

Relevant person	Investigation	Date decision notice was given	Commissioner's findings and determinations
<u>The Natural Resources Body for Wales</u>	<p>The Commissioner received a complaint on 14/08/2017 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint alleged that the recruitment process for a new Chief Executive for the Body had treated the Welsh language less favourably than the English language. The complainant alleged that there was a requirement to submit an online application for the role by means of an English only website provided by a third party, Odgers Berndston. The complainant alleged that there was no obvious method of submitting an application for the post in Welsh. The complainant noted that they had been unwilling on principle to submit an application for the post in English as the website was in English only. The</p>	19/3/2018	<p>Commissioner's findings Standard 133 Where a body is required to comply with standard 133, they must, when advertising a post, state that applications may be submitted in Welsh, and that an application submitted in Welsh will not be treated less favourably than an application submitted in English. The Commissioner received a complaint from a member of the public alleging that the recruitment process for a new Chief Executive for the Body treated the Welsh language less favourably than the English language. In considering the evidence received from the complainant and Natural Resources Wales, the Commissioner concluded that Natural Resources Wales did not state that applications may be submitted in Welsh when it advertised the post of Chief Executive. Standard 133A Standard 133A requires bodies to publish the following in Welsh, if at all published: application forms for posts; material that explains their procedure for applying for posts; information about their interview process, or about other assessment methods when applying for posts; job descriptions. The</p>

complainant decided therefore to not submit an application.

Commissioner received a complaint from a member of the public alleging that the recruitment process for a new Chief Executive for the Body treated the Welsh language less favourably than the English language. In consideration of the evidence received from the complainant and Natural Resources Wales, the Commissioner concluded that an online form provided for applicants equates to an application form, and this was only available in English.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: Standard 133 The Commissioner determined that Natural Resources Wales has failed to comply with standard 133 in this instance. Standard 133A The Commissioner determined that Natural Resources Wales has failed to comply with standard 133A in this instance.

Statement of further action

Further action was taken in respect of Natural Resources Wales' failure to comply with standards 133 and 133A.

Statement on the further action

Standard 133 Natural Resources Wales must ensure that it complies with the requirements of standard 133 at all times when advertising posts. NRW must make a clear statement that it welcomes applications for posts in Welsh and that applications made in Welsh will be treated no less favourably than applications made in English. Natural Resources Wales must ensure that such statements are made by any third party conducting a recruitment and

appointments campaign on its behalf. Timetable: Within 28 days of issuing the Commissioner's final determination. Standard 133A Natural Resources Wales must review its procedures for the use of third parties to conduct recruitment and appointments campaigns on its behalf in order to: (1) Ensure that application forms do not treat the Welsh language less favourably than the English language. (2) Ensure that it is possible to submit an application in Welsh in the same way as it is possible to submit an application in English. Timetable: Within 28 days of issuing the Commissioner's final determination.

Decision notice given

The Decision Notice was given to Natural Resources Wales on 19/03/2018.

Appeals made to the tribunal

No appeal was made to the Tribunal.

The Commissioner received a complaint on 03/04/2017 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint related to more than one of the Council's services. The complainant had received an English-only letter from the tax department and they were also unhappy about the fact that permanent and temporary signs at Rhymney Library and Rhymney Recycling Centre were in English only. They also wanted to complain about

5/2/2018

Commissioner's findings

Standard 4 - Standard 4 requires the Council to send a Welsh language version of correspondence at the same time as the English version if that correspondence is being sent to several persons. In this case, the Council sent the tax decision and housing benefit letter to several persons in English only. But according to the Council's comments following receipt of a copy of the proposed report, the Housing Benefit and Council Tax decision notices are not the same. As the letters are not the same, compliance with standard 4 is not in doubt. Standard 5 - Standard 5 requires a body to send a Welsh version of correspondence to a person at all times, unless it knows

Caerphilly
County Borough
Council

English-only announcements at Caerphilly and Bargoed libraries. The complainant also made a complaint directly to the Council and the Council provided a copy of the response dated 03/05/2017.

that the person does not wish to receive correspondence in Welsh. The Council sent letters relating to housing benefit and council tax to a large number of people in English only, even though it did not know whether these individuals wanted to receive correspondence in Welsh. As the Council sent English-only letters to a large number of people, not knowing whether they wanted to receive Welsh correspondence, it did not comply with standard 5 in this instance. In order to comply with standard 5, bilingual letters should have been sent to everyone whose language choice was not known. Standard 7 - The standard imposes a requirement on organisations to include a statement in correspondence, or in publications and official notices that invite persons to correspond with it, stating that it welcomes receiving correspondence in Welsh, that it will respond to correspondence in Welsh, and that corresponding in Welsh will not lead to delay. The letter in question was one that welcomed correspondence. The letter sent to the complainant did not include this statement. As the letter did not include the statement which must be included in correspondence that invites a response or correspondence, the Council did not comply with standard 7 in this instance. Standard 61 - Standard 61 requires the Council to ensure that any text on new signs is in Welsh and, if the new sign is also in English, it must not treat the Welsh language text less favourably than the English language text. Caerphilly County Borough Council confirmed that the 'Fire Exit' sign at Rhymney Library was a new sign that had been erected since the Council had been implementing standard 61. As the 'Fire Exit' sign was a new sign displaying only English text, the Council did not comply

with standard 61 in this instance. Standard 87 - Standard 87 required a body to ensure that all messages announced over a public address system are made in Welsh and, if the message is also announced in English, the announcement must be made in Welsh first. At the time of the complaint, the loudspeaker announcements at Caerphilly and Bargoed Libraries (for example, announcements stating that the Library will be closing) were not being made in Welsh. As the loudspeaker announcements at the libraries were not being made in Welsh, Caerphilly County Borough Council was not complying with standard 87 in this instance.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: Standard 4 - The Commissioner determined that Caerphilly County Borough Council has not failed to comply with standard 4. Standard 5 - The Commissioner determined that Caerphilly County Borough Council has failed to comply with standard 5. Standard 7 - The Commissioner determined that Caerphilly County Borough Council has failed to comply with standard 7. Standard 61 - The Commissioner determined Caerphilly County Borough Council has failed to comply with standard 61. Standard 83 - The Commissioner determined Caerphilly County Borough Council has failed to comply with standard 87.

Statement of further action

Further action was taken in respect of Caerphilly County Borough Council's failure to comply with standard 5,7,61 a 87.

Statement on the further action

Standard 5 - Caerphilly County Borough Council must prepare an action plan (and a timetable) outlining the main steps that will be taken to ensure that letters regarding housing benefit and council tax are sent bilingually. This is to be actioned within 3 months of issuing the Commissioner's final determination

Standard 7 - Caerphilly County Borough Council must state in correspondence relating to council tax and housing benefit that it welcomes receiving correspondence in Welsh, that it will respond to correspondence in Welsh, and that corresponding in Welsh will not lead to delay. This is to be actioned within 28 days of issuing the Commissioner's final determination.

Standard 61 - Caerphilly County Borough Council must ensure that any text on signs erected at its libraries since the standard's imposition day display Welsh language text (on the same sign as the corresponding English language text or on a separate sign) and, if the same text is displayed in Welsh and English, it must not treat the Welsh language text less favourably than the English language text. This is to be actioned within 28 days of issuing the Commissioner's final determination.

Standard 83 - Caerphilly County Borough Council must ensure that, when it announces messages over public address system in libraries, it makes the announcement in Welsh and, if the announcement is made in Welsh and in English, the announcement must be made in Welsh first. This is to be actioned within 3 months of issuing the Commissioner's final determination.

Pembrokeshire
County Council

The Commissioner received a complaint on 10/05/2017 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint related to English text appearing on the Welsh language page of the Council's website. The text referred to Minecraft activities held in Tenby libraries during May half term holidays. The following words appeared on the website's Welsh language page: "Mae'r dudalen hon wrthi'n cael ei chyfieithu ar hyn o bryd, felly diolch am eich amynedd wrth i ni ychwanegu'r cynnwys". (This page is currently being translated, therefore thank you for your patience whilst we update the contents). The text that followed appeared in English.

1/2/2018

Decision notice given

The Decision Notice was given to Caerphilly County Borough Council on 05/02/2018.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Commissioner's findings

Standard 52 Standard 52 requires Pembrokeshire County Council to ensure that the text of each page of its website is available and fully functional in Welsh, and that the Welsh language is not treated less favourably than the English language. English language text relating to Minecraft activities held during the summer half term at Tenby Library appeared on the Welsh page of the Council website, along with the words: "Mae'r dudalen hon wrthi'n cael ei chyfieithu ar hyn o bryd, felly diolch am eich amynedd wrth i ni ychwanegu'r cynnwys". (This page is currently being translated, therefore thank you for your patience whilst we update the contents). The Council noted that "this was an administrative error and arrangements have been made to ensure compliance by adopting a technical process whereby we have removed the 'translation optional' option and replacing it with 'translation mandatory'".

Commissioner's determination

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

Statement of further action

Further action was taken in respect of Pembrokeshire County Council 's failure to comply with standard 52.

Statement on the further action

Standard 52 Pembrokeshire County Council must raise staff awareness of the requirements of standard 52 and provide them with guidance on how to operate in a manner that allows them to comply with the standard. This is to be actioned within 28 days of the final presentation of the investigation report.

Decision notice given

The Decision Notice was given to Pembrokeshire County Council 01/02/2018.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Wrexham
County Borough
Council

The Commissioner received a complaint on 13/06/2017 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint related to Wrexham County Borough Council's alleged failure to provide a Welsh language telephone service to a member of the public in the Council Tax department on 13/06/2017 when using the 01978 298992 telephone number. The complainant also alleged that there were linguistic errors in the Welsh version of the Council Tax summons letter sent to the complainant

31/1/2018

Commissioner's findings

Standard 6 Standard 6 requires a body to ensure that the Welsh language is treated no less favourably than the English language when producing correspondence. Wrexham County Borough Council has been subject to this standard since 31 March 2016. The Commissioner received a complaint from a member of the public alleging that Wrexham County Borough Council had treated the Welsh language less favourably than the English language in a Council Tax summons letter as there were linguistic errors in the Welsh language version. In considering the evidence received from the complainant and the Council, the Commissioner conclude's that there were errors in the Welsh language version of the Council

on 12/06/2017. The Commissioner decided to undertake an investigation under section 71 of the Wrexham County Borough Council in order to ascertain whether or not Welsh Ministers had failed to comply with standards 6 and 11.

Tax summons letter sent to the complainant, contrary to the requirements of standard 6. Standard 11 Standard 11 requires Wrexham County Borough Council to deal with phone a call in Welsh if that is the person's wish, when a person contacts you on your main telephone number (or numbers), or on any helpline numbers or call centre numbers, 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 such a point as no Welsh speaking member of staff is available to provide a service on that specific subject matter. Wrexham County Borough Council has been subject to this standard since 31 March 2016. The Commissioner received a complaint from a member of the public alleging that he did not receive a Welsh language service over the phone from Wrexham County Borough Council in order to discuss a Council Tax summons. In considering the evidence received from the complainant and the Council, the Commissioner conclude's that the Council has acted in accordance with the requirements of standard 11 in this instance.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: The Commissioner determined that Wrexham County Borough Council did fail to comply with standard 6. The Commissioner determined that Wrexham County Borough Council did not fail to comply with standard 11.

Statement of further action

Further action was taken in respect of Wrexham County Borough Council failure to comply with standard 6.

Statement on the further action

In terms of the Commissioner's determination that Wrexham County Borough Council has failed to comply with standard 6, Wrexham County Borough Council is required to take the following steps in order to prevent the failure being repeated: Standard 6 The Commissioner requires Wrexham County Borough Council to take steps to ensure that there are no linguistic errors in correspondence that is sent to the public within the Council Tax department in accordance with the requirements of standard 6. This enforcement action is operational 40 days from the date of receiving this investigation's final report and determination notice.

