in Welsh, including the address, where a Welsh address exists. If the systems used to produce the correspondence do not enable this then there must be a separate process to ensure that a Welsh language version of an address is included on all Welsh correspondence.

7. Cardiff Council must provide sufficient written evidence to satisfy the Welsh Language Commissioner that it has completed the enforcement actions set out above.

Timetable: 3 months of issuing the Commissioner's final determination.

Case CSG192 action plan - requirement to take steps in accordance with section 77 of the Welsh Language Measure

8. The Council must ensure that action 3 of the CSG192 action plan is fully implemented.

Timetable: 3 months from the date of the Commissioner's final determination

9. The Council must ensure that action 4 of the CSG192 action plan is fully implemented.

Timetable: 2 months from the date of the Commissioner's final determination

10. The Council as part of action 5 of the CSG192 action plan must modify its existing tender form to include an assessment that any new tenders for IT software used to generate letters or bills take into account the requirement that the system must be able to display the Welsh language version of household addresses.

Timetable: 30 days from the date of the Commissioner's final determination

11. The Council must ensure that action 6 of the CSG192 action plan is fully implemented.

Timetable: 3 months from the date of the Commissioner's final determination

12. Cardiff Council must provide sufficient written evidence to satisfy the Welsh Language Commissioner that it has completed all the above enforcement actions.

Timetable: 3 months from the date of the Commissioner's final determination

Decision notice given

The Decision Notice was given to Cardiff Council on 29/04/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Wrexham
County Borough
Council

CSG619 On 20 August 2019 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complainant alleged that he had submitted a query regarding swimming lessons on the Welsh page of the Freedom Leisure website and that he had received two English only messages in response: 1) The words 'thank you' on

27/4/2020

Commissioner's findings

Standard 1: When the Council receives correspondence in Welsh, and is required to answer that correspondence, it must reply in Welsh, unless the person who sent the correspondence has indicated to them that it is not necessary to do so. The complainant submitted a query about swimming lessons on the Welsh page of the Freedom Leisure website, and received two replies in English. This highlights a failure by the Council to comply with standard 1.

the screen thanking him for submitting a query, II) and an email confirming that his message has been received: Many thanks for your enquiry. We will be in touch shortly. Many thanks, Freedom Leisure

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Wrexham County Borough Council has failed to comply with standard 1.

Statement of further action

Further action was taken following the determination that Wrexham County Borough Council has failed to comply with standard 1.

Statement on the further action

Standard 1 – requirement to take steps in accordance with section 77 of the Welsh Language Measure

1. Wrexham County Borough Council must conduct a review of all automated messages sent to its leisure services, and act on its findings to ensure that each is sent in accordance with the requirements of standard 1.
 2. Wrexham County Borough Council must periodically check that these messages are sent in accordance with the requirements of the standard, to ensure that issues such as broken weblinks do not lead to a similar situation in the future.
 3. Wrexham County Borough Council must provide written evidence to satisfy the Welsh Language Commissioner that it has completed enforcement action 1 and 2.
- Timetable: Within 3 months of issuing the Commissioner's final determination.

Decision notice given

The Decision Notice was given to Wrexham County Borough Council on 27/04/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Swansea Bay
University
Health Board

CSG654 On 8 October 2019 a complaint was received from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint. The complaint was against Swansea Bay University Health Board in relation to 3 issues: That the Health Board has erected or renewed a sign on the road leaving Singleton Hospital, Swansea with text in English only reading 'turn left'. That there are English only signs/graphics on the Health Board's new electric vehicles. That the Health Board's Facebook page treats the Welsh language less favourably than English as there is less content on the Welsh page. Also that there is a video on the Welsh language Facebook page with audio in English only (with Welsh subtitles).

2/4/2020

Commissioner's findings

Standard 45: A body must not treat the Welsh language less favourably than the English language when using social media. I received a complaint alleging that the Health Board treated the Welsh language less favourably than English on its social media. I find that there is no evidence that the Health Board is treating the Welsh language less favourably than English in publishing content on its social media. Overall, the content on the Health Board's English and Welsh accounts corresponds.

Standard 47: If a body erects a new sign or renews a sign (including temporary signs), it must ensure that any text displayed on that sign is displayed in Welsh. A body may either display the Welsh language text on the same sign as the corresponding English language text or on a separate sign. A body must ensure that it does not treat the Welsh language text less favourably than the English language text on such signs. I received a complaint regarding a painted sign on the road with English only text and signs on the Health Board's electric vehicles which were in English only. I find that the Health Board has placed signs on electric vehicles in English only. I also find that the Health Board has renewed a sign on the road by re-painting it, and that it has not included Welsh text when renewing the sign.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Swansea Bay University Health Board has failed to comply with standard 47, and has not failed to comply with standard 45..

Statement of further action

Further action was taken following the determination that Swansea Bay University Health Board has failed to comply with standard 47.

Statement on the further action

Standard 47 – requirement to take steps in accordance with section 77(3)(b) of the Welsh Language Measure

1. Swansea Bay University Health Board must develop guidance and adopt formal procedures for staff and managers to follow in their daily work in order to comply with standard 47 when erecting or renewing a sign or signs.
 2. Swansea Bay University Health Board must provide sufficient written evidence to satisfy the Welsh Language Commissioner that it has carried out enforcement action
1. Timetable: Within 60 days of publishing the Commissioner's final determination.

Decision notice given

The Decision Notice was given to Swansea Bay University Health Board on 02/04/2020.

Appeals made to the tribunal

No appeal was made to the Tribunal