Decision notice given

The Decision Notice was given to Wrexham County Borough Council on 31/01/2018.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Powys County Council

The Commissioner received a complaint on 13/06/2017 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint related to Powys County Council's arrangements for publishing information on a specific planning application. The planning application was

31/1/2018

Commissioner's findings

Standard 30 Standard 30 requires a body to state on any material advertising a meeting that is open to the general public, and on any invitation to the meeting that anyone attending is welcome to use the Welsh language at the meeting. This can include public notices. The Commissioner received a complaint from a member of the public alleging that there was no simultaneous translation

in relation to a development on the outskirts of Machynlleth. The complainant alleges that the Council had presented the planning application and related information on the development in English only to the Planning Committee. The complainant alleges that he also attended the meeting at which the application was discussed and that no simultaneous translation equipment was available at the Planning Committee meeting.

equipment from Welsh to English available at a Planning Committee meeting. In considering the evidence received from the complainant and Powys County Council the Commissioner is of the view that the Council did not make it clear to persons invited to Planning Committee meetings that they were able to use the Welsh language. Standard 32 Standard 32 requires a body to ask persons invited to speak at a meeting whether they wish to use the Welsh language at the meeting. If one or more of those persons has informed the body that he or she wishes to do so, the body must provide a simultaneous translation service from Welsh to English at the meeting. Powys County Council have been subject to standard 32 since 30 March 2016. The Commissioner received a complaint from a member of the public alleging that there was no simultaneous translation equipment from Welsh to English available in a Planning Committee meeting. In considering the evidence received from the complainant and Powys County Council, the Commissioner concludes that the Council did not ask every attendee invited to address the Planning Committee whether they wished to use Welsh. As they did not ask this question it was not possible for the Council to ensure that simultaneous translation from Welsh to English was available to those who wished to speak Welsh. Standard 33 Standard 33 requires a body to provide a simultaneous translation service from Welsh into English for every meeting open to the public. The standard also requires a body to ensure that those present at a meeting are orally informed, in Welsh, that they are welcome to use the Welsh language and that a simultaneous translation service is available. Powys County Council have been subject to the standard since

30 March 2016. The Commissioner received a complaint from a member of the public alleging that there was no simultaneous translation equipment from Welsh to English available in a Planning Committee meeting. In considering the evidence received by the complainant and Powys County Council, the Commissioner concludes that there was no simultaneous translation available at a meeting of the Planning Committee as a matter of course before May 2017 in breach of standard 33. Standard 47 Standard 47 requires a body to assess whether the subject matter of the document in question suggests that it should be produced in Welsh if no other standard has required them to produce the document in Welsh. Powys County Council have been subject to standard 47 since 30 March 2016. The Commissioner received a complaint from a member of the public in relation to Powys County Council's arrangements for publishing information on a specific planning application. The planning application was in relation to a development on the outskirts of Machynlleth. The complainant alleges that the Council had presented a planning application and related information on the development in English only to the Planning Committee. Considering the circumstances of the case, the Commissioner is of the view that the Council had not considered sufficiently whether there was a need to produce documents in Welsh, contrary to the requirements of the standards.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: Standard 30
The Commissioner determined that Powys County

Council has failed to comply with standard 30. Standard 32 The Commissioner determined that Powys County Council has failed to comply with standard 32. Standard 33 The Commissioner determined that Powys County Council has failed to comply with standard 33. Standard 47 The Commissioner determined Powys County Council has failed to comply with standard 47.

Statement of further action

Further action was taken in respect of Powys County Council's failure to comply with standards 30, 32, 33 and 47.

Statement on the further action

Standard 30 Powys County Council must check that every standard advertisement or invitation used for meetings that are open to the public clearly states that anyone attending is welcome to use the Welsh language at the meeting. This enforcement action is operational 28 days following receipt of the case decision notice. Standard 32 Powys County Council must ensure that it asks persons invited to address the Planning Committee whether they wishes to use the Welsh language at the meeting, and if at least one of those persons notifies the Council that they wish to do so, the Council must ensure that a simultaneous translation service from Welsh to English is available at that meeting. This enforcement action is operational 28 days following receipt of the Decision Notice. Standard 33 Powys County Council must ensure that a simultaneous translation service from Welsh to English is available in every meeting open to the public. This enforcement action is operational 28 days following

receipt of the Decision Notice. Standard 47 Powys County Council must develop a standard process for assessing the topic and anticipated audience of documents produced for public use. The assessment should determine if there is a need for that document to be produced in Welsh as is required to comply with standard 47. This enforcement action is operational 28 days after the date of the Decision Notice.

Decision notice given

The Decision Notice was given to Powys County Council on 31/01/2018.

Appeals made to the tribunal

No appeal was made to the Tribunal.

The Commissioner received a complaint on 13/06/2017 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was regarding Powys County Council's arrangements for publishing information on a specific planning application. The planning application was in relation to a development on the outskirts of Machynlleth. The complainant alleges that the Council had presented the planning application and related information on the development in English only to the Planning Committee. The complainant alleges that he also

29/1/2018

Commissioner's findings

Standard 30 Standard 30 requires a body to state on any material advertising a meeting that is open to the general public, and on any invitation to the meeting that anyone attending is welcome to use the Welsh language at the meeting. This can include public notices. The Commissioner received a complaint from a member of the public alleging that there was no simultaneous translation equipment from Welsh to English available at a Planning Committee meeting. In considering the evidence received from the complainant and Powys County Council, the Commissioner is of the view that the Council did not make it clear to persons invited to Planning Committee meetings that they were able to use the Welsh language. Standard 32 Standard 32 requires a body to ask persons invited to speak at a meeting whether they wish to use the

Powys County Council

attended the meeting at which the application was discussed and that no simultaneous translation equipment was available at the Planning Committee meeting. The Commissioner decided to undertake an investigation under section 71 of the Wrexham County Borough Council in order to ascertain whether or not Welsh Ministers had failed to comply with standards 30, 32, 33 and 47

Welsh language at the meeting. If one or more of those persons has informed the body that he or she wishes to do so, the body must provide a simultaneous translation service from Welsh to English at the meeting. Powys County Council have been subject to standard 32 since 30 March 2016. The Commissioner received a complaint from a member of the public alleging that there was no simultaneous translation equipment from Welsh to English available in a Planning Committee meeting. In considering the evidence received from the complainant and Powys County Council, the Commissioner concludes that the Council did not ask every attendee invited to address the Planning Committee whether they wished to use Welsh. As they did not ask this question it was not possible for the Council to ensure that simultaneous translation from Welsh to English was available to those who wished to speak Welsh. Standard 33 Standard 33 requires a body to provide a simultaneous translation service from Welsh into English for every meeting open to the public. The standard also requires a body to ensure that those present at a meeting are orally informed, in Welsh, that they are welcome to use the Welsh language and that a simultaneous translation service is available. Powys County Council have been subject to the standard since 30 March 2016. The Commissioner received a complaint from a member of the public alleging that there was no simultaneous translation equipment from Welsh to English available in a Planning Committee meeting. In considering the evidence received by the complainant and Powys County Council, the Commissioner concludes that there was no simultaneous translation available at a meeting of the Planning Committee as a matter of course before May

2017 in breach of standard 33. Standard 47 Standard 47 requires a body to assess whether the subject matter of the document in question suggests that it should be produced in Welsh if no other standard has required them to produce the document in Welsh. Powys County Council have been subject to standard 47 since 30 March 2016. The Commissioner received a complaint from a member of the public in relation to Powys County Council's arrangements for publishing information on a specific planning application. The planning application was in relation to a development on the outskirts of Machynlleth. The complainant alleges that the Council had presented a planning application and related information on the development in English only to the Planning Committee. Considering the circumstances of the case, the Commissioner is of the view that the Council had not considered sufficiently whether there was a need to produce documents in Welsh, contrary to the requirements of the standards.

Commissioner's determination

Commissioner's determination Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: The Commissioner determined that Powys County Council did fail to comply with standard 30 The Commissioner determined that Powys County Council did fail to comply with standard 32 The Commissioner determined that Powys County Council did fail to comply with standard 33 The Commissioner determined that Powys County Council did fail to comply with standard 47

Statement of further action

Further action was taken in respect of Powys County Council's failure to comply with standards 30, 32, 33 and 47

Statement on the further action

In terms of the Commissioner's determination that Wrexham County Borough Council has failed to comply with standards 30, 32, 33 and 47 Powys County Council is required to take the following steps in order to prevent the failure being repeated: Standard 30 Powys County Council must check that every standard advertisement or invitation used for meetings that are open to the public clearly states that anyone attending is welcome to use the Welsh language at that meeting. This enforcement action is operational 28 days following receipt of the case decision notice. Standard 32 Powys County Council must ensure that it asks persons invited to address the Planning Committee whether they wish to use the Welsh language at the meeting, and if at least one of those persons notifies the Council that they wish to do so, the Council must ensure that a simultaneous translation service from Welsh to English is available at that meeting. This enforcement action is operational 28 days following receipt of the Decision Notice. Standard 33 Powys County Council must ensure that a simultaneous translation service from Welsh to English is available in every meeting open to the public. This enforcement action is operational 28 days following receipt of the Decision Notice. Standard 47 Powys County Council must develop a standard process for assessing the topic and anticipated audience of documents produced for public

use. The process should conclude if there is a need for that document to be produced in Welsh as is required to comply with standard 47. This enforcement action is operational 28 days after the date of the Decision Notice.

Decision notice given

The Decision Notice was given to Powys County Council on 31/01/2018.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Wrexham
County Borough
Council

The Commissioner received a complaint on 16/05/2017 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint alleges that the information on Wrexham County Borough Council's website page regarding the County's leisure centres was deficient in Welsh. The complainant states that the Welsh language version of the web page contained less information than the English language version of the same page. The complainant also states that links on the Welsh language web page led to information in English only on Freedom Leisure's website pages – an external provider who runs the County's leisure centres on behalf of the Council. The Commissioner decided to undertake an

12/1/2018

Commissioner's findings

Standard 52 Standard 52 requires a body to ensure that all pages on its website are available and are fully functional in Welsh and that the Welsh language is not treated less favourably than the English language on those pages. Wrexham County Borough Council has been subject to standard 52 since 30 March 2016. In considering the evidence received from the complainant and Wrexham County Borough Council, the Commissioner is of the opinion that all the text on Freedom Leisure's website pages wasn't available in Welsh, contrary to the requirements of the standard. Standard 56 Standard 56 requires the body to ensure that the interface and menus on every page of its website are available in Welsh. Wrexham County Borough Council been subject to standard 56 since 30 March 2016. In considering the evidence received from the complainant and Wrexham County Borough Council, the Commissioner concludes that not all menus on every page of Freedom Leisure's website were in Welsh.

investigation under section 71 of the Wrexham County Borough Council in order to ascertain whether or not Welsh Ministers had failed to comply with standards 52 and 56.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: The Commissioner determined that Wrexham County Borough Council did fail to comply with standard 52 and 56.

Statement of further action

Further action was taken in respect of Wrexham County Borough Council failure to comply with standard 52 and 56.

Statement on the further action

In terms of the Commissioner's determination that Wrexham County Borough Council has failed to comply with standard 52 and 56, Wrexham County Borough Council is required to take the following steps in order to prevent the failure being repeated: Standard 52 Wrexham County Borough Council must ensure that – (a) the text of each page of their website is available in Welsh, (b) every Welsh language page on their website is fully functional, and (c) the Welsh language is not treated less favourably than the English language on their website. Standard 56 Wrexham County Borough Council must provide the interface and menus on every page of their website in Welsh.

Decision notice given

The Decision Notice was given to Wrexham County Borough Council on 12/01/2018.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Rhondda Cynon
Taf County
Borough Council

The Commissioner received a complaint from a person on 11/04/2017 which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complainant alleges to have contacted the Council's main telephone number on 11 April 2017. She pressed '1' for the Welsh language service and her call was answered by a member of staff who spoke the language. She then asked to be transferred to the Human Resources department. However, her call was answered by another member of the main call centre's staff. This individual did not speak Welsh and the complainant had to repeat her enquiry in English. Her call was then successfully transferred to the Human Resources department and was answered by a member of staff who greeted her in English. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 11 and 20.

11/1/2018

Commissioner's findings

Standard 11 Standard 11 requires the Council to offer a Welsh language service on its telephone numbers, and to provide a Welsh language service to a person if that is the person's wish. A duty to comply with the standard 11 has been placed on the Council since 30 March 2016. On 11 April 2017, the complainant contacted the Council on the telephone number 01443 425005, with an enquiry to the Human Resources department. The complainant chose to continue her call in Welsh by pressing the number 1 button, in accordance with the instructions of the automatic message. The call was answered by a Welsh adviser at the contact centre. When trying to transfer the call to the Human Resources department the adviser keyed the wrong number which meant that the call was transferred to a non-Welsh speaking adviser within the contact centre. The complainant started to speak Welsh but had to repeat her enquiry in English. When considering the evidence received from the complainant and the Council, the Commissioner is satisfied that it was a human error that had led to the call being transferred to a non-Welsh speaking adviser. It is the Commissioner's opinion that there are appropriate arrangements in place at the Council to deal with Welsh language telephone enquiries, and that had the call been transferred without error, the Council would not have failed to comply with the standard. However, as a result of this error in this instance, the Council failed to deal with the complainant's call in Welsh, despite the complainant's wish to receive a Welsh language service being established due to her

initiating the conversation in Welsh. The Commissioner must therefore determine that the Council failed to comply with standard 11. Standard 20 Standard 20 requires an organisation to ensure that the Welsh language is not treated less favourably than English when greeting a person who contacts them on a direct line number. The complainant claims to have received an English greeting (with no corresponding Welsh greeting) when her call was transferred to the Human Resources Department at Rhondda Cynon Taf County Borough Council. Having considered the evidence submitted by the Council and the complainant, the Commissioner concludes that the complaint is regarding the greeting the complainant received when she was transferred to the relevant department, and that the standard is therefore not relevant to the investigation.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 11. The Commissioner was unable to determine the Council's compliance with standard 20.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Rhondda Cynon Taff County Borough Council has failed

to comply with standard 11, the Commissioner will take further action for the purpose of preventing the failure of Rhondda Cynon Taff County Borough Council to comply with the relevant requirement from continuing or being repeated: Standard 11 Rhondda Cynon Taf County Borough Council must take steps to ensure that calls are dealt with in Welsh if that is the person's wish, in accordance with Standard 11. □ Rhondda Cynon Taf County Borough Council must take steps to ensure that, when transferring call, you continue to deal with the call in Welsh if that is the person's wish, in accordance with Standard 11. Timetable: Within 28 days of publishing the Commissioner's final determination

Decision notice given

The Decision Notice was given to the Council on 11/01/2018.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Welsh Ministers

The Commissioner received a complaint on 09/03/2017 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complainant was unhappy that an address was not included on a Welsh version of a letter he received inviting him to take part in the National Survey for Wales. I received a copy of the letter from the complainant.

10/1/2018

Commissioner's findings

Standard 6 Standard 6 requires a body to ensure that the Welsh language is treated no less favourably than the English language when producing correspondence. The standard provides examples of treating the Welsh language less no favourably than the English language in this context, such as ensuring that there are corresponding signatures and contact details on both versions of the correspondence. The letter received by the complainant regarding the National Survey for Wales did not include the address on the Welsh version of the

letter. In their evidence, the Welsh Ministers note that this was the usual practice with letters regarding the National Survey. As the letter did not include the address on the Welsh version as with the English version, the Welsh Ministers treated the Welsh version of the letter less favourably than the English version. Standard 7 Standard 7 places a requirement on organisations to include a statement in correspondence, publications or official notices that invite persons to respond to them or to correspond with them, that they welcome receiving correspondence in Welsh, that they will respond to correspondence in Welsh, and that corresponding in Welsh will not lead to delay. The letter received by the complainant did not include this statement. As the letter did not include the statement required in correspondence inviting persons to respond or to correspond with the organisation, the Welsh Ministers did not implement standard 7 in this instance.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: Standard 6 The Commissioner determined that Welsh Ministers have failed to comply with standard 6. Standard 7 The Commissioner determined that Welsh Ministers have failed to comply with standard 7.

Statement of further action

Further action was taken in respect of Welsh Ministers' failure to comply with standard 6 and 7.

Statement on the further action

Standard 6 In conducting the National Survey for Wales, Welsh Ministers must ensure that when they produce a corresponding Welsh and English version of correspondence they must include the recipients Welsh address on the Welsh version of the letter, and you must not treat the Welsh version less favourably than the English version. This is to be actioned within 28 days of issuing the Commissioner's final determination. Standard 7 The Welsh Ministers must state in correspondence regarding the National Survey for Wales that they welcome receiving correspondence in Welsh, that they will respond to correspondence in Welsh, and that corresponding in Welsh will not lead to delay. This is to be actioned within 3 months of issuing the Commissioner's final determination. During the next 3 months the Commissioner advises the Welsh Ministers to consider other methods of informing the public that you welcome receiving correspondence in Welsh, that you will respond to correspondence in Welsh, and that corresponding in Welsh will not lead to delay.

Decision notice given

The Decision Notice was given to the Welsh Ministers on 10/01/2018.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Welsh Ministers

The Commissioner received a complaint on 28/04/2017 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure.

21/12/2017

Commissioner's findings

Standard 13 Standard 13 requires a body to ensure that the telephone number for the Welsh language is the same as for the corresponding telephone number for the

The complaint related to the Welsh language technical support telephone service for users of the Sell2Wales website. The complainant claims that the Welsh web pages of the Sell2Wales website did not display a phone number for the technical helpline and that they had to phone the Sell2Wales general number three times in order to get the number. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not Welsh Ministers had failed to comply with standard 13 and 52.

English language service. Providing a separate telephone number for the Welsh language service is not permitted. Welsh Ministers have been subject to this standard since 30 September 2016 for the Sell2Wales service. I received a complaint from a member of the public claiming that the Welsh language pages of the Sell2Wales website did not display a technical support telephone number. In considering the evidence received from the complainant and Welsh Ministers, I conclude that the body uses different telephone numbers for the Sell2Wales technical support service contrary to the requirements of the standard Standard 52 Standard 52 requires a body to ensure that all pages on its website are available and are fully functional in Welsh and that the Welsh language is not treated less favourably than the English language on those pages. Welsh Ministers have been subject to standard 52 since 30 March 2016. The Commissioner received a complaint from a member of the public claiming that the Welsh language pages of the Sell2Wales website did not display a technical support telephone number. In considering the evidence received from the complainant and Welsh Ministers, the Commissioner concludes that the Welsh web pages of the Sell2Wales website contained less information information regarding the technical telephone service. This caused frustration to the complainant when seeking to use the Welsh language service.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: The

Commissioner determined that Welsh Ministers did fail to comply with standard 13 and 52.

Statement of further action

Further action was taken in respect of Welsh Ministers' failure to comply with standard 13 and 52.

Statement on the further action

In terms of the Commissioner's determination that Welsh Ministers has failed to comply with standard 14 and 52, Welsh Ministers is required to take the following steps in order to prevent the failure being repeated: Standard 13 Welsh Ministers must use the same number to deliver all Sell2Wales telephone support services and ensure that the Welsh language service offered is akin to the English language service offered on that line. This enforcement action is operational 3 months after the Decision Notice for case CSG223 is received. Standard 52 Welsh Ministers must ensure that clear information is available to the public about the support services available to them on the Welsh web pages of the Sell2Wales website. As Welsh Ministers complete the enforcement actions for this case and establish one number for technical support, it should be ensured that the number in question is displayed on the Welsh language web pages of the Sell2Wales website. This enforcement action is operational 28 days after the decision notice of this case is received.

Decision notice given

The Decision Notice was given to Welsh Ministers on 21/12/2017.

Bridgend
County Borough
Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. On 3 June 2016 the Commissioner received a number of complaints from a member of the public. The complaints involved swimming lesson provision of a number of local authorities, including Bridgend County Borough Council. Evidence was provided to support the complaints; this evidence involved the response of the local authorities to queries regarding the availability of Welsh language swimming lessons. In the case of Bridgend County Borough Council, a copy of the Council's response to a telephone enquiry regarding Welsh language swimming lessons was received. The response stated that the Council offered Welsh medium swimming lessons to children but not to adults. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, the Commissioner was not satisfied that the complainant was

14/12/2017

Appeals made to the tribunal

No appeal was made to the Tribunal.

Commissioner's findings

Standard 81 The Commissioner determines that Bridgend County Borough Council has not failed to comply with standard 81 in this case, on the basis that the evidence available to me highlights that the Council has taken sufficient steps to advertise and promote the current provision of swimming lessons in Welsh, and does so in Welsh. Standard 84 The Commissioner determines that Bridgend County Borough Council has failed to comply with standard 84 in this case, on the basis that the Council does not offer swimming lessons in Welsh at some levels, although swimming lessons are offered in English at these levels. Standard 86 The Commissioner determines that Bridgend County Borough Council has not failed to comply with standard 86 in this case, on the basis that the Council has not developed any education course in relation to swimming lessons in the period since the imposition day for the standard, and that therefore the duty to comply with standard 86 does not apply.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 84. The Council has not failed to comply with standard 81 and 86.

Statement of further action

acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid in accordance with section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 81, 84 and 86.

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that the Council has failed to comply with standard 84, the Commissioner will take further action for the purpose of preventing the failure of the Council to comply with the relevant requirement from continuing or being repeated: Standard 84 The Commissioner requires the Council to prepare an action plan which will state what steps it will take in order to comply with standard 84 in relation to swimming lessons. The Council should prepare a first draft action plan within 12 weeks, that is by 6 February 2018. The Commissioner will act in accordance with section 80 of the Welsh Language Measure in relation to the action plan. The Commissioner has given the Council an advice document which will be of assistance in preparing the action plan.

Decision notice given

The Decision Notice was given to the Council on 14/12/2017

Appeals made to the tribunal

No appeal was made to the Tribunal

Welsh Ministers

The Commissioner received two complaints from two complainants which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure.

30/11/2017

Commissioner's findings

Standard 2 Standard 2 requires a body to ask individuals whether they wish to receive correspondence in Welsh, when corresponding with them for the first time. If an

The first complaint was received on 21 February 2017. The complainant claimed that they had received an English only email on 21 February 2017 from one of the officers of the Welsh Ministers inviting him to a meeting with the Education Director of the Welsh Government's Education and Public Services Group. The second complaint was received on 8 March 2017. The complainant alleged that they had received an English only email on 8 March 2017 from one of the Welsh Ministers officers in response to a telephone enquiry made in Welsh. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not Welsh Ministers had failed to comply with standard 2, 5 and 7.

individual responds to say that they do wish to receive correspondence in Welsh from the body, that body will need to keep a record of that wish, and correspond with them in Welsh from then onwards. Welsh Ministers have been subject to this standard since 30 March 2016. The complainant received English only emails from Welsh Minister officials. This was contrary to their wish to receive correspondence in Welsh from the organisation. The parties agree that English only emails were sent to the complainant in these cases despite the fact that a record had been made of the complainant's wish to receive correspondence in Welsh from Welsh Ministers. Standard 5 Standard 5 requires bodies to provide a Welsh language version of correspondence when corresponding with a person, if they don't know whether that person wishes to receive correspondence in Welsh. Therefore, bodies are required to send a Welsh version of correspondence to an individual at all times, unless they are aware of the individual's language choice (e.g. through information provided to the body in accordance with standard 2 and/or 3). Welsh Ministers have been subject to standard 5 since 30 March 2016. The complainant received an English only email from a Welsh Minister official inviting them to a meeting. This was contrary to their wish to receive correspondence in Welsh from the organisation. The evidence from Welsh Ministers highlights that a record of the complainant's language choice had been made and therefore this standard no longer applies to the investigation. Standard 7 Standard 7 requires a body to state in all correspondence, including electronic correspondence, that it welcomes receiving correspondence in Welsh, that it will respond in Welsh

and that corresponding in Welsh will not lead to delay. Welsh Ministers have been subject to standard 7 since 30 March 2016. The complainant received an English only email from a Welsh Minister official inviting them to a meeting. The statement on the email did not state that they are welcome to correspond with the organisation in Welsh. The evidence from Welsh Ministers highlights that there was no standard statement in place in officials' standard electronic signatures regarding welcoming correspondence in Welsh.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: The Commissioner determined that Welsh Ministers did fail to comply with standard 2 and 7. On the basis that Welsh Ministers were aware of the complainant's language choice, the Commissioner could not make a determination on compliance with standard 5.

Statement of further action

Further action was taken in respect of Welsh Ministers' failure to comply with standard 2 and 7

Statement on the further action

In terms of the Commissioner's determination that Welsh Ministers has failed to comply with standard 2 and 7, Welsh Ministers is required to take the following steps in order to prevent the failure being repeated: Standard 2 - Welsh Ministers must conduct a further awareness campaign regarding the requirements of the Welsh language standards for correspondence, specifically

targeting: - Members of staff in regular contact with members of the public; - Members of staff who are the subject of complaints about failures to implement the standards. Standard 7 - Welsh Ministers must ensure that all officials' electronic signatures include a standard statement in accordance with the requirements of standard 7. The above is to be actioned within 28 days of the final presentation of the investigating report.

Decision notice given

The Decision Notice was given to Welsh Ministers on 30/11/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Welsh Ministers

The Commissioner received a complaint on 27/07/2016 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The Commissioner received an allegation from an individual that training provided by National Union of Journalists Training Wales (NUJTW) between May 2016 – January 2017, and advertised on the NUJTW website was not available in Welsh. It is alleged that NUJTW receives funding from the Welsh Government to deliver the training. The complainant wished to attend a “How to run a successful social media campaign” course in Welsh. The Commissioner

28/11/2017

Commissioner’s findings

Standard 94 Standard 94 requires Welsh Ministers to produce and publish a policy on awarding grants which ensures that the body considers the Welsh language when awarding a grant. Welsh Ministers provided a guidance document to use when awarding grants to bodies. The toolkit provided by Welsh Ministers recognises the fundamental principles of the Welsh Language Measure, but the content is not sufficient to convey what needs to be done to comply with standard 94 by considering the issues identified in a-ch. The complainant wished to attend the course held on 18 July, 2016 namely "How to run a Successful Social Media Campaign", but it was not available in Welsh. It was noted that courses are held bilingually but that there was no demand for the course in Welsh. The Commissioner does

decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not Welsh Ministers had failed to comply with standard 94.

not believe that the Welsh Ministers' policy on awarding grants is sufficient, in terms of complying with the standard in question on the basis that it is not possible to consider the effects of a-ch on the Welsh language when undertaking an assessment.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: The Commissioner determined that Welsh Ministers did fail to comply with standard 94.

Statement of further action

Further action was taken in respect of Welsh Ministers' failure to comply with standard 94.

Statement on the further action

In terms of the Commissioner's determination that Welsh Ministers has failed to comply with standard 94, Welsh Ministers is required to take the following steps in order to prevent the failure being repeated: Standard 94 – requirement for Welsh Ministers to take steps in accordance with section 77 of the Welsh Language Measure: Revise the policy on awarding grants to reflect the requirements of the standard by including detailed guidance on how to consider the effects of a-ch on the Welsh language, so that the policy itself is sufficient to convey what needs to be done to comply with the standard. This is to be actioned within 28 days of the final presentation of the investigating report.

Decision notice given

The Decision Notice was given to Welsh Ministers on 28/11/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Welsh Ministers

The Commissioner received a complaint on 12/01/2017 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was regarding Student Finance Wales services. The complaint stated that the complainant received a letter entitled 'Financial evidence needed for tax year 2014-15' from Student Finance Wales in English only, on 05/01/2017. The complaint also states that that the complainant received a form entitled 'Evidence Return Form' from Student Finance Wales in English only, on 05/01/2017. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not Welsh Ministers had failed to comply with standard 2, 5, 7 and 50.

21/11/2017

Commissioner's findings

Standard 2 Standard 2 requires a body, when corresponding with an individual for the first time after the imposition day for the standard, to ask that individual whether they wish to receive correspondence from the body in Welsh. The letter sent to the complainant on 05/01/2017 was not Student Finance Wales' first correspondence with the complainant after the imposition day for standard 2. Standard 2 only applies to first-time correspondence with an individual and therefore standard 2 does not apply in this case. Standard 5 Standard 5 requires the Welsh Ministers to provide a Welsh language version of correspondence when corresponding with a person, if the body doesn't know whether that person wishes to receive correspondence in Welsh. However, no Welsh language version was provided of the letter sent by Student Finance Wales to the complainant on 05/01/2017, even though Student Finance Wales was not aware at the time whether the complainant wished to receive correspondence in Welsh. Standard 7 Standard 7 requires the Welsh Ministers to state in correspondence that they welcome receiving correspondence in Welsh, that they will respond to correspondence in Welsh, and that corresponding in Welsh will not lead to delay. However, the letter sent to the complainant on 05/01/2017 included no such statement. Standard 50 Standard 50

requires that any forms produced by the Welsh Ministers for public use are produced in Welsh. Student Finance Wales' Evidence Return Form, sent to the complainant on 05/01/2017, has not been produced in Welsh.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: The Commissioner determined that Welsh Ministers did fail to comply with standard 5, 7, and 50. The Commissioner determined that Welsh Ministers did not fail to comply with standard 2.

Statement of further action

Further action was taken in respect of Welsh Ministers' failure to comply with standard 5, 7 and 50.

Statement on the further action

In terms of the Commissioner's determination that Welsh Ministers has failed to comply with standard 1, Welsh Ministers is required to take the following steps in order to prevent the failure being repeated: Standard 5 The Commissioner requires the Welsh Ministers to prepare an action plan which will state which steps it will take steps to comply with standard 5 in relation to correspondence sent by Student Finance Wales. The Welsh Ministers should base the action plan on the representations presented in response to the proposed investigation report for this case; it should include dates for completing each action step, and appoint a person responsible for executing the steps. Standard 7 The Commissioner requires the Welsh Ministers to prepare an action plan which will state which

steps it will take steps to comply with standard 7 in relation to correspondence sent by Student Finance Wales. The Welsh Minsters should base the action plan on the representations presented in response to the proposed investigation report for this case; it should include dates for completing each action step, and appoint a person responsible for executing the steps. Standard 50 The Commissioner requires the Welsh Ministers to prepare an action plan which will state which steps it will take steps to comply with standard 50 in relation to forms produced by Student Finance Wales. The Welsh Ministers should base the action plan on the representations presented in response to the proposed investigation report for this case; it should include dates for completing each action step, and appoint a person responsible for executing the steps. The Welsh Ministers should prepare a first draft action plan within 40 days from the date of the decision notice for this case that is by 03/01/2018. The Commissioner will act in accordance with section 80 of the Welsh Language Measure in relation to the action plan.

Decision notice given

The Decision Notice was given to Welsh Ministers on 21/11/2017

Appeals made to the tribunal

No appeal was made to the Tribunal.

Welsh Ministers

The Commissioner received a complaint on 05/01/2017 from a person which satisfied the conditions of section 93(3)

21/11/2017

Commissioner's findings

Standard 2 Standard 2 requires a body, when corresponding with an individual for the first time after the

to (6) of the Welsh Language Measure. The complaint was regarding Student Loans Company Limited services. The complaint stated that the complainant received a letter entitled 'Action required – complete the enclosed form to update your current employment status' from the Student Loans Company in English only, on 09/12/2016. The complaint also states that the complainant received a form entitled 'Confirmation of Customer Details Form' from the Student Loans Company in English only, on 09/12/2016. Additionally, the complainant noted that the Student Loans Company's website (<http://www.slc.co.uk/>) is not available in Welsh and that the complainant was unable to speak Welsh to the Student Loans Company on the phone when she called 0300 100 0611 at 16:24 on 05/01/2017. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not Welsh Ministers had failed to comply with standard 2, 5, 7, 8, 9, 10, 50 and 52.

imposition day for the standard, to ask that individual whether they wish to receive correspondence from the body in Welsh. In this instance, by sending the letter dated 09/12/2016 to the complainant, the Student Loans Company was corresponding with the individual for the first time since the imposition day for standard 2, 30/03/2016. The Student Loans Company did not ask the complainant whether they wished to receive correspondence in Welsh from the body. Standard 5 The Student Loans Company was aware of the complainant's preferred language when the letter was sent on 09/12/2016. Standard 5 only applies to situations where a body does not know whether a person wishes to receive correspondence in Welsh from them and therefore standard 5 does not apply in this instance. Standard 7 Standard 7 requires the Welsh Ministers to state in correspondence that they welcome receiving correspondence in Welsh, that they will respond to correspondence in Welsh, and that corresponding in Welsh will not lead to delay. However, the letter sent to the complainant on 09/12/2016 included no such statement. Standard 8 Standard 8 requires the Welsh Ministers to greet callers contacting one of their main telephone numbers in Welsh. The complainant was not greeted in Welsh when they called the Student Loans Company's main telephone number at 16:24 on 05/01/2017 because the voice recognition system used at the beginning of every call does not greet callers in Welsh. Standard 9 Standard 9 requires that any person contacting the Welsh Ministers on one of their main telephone numbers is informed that a Welsh language service is available. Normally with calls to the Student

Loans Company's main telephone number, callers from Wales are informed that a Welsh language service is available after being identified via their customer number, but this did not happen in this instance because the complainant did not input their customer number. The customer advisor informed the complainant that a Welsh language service was available, but this was done late during the call. Standard 10 Standard 10 requires the Welsh Ministers to deal with calls made to one of their main telephone numbers in Welsh in their entirety if that is the caller's wish. I believe that efforts should be made to establish, at the first possible opportunity, whether the person wishes to receive a service in Welsh over the phone. Normally with calls to the Student Loans Company's main telephone number, it is established whether callers from Wales wish to receive a Welsh language service after being identified via their customer number, but this did not happen in this instance because the complainant did not input their customer number. Additionally, the voice recognition system greets callers and directs them to input their customer number in English. This means that the first half of the call is conducted in English and that there is no option to change this. Standard 50 Standard 50 requires that any forms produced by the Welsh Ministers for public use are produced in Welsh. The Student Loans Company's Confirmation of Customer Details form, sent to the complainant on 09/12/2016, has not been produced in Welsh. Standard 52 Standard 52 requires the Welsh Ministers to ensure that all pages on websites that they are responsible for are available and are fully functional in Welsh and that the Welsh language is not treated less

favourably than the English language on those websites. None of the pages on the Student Loans Company's corporate website, www.slc.co.uk, are available in Welsh.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: The Commissioner determined that Welsh Ministers did fail to comply with standard 2, 7, 8, 10, 50 and 52. The Commissioner determined that Welsh Ministers did not fail to comply with standard 5 and 9.

Statement of further action

Further action was taken in respect of Welsh Ministers' failure to comply with standard 2, 7, 8, 10, 50 and 52.

Statement on the further action

Standard 2 The Commissioner requires the Welsh Ministers to prepare an action plan which will state which steps it will take steps to comply with standard 2 in relation to correspondence sent by the Student Loans Company. The Welsh Ministers should base the action plan on the representations presented in response to the proposed investigation report for this case; it should include dates for completing each action step, and appoint a person responsible for executing the steps.

Standard 7 The Commissioner requires the Welsh Ministers to prepare an action plan which will state which steps it will take steps to comply with standard 7 in relation to correspondence sent by the Student Loans Company. The Welsh Ministers should base the action plan on the representations presented in response to the

proposed investigation report for this case; it should include dates for completing each action step, and appoint a person responsible for executing the steps.

Standard 8 The Commissioner requires the Welsh Ministers to prepare an action plan which will state which steps it will take steps to comply with standard 8 in relation to calls made to the Student Loans Company's main telephone number from landlines and mobile phones. The Welsh Ministers should base the action plan on the representations presented in response to the proposed investigation report for this case; it should include dates for completing each action step, and appoint a person responsible for executing the steps.

Standard 10 The Commissioner requires the Welsh Ministers to prepare an action plan which will state which steps it will take steps to comply with standard 10 in relation to calls made to the Student Loans Company's main telephone number. The Welsh Ministers should base the action plan on the representations presented in response to the proposed investigation report for this case; it should include dates for completing each action step, and appoint a person responsible for executing the steps.

Standard 50 The Commissioner requires require the Welsh Ministers to prepare an action plan which will state which steps it will take steps to comply with standard 50 in relation to forms produced by the Student Loans Company. The Welsh Ministers should base the action plan on the representations presented in response to the proposed investigation report for this case; it should include dates for completing each action step, and appoint a person responsible for executing the steps.

Standard 52 The Commissioner requires the Welsh

Ministers to prepare an action plan which will state which steps it will take steps to comply with standard 52 in relation to the Student Loans Company's websites. The Welsh Ministers should base the action plan on the representations presented in response to the proposed investigation report for this case; it should include dates for completing each action step, and appoint a person responsible for executing the steps. The Welsh Ministers should prepare first draft action plans within 40 days from the date of the decision notice for this case that is by 03/01/2018. The Commissioner will act in accordance with section 80 of the Welsh Language Measure in relation to the action plan.

Decision notice given

The Decision Notice was given to Welsh Ministers on 21/11/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Welsh Ministers

The Commissioner received a complaint on 30/03/2016 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint related to road signs on the M4 motorway. The complainant alleges to have seen English text placed above the corresponding Welsh language text on matrix screens on the M4 motorway between junction 44 and 42. The complainant was travelling

21/11/2017

Commissioner's findings

Standard 61 Standard 61 places a duty on an organisation to ensure that any new or renewed signs are displayed in Welsh, and that the Welsh text must be treated no less favourably than the English text on those signs. By displaying an English message on the exit of junction 42 on 4 April 2016 without a corresponding Welsh message, Welsh Ministers have failed to display a sign in Welsh, and have therefore treated the Welsh language less favourably than the English language on this occasion. By displaying the sign in question, Welsh

eastbound on 30 March 2016 when they saw the signs in question. The signs were showing 'P+RIDE J42' on the first line and 'P+TEITHIO' on the second line. The complainant also alleges to have seen a sign next to the junction 42 exit whilst travelling eastbound on the M4 on 4 April 2016 displaying the text "Congestion Slow Down" in English without any corresponding Welsh text. The complainant alleges that temporary signs for overnight works on 5 April 2016 continued to display information with the English preceding the Welsh text. The complainant provided a link to the Information Signs page on the Traffic Wales website and noted that this page showed that English text precedes the Welsh text on information signs on highways in Wales.

Ministers failed to comply with standard 61. Standard 62 Standard 62 places a duty on organisation to ensure that Welsh text on newly erected temporary and / or permanent signs, or signs that are renewed on or after the imposition date, is positioned so that it is likely to be read first. The purpose of the standard is to ensure that when information is expressed in Welsh and English, that Welsh is placed in a position so that is likely to be read first. It is my opinion that Welsh text is not likely to be read first if it is placed below the English text. The Commissioner considered whether or not the sign in question was a new sign. The Commissioner is of the opinion that a new sign is erected every time a new message is displayed on the electronic sign. Due to the limitations of the hardware which supported the control of the sign in question, English text was placed above the corresponding Welsh text on an electronic information sign on the M4 motorway on 30 March 2016. As a result, Welsh Ministers failed to place the Welsh text in a position where it is most likely to be read first. By displaying the sign in question, Welsh Ministers failed to comply with standard 62.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that Welsh Ministers have failed to comply with standards 61 and 62.

Statement of further action

Further action was taken in respect of Welsh Ministers failure to comply with standards 61 and 62.

Statement on the further action

Standard 61 Welsh ministers must take steps to ensure that, when displaying text on variable message signs, the text is displayed in Welsh (whether on the same sign as the corresponding English text or on a separate paired sign), with the exception of signs subject to the Traffic Signs Regulations and General Directions 2016. Within 3 months of the date of publishing the Commissioner's final determination. Standard 62 Welsh Ministers must take steps to ensure that variable message signs can display the Welsh text above the English text when the two languages appear on the same sign, in order to comply with standard 62. Within 3 months of the date of publishing the Commissioner's final determination. Welsh Ministers must take steps to ensure that temporary signs display Welsh text above the English text in order to comply with Standard 62. Within 3 months of the date of publishing the Commissioner's final determination.

Decision notice given

The Decision Notice was given to Welsh Ministers on the 21/11/2017

Appeals made to the tribunal

No appeal was made to the Tribunal

City and County
of Swansea
Council

The Commissioner received a complaint on 07/03/2017 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complainant alleged that he had received an English only reply to an email which was sent, in Welsh, on 7

15/11/2017

Commissioner's findings

Standard 1 Standard 1 requires that the Council replies in Welsh to any correspondence which is written in Welsh and requires a reply. On this occasion the Council failed to reply in Welsh to a piece of correspondence - an email - which was written in Welsh and required a reply. By failing to reply in Welsh to the correspondence in

March 2017. The reply was sent at 19.31 o'clock on the same date by a member of the City and County of Swansea Council's (the Council) staff.

question, the Council failed to comply with standard 1. Standard 7 Standard 7 requires that correspondence generated by the Council states that it welcomes correspondence in Welsh, that it will respond to correspondence in Welsh and that corresponding in Welsh will not lead to delay. The correspondence in question - an email sent in reply by a member of the Council's staff - did not include such a statement. By failing to state in correspondence that it welcomes correspondence in Welsh, that it will respond to correspondence in Welsh and that corresponding in Welsh will not lead to delay the Council failed to comply with standard 7.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined that the Council failed to comply with standards 1 and 7.

Statement of further action

Further action was taken in respect of the City and County of Swansea Council's failure to comply with standards 1 and 7.

Statement on the further action

Standard 1 The Council must ensure that it replies in Welsh to any correspondence which is written in Welsh and requires a reply within 28 days of publishing the Commissioner's final determination. Standard 7 The Council must ensure that it states in correspondence (and any publications or official notices inviting a response or requesting correspondence from persons) that it

welcomes correspondence in Welsh, that it will respond to correspondence in Welsh, and that corresponding in Welsh will not lead to delay within 28 days of publishing the Commissioner's final determination.

Decision notice given

The Decision Notice was given to the City and County of Swansea Council on the 15/11/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complainant alleged that the microsite established to enable the public to search for current (and historic) planning applications is not available in Welsh and that it is not possible to search for planning applications on the English pages by using Welsh street names or terms. The complainant notes that they followed a link from a Welsh language page on Cardiff City Council's main website. General information on the planning application process is available on the main website in Welsh, but the link to track applications etc as described in leads to the above English only search page for applications. The Commissioner

17/10/2017

Commissioner's findings

Standard 52 In considering the evidence received from the complainant and the Council, I conclude that this microsite is not available in Welsh and this is in breach of the standard's requirements. Standard 55 As a result of my determination that a failure to comply with standard 52 on the basis that the microsite is only available in English, it is not possible for me to give a determination on compliance with standard 55. Standard 56 In considering the evidence received from the complainant and the Council, I conclude that the interface and menus are not available in Welsh on this microsite.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 52 and 56. The Council has not failed to comply with standard 55.

Statement of further action

Cardiff Council

decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standard 52, 55 and 56.

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

The Council is required to take the following steps for the purpose of preventing the failure from continuing or being repeated: Cardiff City Council must prepare an action plan for the purpose of ensuring that the microsite <http://planning.cardiff.gov.uk/online-applications/> is available and fully functioning in Welsh. Timetable: Cardiff City Council must submit a draft improvement plan in accordance with Section 80 of the Welsh Language Measure within 90 days of receiving the final decision notice.

Decision notice given

The Decision Notice was given to the Council on 17/10/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complainant alleged that they received a response in English only to a freedom of information request presented in Welsh to foi@caerdydd.gov.uk. Subsequently the complainant noted that they had

17/10/2017

Commissioner's findings

Standard 1 Having examined the evidence provided by the complainant and the Council, I conclude that an English language response was provided to Welsh language correspondence in this case, and also that a delay in receiving a Welsh language response meant that the Welsh language was treated less favourably than the English language in this case.

Cardiff Council

received a response in Welsh following a direct complaint made to the Council at the same time as making this complaint. However, the complainant alleged that making the original request in Welsh had caused delay in receiving a response in their preferred language, and therefore that the Welsh language request had been treated less favourably than had the request been made in English. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standard 1.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 1.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

The Council is required to take the following steps for the purpose of preventing the failure from continuing or being repeated: City of Cardiff Council must ensure that it has robust procedures in place so that it responds in Welsh to Welsh language correspondence received in relation to freedom of information requests. City of Cardiff Council must ensure that submitting a freedom of information request in Welsh does not lead to a delay on the part of those making the request and that the Welsh language is treated no less favourably than the English language when dealing with requests. This enforcement action is operational 28 days from the date the final Decision Notice of this case is received.

Decision notice given

The Decision Notice was given to the Council on 17/10/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Rhondda Cynon
Taf County
Borough Council

The Commissioner received a complaint on 24/11/2016 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint alleged that the Rhondda Cynon Taf County Borough Council (the Council) failed to reply to an email which was written in Welsh. The email related to the Rhondda Cynon Taf Local Government Pension Scheme. In it the complainant enquired what forms would needed to be completed in order to inform of a change in circumstances. The email was sent at 20:36 on 29 September 2016 to the address, pensions@rctcbc.gov.uk. The complainant also claimed that she sent a second email to the same address at 20:37 on 8 November 2016. In it she complained that her initial enquiry had not been replied to and that the acknowledgment which was sent in response to that enquiry was written in English.

16/10/2017

Commissioner's findings

Standard 1 Standard 1 requires that the Council replies in Welsh to any correspondence which is written in Welsh and requires a reply. On this occasion the Council failed to reply in a timely manner to a piece of correspondence which was written in Welsh and required a reply. However, the evidence received does not indicate that the delay was the result of a failure by the Council to formulate a reply, in Welsh, to that correspondence. In this regard the Commissioner finds that there has been no failure by the Council to comply with standard 1. However, this investigation has identified that the automatically generated acknowledgement which is sent in response to electronic correspondence was written solely in English. The Council disputes that this acknowledgement constitutes a reply in the context of standard 1, describing it as merely a 'courteous record of enquiry receipt'. Although the Commissioner does not disagree with this description, the Commissioner argues that the acknowledgement is generated solely in response to receiving a piece of correspondence and should therefore be considered a reply. The Commissioner realises that the content of that acknowledgment cannot be tailored to the recipient's language choice before it is sent. The Commissioner is therefore of the opinion that it should be written in Welsh in order to comply with standard 1 – that is not to say that it should only be written in Welsh – and that the Council failed to comply with that standard in this regard.

Commissioner's determination

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

Statement of further action

Further action was taken in respect of Rhondda Cynon Taf County Borough Council failure to comply with standard 1.

Statement on the further action

Standard 1 The Council must continue to ensure that automatically generated email acknowledgements which are sent from the account pensions@rctbc.gov.uk are written bilingually. Within 28 days of publishing the Commissioner's final determination.

Decision notice given

The Decision Notice was given to Rhondda Cynon Taf County Borough Council on 16/10/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Cardiff Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complainant alleged that the Welsh language is treated less favourably than the English language on Cardiff Central Library's self service machines as English is their default language, and

3/10/2017

Commissioner's findings

Standard 60 By setting English as the default language of self service machines in the central library and in car parks, and by not actively offering a Welsh language option, the self service machines used by the complainant treated the Welsh language less favourably than the English language.

Commissioner's determination

that a button must be pressed at the bottom of the home screen in order to receive a Welsh language service. The complainant also alleged that the city's car parking self service machines, which are under the control of City of Cardiff Council, display English text on the screen as the default language and that a button must be pressed in order to receive a Welsh language service. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standard 60.

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 60.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

The Council is required to take the following steps for the purpose of preventing the failure from continuing or being repeated: City of Cardiff Council must ensure that every self service machine that it is responsible for offers an equal language choice between Welsh and English on the front page of the machine, or set the default language of the machine as Welsh. This is to be actioned within 6 months of the final presentation of the investigation report.

Decision notice given

The Decision Notice was given to the Council on 03/10/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Neath Port
Talbot County
Borough Council

The Commissioner received a complaint from a person on July 21, 2016 which met the conditions of section 93 (3) to (6) of the Welsh Language Measure. The complainant contacted me because he was dissatisfied at having to wait longer

26/9/2017

Commissioner's findings

Standard 1 Although the Council failed to respond to the information request within the time limit required under the Freedom of Information Act 2000, there is no evidence to suggest that this was due to the language of submission. The Council also failed to respond to 106 information

than the usual time limit to receive a response to a request for information under the Freedom of Information Act 2000. The complainant submitted his request for information on 14 June 2016. The time limit for receiving a response to a request for information under the Freedom of Information Act 2000 is 20 working days which was 12 July 2016 in this case. The complainant received the Council's response to his request for information on 1 August 2016, 34 working days after submitting the request. The complainant believed that the delay was due to the fact that he had submitted the request in Welsh.

requests made in English within the time limit during the same period. The Council explained that human error was responsible for the failure to respond within the time limit to the request in question rather than a systemic problem and given the number of English requests that did not receive a response either, the Commissioner is satisfied that this does not reflect a problem with the Council's Welsh language service. Standard 7 By including the statement "Croesewir gohebiaeth yn y Gymraeg a byddwn yn ymdrin â gohebiaeth Gymraeg a Saesneg i'r un safonau ac amserlenni" in its correspondence, the Council has complied with standard 7 in this case.

Commissioner's determination

Commissioner's determination Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has not failed to comply with standard 1 and 7.

Statement of further action

Section 76 of the Welsh Language Measure allows the Commissioner to take further action where there has been no failure to comply with a standard, and section 77 allows the Commissioner to take further action where there has been a failure.

Statement on the further action

In the case of the Commissioner's determination that Neath Port Talbot County Borough Council has not failed to comply with standards 1 and 7, the Commissioner will not be taking any further action.

Welsh Ministers

The Commissioner received a complaint on 21/12/2016 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint involved a standard acknowledgement email sent to a person, after she had corresponded with one of the Welsh Ministers on 8 December 2016 in Welsh. It is alleged that the standard email response was sent in English only. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not Welsh Ministers had failed to comply with standard 1.

15/8/2017

Decision notice given

The Decision Notice was given to the Council on 26/09/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Commissioner's findings

Standard 1 Standard 1 requires Welsh Ministers to respond in Welsh to correspondence received in Welsh. The parties are agreed that the complainant received a standard acknowledgement email in English only to correspondence that was sent in Welsh to one of the Welsh Ministers on 8 December 2016. In considering the evidence received from the complainant and Welsh Ministers, the Commissioner believes that Welsh Ministers had sent an English response to Welsh correspondence in this instance, in breach of the requirements of standard 1.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: The Commissioner determined that Welsh Ministers did fail to comply with standard 1.

Statement of further action

Further action was taken in respect of Welsh Ministers' failure to comply with standard 1.

Statement on the further action

		<p>In terms of the Commissioner's determination that Welsh Ministers has failed to comply with standard 1, Welsh Ministers is required to take the following steps in order to prevent the failure being repeated: Standard 1 Welsh Ministers must continue with their arrangements for ensuring that they comply with the requirements of the Welsh Language Standards in relation to email correspondence; by monitoring and reviewing those arrangements regularly to ensure that they are effective. This enforcement action is operational 28 days from the date the report and final decision notice of this investigation are received.</p> <p>Decision notice given Decision notice given The Decision Notice was given to Welsh Ministers on 15/08/2017.</p> <p>Appeals made to the tribunal No appeal was made to the Tribunal</p>
<p><u>Wrexham County Borough Council</u></p>	<p>The Commissioner received a complaint on 31/12/2016 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. There are two elements to the complaint. Firstly, the complainant alleged that an English only sign had been placed on new pay and display self service machines in Wrexham. A photo was provided showing that the signs were temporary, advising the public that the machines were not as yet operational.</p> <p>15/8/2017</p>	<p>Commissioner's findings Standard 60 The Commissioner concludes that Wrexham County Borough Council has failed to comply with standard 60 in this case on the basis that the English language is the preset default language on the digital screens of the pay and display parking self service machines; and therefore treats the Welsh language less favourably than the English language. Standard 61 The Commissioner concludes that Wrexham County Borough Council has failed to comply with standard 61 in this case on the basis that an English only temporary sign was erected. Standard 62 On the basis of the Commissioner's</p>

The complainant also alleged that the new self service pay and display machines were not fully operational in Welsh; that instructions placed on the machines were in English only and that the machine's default language on the screen was English. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not Welsh Ministers had failed to comply with standard 60, 61 and 62.

determination that there has been a failure to comply with standard 61 on the basis that the sign was in English only, the Commissioner is unable to determine compliance with standard 62.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: The Commissioner determined that Wrexham County Borough Council did fail to comply with standard 60 and 61.

Statement of further action

Further action was taken in respect of Wrexham County Borough Council failure to comply with standard 61 and 62.

Statement on the further action

In terms of the Commissioner's determination that Wrexham County Borough Council has failed to comply with standard 60 and 61, Wrexham County Borough Council is required to take the following steps in order to prevent the failure being repeated: Standard 60 Wrexham County Borough Council must ensure that all self service machines for which it is responsible offer an equal language choice between Welsh and English on the front page of the machines; or set the Welsh language as the default language so that the Welsh language is treated no less favourably than the English language. Wrexham County Borough Council must, within 180 days of receiving the final investigation report, confirm in writing; that it has completed the steps above. Standard 61 Wrexham County Borough Council must, within 90

working days following the date of the final report (that is by 19 December 2017), conduct a review of signs for which the Council is responsible in its car parks to ensure that they comply with the requirements of standard 61. Wrexham County Borough Council must confirm in writing that it has completed this enforcement action, 10 working days after implementation period has ended.

Decision notice given

The Decision Notice was given to Wrexham County Borough Council on 15/08/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Cardiff Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was in relation to mistakes and language errors on a Welsh sign in a car park on Severn Road, Canton, Cardiff. The complainant claimed that the sign included Welsh language text that was an incorrect grammatical translation and was not sensible in meaning. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standard 63.

26/7/2017

Commissioner's findings

Standard 63 In considering the evidence received from the complainant and the Council, the Commissioner is of the opinion that City of Cardiff Council has failed to comply with standard 63 in this case on the basis that the Welsh language text on signs in the city's car parks were inaccurate in terms of meaning and expression in the period between the standard's imposition date and 6 February 2017.

Commissioner's determination

Commissioner's determination Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 63.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

The Council is required to take the following steps for the purpose of preventing the failure from continuing or being repeated: City of Cardiff Council must review all signs in its car parks. When the review discovers inaccurate signs, the Council must take steps to ensure that the sign is renewed to ensure that the Welsh language text is accurate in terms of meaning and expression. City of Cardiff Council must confirm in writing that it has completed this enforcement action within 60 days.

Decision notice given

The Decision Notice was given to the Council on 26/07/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal

Cardiff Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complainant alleged that he sent an e-mail in Welsh to the mailbox pensions@cardiff.gov.uk and that he received an English only reply on 23 January 2017. The Commissioner decided to undertake an investigation

26/7/2017

Commissioner's findings

Standard 1 In considering the evidence received from the complainant and the Council, the Commissioner is of the opinion that City of Cardiff Council sent an English reply to Welsh correspondence in this instance, in breach of the requirements of standard 1.

Commissioner's determination

under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standard 1.

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 1.

Statement of further action

Statement of further action Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

The Council is required to take the following steps for the purpose of preventing the failure from continuing or being repeated: The Council should continue with its arrangements for ensuring compliance with the requirements of the Welsh language standards in relation to correspondence; by monitoring and reviewing those arrangements regularly to ensure that they are effective. This recommendation is operational 28 days from the date the final report is received.

Decision notice given

The Decision Notice was given to the Council on 26/07/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal

City and County of Swansea Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was received on 03/06/2016.

25/7/2017

Commissioner's findings

Standard 81 The Commissioner determines that Swansea City and County Council has not failed to comply with standard 81 in this case, on the basis that the Council does not offer a Welsh language service in relation to

The complaint involved swimming lesson provision of a number of local authorities, including Swansea City and County Council. Evidence was provided to support the complaints; this evidence involved the response of the local authorities to queries regarding the availability of Welsh language swimming lessons. In the case of Swansea City and County Council, the Commissioner received a copy of the Council's response to a written query regarding Welsh language swimming lessons. The query was made by email by a member of the public in March 2016. The response stated that the Council did not offer any swimming lessons in Welsh. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, the Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid in accordance with section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that

swimming lessons and that therefore the duty to comply with standard 81 does not apply. Standard 84 The Commissioner determines that Swansea City and County Council has failed to comply with standard 84 in this case, on the basis that the Council does not offer swimming lessons in Welsh at any level, although swimming lessons are offered in English Standard 86 The Commissioner determines that Swansea City and County Council has not failed to comply with standard 86 in this case, on the basis that the Council has not developed any education course in relation to swimming lessons in the period since the imposition day for the standard, and that therefore the duty to comply with standard 86 does not apply.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 84. The Council has not failed to comply with standard 81 and 86.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Swansea City and County Council has failed to comply with standard 84, the Commissioner will take further action for the purpose of preventing the failure of Swansea City and County Council to comply with the relevant requirement from continuing or being repeated:

the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 81, 84 and 86.

Standard 81 When the Council offers swimming lessons in Welsh, it will be required to comply with standard 81 in relation to the Welsh language service. The Council should also ensure that it complies with standard 82 where required to do so. Standard 84 The Commissioner requires the Council to prepare an action plan which will state what steps it will take in order to comply with standard 84 in relation to swimming lessons. The Council should prepare a first draft action plan within 12 weeks, which is by 17 October 2017. The Commissioner will act in accordance with section 80 of the Welsh Language Measure in relation to the action plan. The Commissioner has given the Council an advice document which will be of assistance in preparing the action plan. Standard 86 When the Council develops an education course in relation to swimming lessons, it will be required to comply with standard 86.

Decision notice given

The Decision Notice was given to the Council on 25/07/2017

Appeals made to the tribunal

No appeal was made to the Tribunal.

Blaenau Gwent
County Borough
Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was received on 03/06/2016. The complaint involved swimming lesson provision of a number of local authorities,

25/7/2017

Commissioner's findings

Standard 81 The Commissioner determines that Blaenau Gwent County Borough Council has not failed to comply with standard 81 in this case, on the basis that the Council does not offer a Welsh language service in relation to swimming lessons, and that therefore the duty to comply with standard 81 does not apply. Standard 84

including Blaenau Gwent County Borough Council. Evidence was provided to support the complaints; this evidence involved the response of the local authorities to queries regarding the availability of Welsh language swimming lessons. In the case of Blaenau Gwent County Borough Council, the Commissioner received a copy of the Council's response to a written query regarding Welsh language swimming lessons. The query was made by email by a member of the public in May 2016. The response stated that the Council did not offer any swimming lessons in Welsh. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, the Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid according to section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of

The Commissioner determines that Blaenau Gwent County Borough Council has failed to comply with standard 84 in this case, on the basis that the Council does not offer swimming lessons in Welsh at any level, although swimming lessons are offered in English. Standard 86 The Commissioner determines that Blaenau Gwent County Borough Council has not failed to comply with standard 86 in this case, on the basis that the Council has not developed any education course in relation to swimming lessons in the period since the imposition day for the standard, and that therefore the duty to comply with standard 86 does not apply.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 84. The Council has not failed to comply with standard 81 and 86.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Blaenau Gwent County Borough Council has failed to comply with standard 84, the Commissioner will take further action for the purpose of preventing the failure of Blaenau Gwent County Borough Council to comply with the relevant requirement from continuing or being repeated: Standard 81 When the Council offers swimming

the Welsh language standards imposed on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 81, 84 and 86.

lessons in Welsh, it will be required to comply with standard 81 in relation to the Welsh language service. The Council should also ensure that it complies with standard 82 where required to do so. Standard 84 The Commissioner requires the Council to prepare an action plan which will state what steps it will take in order to comply with standard 84 in relation to swimming lessons. The Council should prepare a first draft action plan within 12 weeks, that is by 17 October 2017. The Commissioner will act in accordance with section 80 of the Welsh Language Measure in relation to the action plan. The Commissioner has given the Council an advice document which will be of assistance in preparing the action plan. Standard 86 When the Council develops an education course in relation to swimming lessons, it will be required to comply with standard 86.

Decision notice given

The Decision Notice was given to the Council on 25/07/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Vale of
Glamorgan
Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was received on 03/06/2016. The complaint involved swimming lesson provision of a number of local authorities, Vale of Glamorgan Council. Evidence

25/7/2017

Commissioner's findings

Standard 81 The Commissioner determines that Vale of Glamorgan Council has not failed to comply with standard 81 in this case, on the basis that the person offering the swimming lessons in Welsh on its behalf promotes the lessons and advertises them in Welsh. Standard 84 The Commissioner determines that Vale of Glamorgan Council has failed to comply with standard 84 in this case,

was provided to support the complaints; this evidence involved the response of the local authorities to queries regarding the availability of Welsh language swimming lessons. In the case of Vale of Glamorgan Council, the Commissioner received a copy of the Council's response to a written query regarding Welsh language swimming lessons. The query was made by email by a member of the public in March 2016. The response stated that the Council did not have any swimming instructors who could offer swimming lessons in Welsh. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, the Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid according to section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed

on the basis that the Council does not offer swimming lessons in Welsh at a number of levels, although swimming lessons for those levels are offered in English. Standard 86 The Commissioner determines that Vale of Glamorgan Council has not failed to comply with standard 86 in this case, on the basis that the Council has not developed any education course in relation to swimming lessons in the period since the imposition day for the standard, and that therefore the duty to comply with standard 86 does not apply.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 84. The Council has not failed to comply with standard 81 and 86.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Vale of Glamorgan Council has failed to comply with standard 84, the Commissioner will take further action for the purpose of preventing the failure of Vale of Glamorgan Council to comply with the relevant requirement from continuing or being repeated: Standard 81 The Council should consider, in the light of its responsibility to promote and facilitate the use of the Welsh language, taking action for itself to promote the swimming lessons it offers in

on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 81, 84 and 86.

Welsh, and to encourage its leisure services provider to do the same. The Council should also ensure that it complies with standard 82 where required to do so. Standard 84 The Commissioner requires the Council to prepare an action plan which will state what steps it will take in order to comply with standard 84 in relation to swimming lessons. The Council should prepare a first draft action plan within 12 weeks, that is by 17 October 2017. The Commissioner will act in accordance with section 80 of the Welsh Language Measure in relation to the action plan. The Commissioner has given the Council an advice document which will be of assistance in preparing the action plan. Standard 86 When the Council develops an education course in relation to swimming lessons, it will be required to comply with standard 86.

Decision notice given

The Decision Notice was given to the Council on 25/07/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Cardiff Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was received on 03/06/2016. The complaint involved the swimming lessons provision of a number of local authorities, including City of Cardiff Council. Evidence was provided to

25/7/2017

Commissioner's findings

Standard 81 The Commissioner determines that City of Cardiff Council has not failed to comply with standard 81 in this case, on the basis that the persons offering swimming lessons in Welsh on its behalf promote the lessons and advertises them in Welsh Standard 84 The Commissioner determines that City of Cardiff Council has failed to comply with standard 84 in this case, on the basis that the Council does not offer swimming lessons in

support the complaints; this evidence involved the response of the local authorities to queries regarding the availability of Welsh language swimming lessons. In the case of City of Cardiff Council, the Commissioner received a copy of the Council's response to a written query regarding Welsh language swimming lessons. The query was made by email by a member of the public in March 2016. In the view of the enquirer, the Council's response did not provide sufficient assurance regarding the availability of swimming lessons in Welsh. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, the Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid according to section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed

Welsh at a number of levels, although swimming lessons for those levels are offered in English. Standard 86 The Commissioner determines that the City of Cardiff Council has failed to comply with standard 86 in this case, on the basis that it has not published on its website an assessment of the need for courses that have been developed to be offered in Welsh.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 84 and 86. The Council has not failed to comply with standard 81.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Cardiff City Council has failed to comply with standard 84 and 86, the Commissioner will take further action for the purpose of preventing the failure Cardiff City Council to comply with the relevant requirement from continuing or being repeated: Standard 81 The Council should consider, in the light of its responsibility to promote and facilitate the use of the Welsh language, taking action for itself to promote the swimming lessons it offers in Welsh. The Council should also ensure that it complies with standard 82 where required to do so. Standard 84 The Commissioner requires the Council to prepare an action

on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 81, 84 and 86.

plan which will state what steps it will take in order to comply with standard 84 in relation to swimming lessons. The Council should prepare a first draft action plan within 12 weeks, that is by 17 October 2017. The Commissioner will act in accordance with section 80 of the Welsh Language Measure in relation to the action plan. The Commissioner has given the Council an advice document which will be of assistance in preparing the action plan. Standard 86 The Council should take steps to comply with standard 86 in relation to the courses stated to have been developed since 30/03/2016, and any courses that are developed in the future.

Decision notice given

The Decision Notice was given to the Council on 25/07/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Caerphilly
County Borough
Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was received on 03/06/2016. The complaint involved the swimming lessons provision of a number of local authorities, including Caerphilly County Borough Council. Evidence was provided to support the complaints; this evidence involved the response of the local authorities to queries regarding the

25/7/2017

Commissioner's findings

Standard 81 The Commissioner determines that Caerphilly County Borough Council has failed to comply with standard 81 in this case, on the grounds that the Council has advertised the swimming lessons offered in Welsh in English only. Standard 84 The Commissioner determines that Caerphilly County Borough Council has failed to comply with standard 84 in this case, on the basis that the Council does not offer swimming lessons in Welsh at a number of levels, although swimming lessons are offered at those levels in English. Standard 86 The Commissioner determines that Caerphilly County

availability of Welsh language swimming lessons. In the case of Caerphilly County Borough Council, the Commissioner received a copy of the Council's response to a written query regarding Welsh language swimming lessons. The query was made by email by a member of the public in March 2016. The response stated that the Council offered swimming lessons in Welsh in one location, dependent on ability. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, the Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid according to section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in

Borough Council has not failed to comply with standard 86 in this case, on the basis that the Council has not developed any education course in relation to swimming lessons in the period since the imposition day for the standard, and that therefore the duty to comply with standard 86 does not apply.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 81 and 84. The Council has not failed to comply with standard 86.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Caerphilly County Borough Council has failed to comply with standard 81 and 84, the Commissioner will take further action for the purpose of preventing the failure of Caerphilly County Borough Council to comply with the relevant requirement from continuing or being repeated:

Standard 81 The Council should take steps to comply with standard 81. Standard 84 The Commissioner requires the Council to prepare an action plan which will state what steps it will take in order to comply with standard 84 in relation to swimming lessons. The Council should prepare a first draft action plan within 12 weeks, that is by 17 October 2017. The Commissioner will act in accordance

order to ascertain whether or not the Council had failed to comply with standards 81, 84 and 86.

with section 80 of the Welsh Language Measure in relation to the action plan. The Commissioner has given the Council an advice document which will be of assistance in preparing the action plan. Standard 86 When the Council develops an education course in relation to swimming lessons, it will be required to comply with standard 86.

Decision notice given

The Decision Notice was given to the Council on 25/07/2017

Appeals made to the tribunal

No appeal was made to the Tribunal

Carmarthenshire
County Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was received on 03/06/2016. The complaint involved the swimming lessons provision of a number of local authorities, including Carmarthenshire County Council. Evidence was provided to support the complaints; this evidence involved the response of the local authorities to queries regarding the availability of Welsh language swimming lessons. In the case of Carmarthenshire County Council, the Commissioner received a copy of a record of the Council's response to an oral query

25/7/2017

Commissioner's findings

Standard 81 The Commissioner determines that Carmarthenshire County Council has not failed to comply with standard 81 in this case, on the basis that the Council promotes the Welsh language swimming lessons and advertises them in Welsh. Standard 84 The Commissioner determines that Carmarthenshire County Council has failed to comply with standard 84 in this case, on the basis that the Council does not offer swimming lessons in Welsh at a number of levels, although swimming lessons are offered at those levels in English. Standard 86 The Commissioner determines that Carmarthenshire County Council has not failed to comply with standard 86 in this case, on the basis that the Council has not developed any education course in relation to swimming lessons in the period since the

regarding Welsh language swimming lessons. A member of the public had enquired about the swimming lessons at a meeting with a member of Council staff in April 2016. The response stated that some swimming lessons were available in Welsh, but there was doubt about the availability of swimming lessons Welsh at certain levels. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, the Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid according to section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 81, 84 and 86.

imposition day for the standard, and that therefore the duty to comply with standard 86 does not apply.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 84. The Council has not failed to comply with standard 81 and 86.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Carmarthenshire County Council has failed to comply with standard 84, the Commissioner will take further action for the purpose of preventing the failure of Carmarthenshire County Council to comply with the relevant requirement from continuing or being repeated: Standard 81 The Council should consider drawing attention within individual timetables, and on pages of individual leisure centres, to the fact that swimming lessons are offered in Welsh. The Council should also have regard to the need to comply with standard 82. Standard 84 The Commissioner requires the Council to prepare an action plan which will state what steps it will take in order to comply with standard 84 in relation to swimming lessons. The Council should prepare a first draft action plan within 12 weeks, that is by 17 October 2017. The Commissioner will act in accordance with section 80 of the Welsh

Language Measure in relation to the action plan. The Commissioner has given the Council an advice document which will be of assistance in preparing the action plan. Standard 86 When the Council develops an education course in relation to swimming lessons, it will be required to comply with standard 86.

Decision notice given

The Decision Notice was given to the Council on 25/07/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was received on 03/06/2016. The complaint involved the swimming lessons provision of a number of local authorities, including Newport City Council. Evidence was provided to support the complaints; this evidence involved the response of the local authorities to queries regarding the availability of Welsh language swimming lessons. In the case of Newport City Council, the Commissioner received a copy of the Council's response to a written query regarding Welsh language swimming lessons. The query was made

25/7/2017

Commissioner's findings

Standard 81 The Commissioner determines that Newport City Council has not failed to comply with standard 81 in this case, on the basis that the Council does not offer a Welsh language service in relation to swimming lessons, and that therefore the duty to comply with standard 81 does not apply. Standard 84 The Commissioner determines that Newport City Council has failed to comply with standard 84 in this case, on the basis that the Council does not offer swimming lessons in Welsh at any level, although swimming lessons are offered in English. Standard 86 The Commissioner determines that Newport City Council has failed to comply with standard 86 in this case, on the basis that the Council has developed courses of swimming lessons in the period since the imposition day for the standard, and did not carry out an assessment in accordance with standard 86.

Newport City Council

by email by a member of the public in April 2016. The response stated that the Council did not offer any swimming lessons in Welsh. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, The Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid according to section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 81, 84 and 86.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 84 and 86. The Council has not failed to comply with standard 81.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure

Statement on the further action

In the case of the Commissioner's determination that Newport City Council has failed to comply with standard 84 and 86, the Commissioner will take further action for the purpose of preventing the failure of Newport City Council to comply with the relevant requirement from continuing or being repeated: Standard 81 When the Council offers swimming lessons in Welsh, it will be required to comply with standard 81 in relation to the Welsh language service. The Council should also ensure that it complies with standard 82 where required to do so. Standard 84 The Commissioner requires the Council to prepare an action plan which will state what steps it will take in order to comply with standard 84 in relation to swimming lessons. The Council should prepare a first draft action plan within 12 weeks, that is by 17 October 2017. The Commissioner will act in accordance with section 80 of the Welsh Language Measure in relation to the action plan. The Commissioner has given the Council an advice document which will be of assistance in preparing the action plan. Standard 86 The Council

should take steps to comply with standard 86 in relation to the courses stated to have been developed since 30/03/2016, and any courses that are developed in the future.

Decision notice given

The Decision Notice was given to the Council on 25/07/2017

Appeals made to the tribunal

No appeal was made to the Tribunal

Conwy County
Borough Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was received on 03/06/2016. The complaint involved the swimming lessons provision of a number of local authorities, including Conwy County Borough Council. Evidence was provided to support the complaints; this evidence involved the response of the local authorities to queries regarding the availability of Welsh language swimming lessons. In the case of Conwy County Borough Council, the Commissioner received a copy of the Council's response to a written query regarding Welsh language swimming lessons. The query was made by email by a member of the public in May 2016. The response

25/7/2017

Commissioner's findings

Standard 81 The Commissioner determines that Conwy County Borough Council has failed to comply with standard 81 in this case, on the basis that the Council does not state that swimming lessons are offered in Welsh as it promotes and advertises the swimming lessons. Standard 84 The Commissioner determines that Conwy County Borough Council has not failed to comply with standard 84 in this case, on the basis that the Council does offer swimming lessons in Welsh for each of the levels for which it offers swimming lessons in English. Standard 86 The Commissioner determines that Conwy County Borough Council has not failed to comply with standard 86 in this case, on the basis that the Council has not developed any education course in relation to swimming lessons in the period since the imposition day for the standard, and that therefore the duty to comply with standard 86 does not apply.

Commissioner's determination

stated that the Council offered swimming lessons in Welsh at one location, but that lessons were usually held in English only in other locations. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, the Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid according to section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 81, 84 and 86.

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 81. The Council has not failed to comply with standard 84 and 86.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Conwy County Borough Council has failed to comply with standard 81, the Commissioner will take further action for the purpose of preventing the failure of Conwy County Borough Council to comply with the relevant requirement from continuing or being repeated: Standard 81 The Council should take steps to comply with standard 81. Standard 84 With regard to the fact that a smaller number of swimming lessons is offered in Welsh than in English, the Council should ensure that its provision does not cause unreasonable disadvantage for individuals who wish to receive swimming lessons in Welsh, compared with those who wish to receive swimming lessons in English. With regard to the fact that the Council offers some swimming lessons bilingually, the Council should ensure that the Welsh language is treated no less favourably than the English language within lessons offered bilingually. Standard 86 When the Council develops an education course in relation to swimming lessons, it will be required to comply with standard 86.

Denbighshire
County Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was received on 03/06/2016. The complaint involved the swimming lessons provision of a number of local authorities, including Denbighshire County Council. Evidence was provided to support the complaints; this evidence involved the response of the local authorities to queries regarding the availability of Welsh language swimming lessons. In the case of Denbighshire County Council, the Commissioner received a copy of a record of the Council's response to an oral query regarding Welsh language swimming lessons. A member of the public had enquired about the swimming lessons in a telephone conversation with a member of Council staff in April 2016. The response stated that it would be possible for the Council to offer bilingual lessons, but not lessons in Welsh only. The

25/7/2017

Decision notice given

The Decision Notice was given to the Council on 25/07/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Commissioner's findings

Standard 81 The Commissioner determines that Denbighshire County Council has failed to comply with standard 81 in this case, on the basis that the Council does not state that swimming lessons are offered in Welsh as it promotes and advertises the swimming lessons.

Standard 84 The Commissioner determines that Denbighshire County Council has not failed to comply with standard 84 in this case, on the basis that the Council does offer swimming lessons in Welsh for each of the levels for which it offers swimming lessons in English.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 81. The Council has not failed to comply with standard 84.

Statement of further action The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Denbighshire County Council has failed to comply with

response also stated that the Council did not consider that there was a statutory requirement to offer swimming lessons in Welsh. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, the Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid according to section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 81 and 84.

standard 81, the Commissioner will take further action for the purpose of preventing the failure of Denbighshire County Council to comply with the relevant requirement from continuing or being repeated: Standard 81 The Council should take steps to comply with standard 81. Standard 84 With regard to the fact that swimming lessons are offered in Welsh in fewer locations than in English, and that a smaller number of swimming lessons is offered in Welsh than in English, the Council should ensure that its provision does not cause unreasonable disadvantage for individuals who wish to receive swimming lessons in Welsh, compared with those who wish to receive swimming lessons in English. With regard to the fact that the Council offers some swimming lessons bilingually, the Council should ensure that the Welsh language is treated no less favourably than the English language within lessons offered bilingually.

Decision notice given

The Decision Notice was given to the Council on 25/07/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal

Gwynedd Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The

25/7/2017

Commissioner's findings

Standard 81 The Commissioner determines that Gwynedd Council has failed to comply with standard 81 in this case, on the basis that the Council does not state that

complaint was received on 03/06/2016. The complaint involved the swimming lessons provision of a number of local authorities, including Gwynedd Council. Evidence was provided to support the complaints; this evidence involved the response of the local authorities to queries regarding the availability of Welsh language swimming lessons. In the case of Gwynedd Council, the Commissioner received a copy of the Council's responses to written queries regarding Welsh language swimming lessons. The queries were made by email by members of the public in March 2016. The responses indicated that the Council did offer swimming lessons in Welsh in several locations, but there was doubt regarding the availability of Welsh language swimming lessons in other locations. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, the Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid according

swimming lessons are offered in Welsh as it promotes and advertises the swimming lessons. Standard 84 The Commissioner determines that Gwynedd Council has not failed to comply with standard 84 in this case, on the basis that the Council does offer swimming lessons in Welsh for each of the levels for which it offers swimming lessons.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 81. The Council has not failed to comply with standard 84.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Gwynedd Council has failed to comply with standard 81, the Commissioner will take further action for the purpose of preventing the failure of Gwynedd Council to comply with the relevant requirement from continuing or being repeated: Standard 81 The Council should take steps to comply with standard 81. Standard 84 With regard to the fact that the Council offers some swimming lessons bilingually, the Council should ensure that the Welsh language is treated no less favourably than the English language within lessons offered bilingually.

to section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 81 and 84.

Decision notice given

The Decision Notice was given to the Council on 25/07/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Pembrokeshire
County Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was received on 03/06/2016. The complaint involved the swimming lessons provision of a number of local authorities, including Pembrokeshire County Council. Evidence was provided to support the complaints; this evidence involved the response of the local authorities to queries regarding the availability of Welsh language swimming lessons. In the case of Pembrokeshire County Council, the Commissioner received a copy of the Council's responses to written queries regarding Welsh language swimming lessons. The queries were made by email by members

25/7/2017

Commissioner's findings

Standard 81 The Commissioner determines that Pembrokeshire Council has not failed to comply with standard 81 in this case, on the basis that the Council promotes the Welsh language swimming lessons and advertises them in Welsh.

Standard 84 The Commissioner determines that Pembrokeshire Council has not failed to comply with standard 84 in this case, on the basis that the Council does offer swimming lessons in Welsh for each of the levels for which it offers swimming lessons in English.

Standard 86 The Commissioner determines that Pembrokeshire Council has not failed to comply with standard 86 in this case, on the basis that the Council has not developed any education course in relation to swimming lessons in the period since the imposition day for the standard, and that therefore the duty to comply with standard 86 does not apply.

of the public in March 2016. The responses indicated that the Council did offer swimming lessons in Welsh in several locations, but there was doubt regarding the availability of Welsh language swimming lessons at some levels, and Welsh language swimming lessons were not offered in other locations. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, the Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid according to section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 81, 84 and 86.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council failed to comply with standard 84. The Council has not failed to comply with standard 81 and 86.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Pembrokeshire County Council has failed to comply with standard 84, the Commissioner will take further action for the purpose of preventing the failure of Pembrokeshire County Council to comply with the relevant requirement from continuing or being repeated: Standard 81 The Council should consider drawing attention within individual timetables, and on pages of individual leisure centres, to the fact that swimming lessons are offered in Welsh. The Council should also have regard to the need to comply with standard 82. Standard 84 With regard to the fact that swimming lessons are offered in Welsh in fewer locations than in English, and that a smaller number of swimming lessons is offered in Welsh than in English, the Council should ensure that its provision does not cause unreasonable disadvantage for individuals who wish to receive swimming lessons in Welsh, compared with those who wish to receive swimming lessons in English. With regard to the fact that the Council offers some swimming lessons bilingually, the Council should

ensure that the Welsh language is treated no less favourably than the English language within lessons offered bilingually. Standard 86 When the Council develops an education course

Decision notice given

The Decision Notice was given to the Council on 25/07/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Rhondda Cynon
Taf County
Borough Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was received on 03/06/2016. The complaints involved the swimming lessons provision of a number of local authorities, including Rhondda Cynon Taff County Borough Council. Evidence was provided to support the complaints; this evidence involved the response of the local authorities to queries regarding the availability of Welsh language swimming lessons. In the case of Rhondda Cynon Taff County Borough Council, the Commissioner received a copy of the Council's responses to written queries regarding Welsh language swimming lessons. The

25/7/2017

Commissioner's findings

Standard 81 The Commissioner determines that Rhondda Cynon Taff County Borough Council has not failed to comply with standard 81 in this case, on the basis that the person offering the swimming lessons in Welsh on its behalf promotes the lessons and advertises them in Welsh. Standard 84 The Commissioner determines that Rhondda Cynon Taff County Borough Council has failed to comply with standard 84 in this case, on the basis that the Council does not offer swimming lessons in Welsh at a number of levels, although swimming lessons are offered at those levels in English.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 84. The Council has not failed to comply with standard 81.

queries were made by email by members of the public in May 2016. The responses indicated that the Council did offer swimming lessons in Welsh in some locations, but that swimming lessons were not offered in Welsh in a number of locations. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, the Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid according to section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 81 and 84.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Rhondda Cynon Taff County Borough Council has failed to comply with standard 84, the Commissioner will take further action for the purpose of preventing the failure of Rhondda Cynon Taff County Borough Council to comply with the relevant requirement from continuing or being repeated: Standard 81 The Council should consider, in the light of its responsibility to promote and facilitate the use of the Welsh language, taking action for itself to promote the swimming lessons it offers in Welsh. The Council should also ensure that it complies with standard 82 where required to do so. Standard 84 The Commissioner requires the Council to prepare an action plan which will state what steps it will take in order to comply with standard 84 in relation to swimming lessons. The Council should prepare a first draft action plan within 12 weeks; that is by 17 October 2017. The Commissioner will act in accordance with section 80 of the Welsh Language Measure in relation to the action plan. The Commissioner has given the Council an advice document which will be of assistance in preparing the action plan.

Decision notice given

The Decision Notice was given to the Council on 25/07/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Powys County Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was received on 03/06/2016. The complaint involved the swimming lessons provision of a number of local authorities, including Powys County Council. Evidence was provided to support the complaints; this evidence involved the response of the local authorities to queries regarding the availability of Welsh language swimming lessons. In the case of Powys County Council, the Commissioner received a copy of the Council's response to a written query regarding Welsh language swimming lessons. The query was made by email by a member of the public in April 2016. The list provided in response to the query indicated that swimming lessons were offered in Welsh in one location of the nine listed on the date to which the query related. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these

25/7/2017

Commissioner's findings

Standard 81 The Commissioner determines that Powys County Council has failed to comply with standard 81 in this case, on the basis that the Council does not state that swimming lessons are offered in Welsh as it promotes and advertises the swimming lessons. Standard 84 The Commissioner determines that Powys County Council has failed to comply with standard 84 in this case, on the basis that the Council does not offer swimming lessons in Welsh at one level, although swimming lessons are offered at that level in English.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 81 and 84.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Powys County Council has failed to comply with standard 81 and 84, the Commissioner will take further action for the purpose of preventing the failure of Powys County Council to comply with the relevant requirement from

persons were. Consequently, the Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid according to section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 81 and 84.

continuing or being repeated: Standard 81 The Council should take steps to comply with standard 81. Standard 84 The Commissioner requires the Council to prepare an action plan which will state what steps it will take in order to comply with standard 84 in relation to swimming lessons. The Council should prepare a first draft action plan within 12 weeks, that is by 17 October 2017. The Commissioner will act in accordance with section 80 of the Welsh Language Measure in relation to the action plan. The Commissioner has given the Council an advice document which will be of assistance in preparing the action plan.

Decision notice given

The Decision Notice was given to the Council on 25/07/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal

Monmouthshire
County Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was received on 03/06/2016. The complaint involved the swimming lessons provision of a number of local authorities, including Monmouthshire County Council. Evidence was provided to support the complaints; this evidence involved the response of the local

25/7/2017

Commissioner's findings

Standard 81 The Commissioner determines that Monmouthshire County Council has not failed to comply with standard 81 in this case, on the basis that the Council does not offer a Welsh language service in relation to swimming lessons, and that therefore the duty to comply with standard 81 does not apply. Standard 84 The Commissioner determines that Monmouthshire County Council has not failed to comply with standard 84 in this case, even though it has not conducted swimming lessons in Welsh, on the basis that the Council has taken

authorities to queries regarding the availability of Welsh language swimming lessons. In the case of Monmouthshire County Council, the Commissioner received a copy of the Council's response to a written query regarding Welsh language swimming lessons. The query was made by email by a member of the public in March 2016. The response stated that the Council did not offer any swimming lessons in Welsh. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, the Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid according to section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in

reasonable action to offer swimming lessons in Welsh. Standard 86 The Commissioner determines that Monmouthshire County Council has not failed to comply with standard 86 in this case, on the basis that the Council has not developed any education course in relation to swimming lessons in the period since the imposition day for the standard, and that therefore the duty to comply with standard 86 does not apply.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council failed to comply with standard 84. The Council has not failed to comply with standard 81 and 86.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Monmouthshire County Council has failed to comply with standard 84, the Commissioner will take further action for the purpose of preventing the failure of Monmouthshire County Council to comply with the relevant requirement from continuing or being repeated: Standard 81 When the Council offers swimming lessons in Welsh, it will be required to comply with standard 81 in relation to the Welsh language service. The Council should also ensure that it complies with standard 82 where required to do so. Standard 84 The Council should continue to offer

order to ascertain whether or not the Council had failed to comply with standards 81, 84 and 86.

swimming lessons in Welsh, and it should continue making arrangements to conduct swimming lessons in Welsh should there be demand for them. In order to facilitate this, the Council should consider preparing (on a voluntary basis) an action plan which will state what steps it will take in order to comply with standard 84 in relation to swimming lessons. The Commissioner will give the Council an advice document which will be of assistance in preparing the action plan. Standard 86 When the Council develops an education course in relation to swimming lessons, it will be required to comply with standard 86.

Decision notice given

The Decision Notice was given to the Council on 25/07/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Torfaen County
Borough Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was received on 03/06/2016. The complaint involved the swimming lessons provision of a number of local authorities, including Torfaen County Borough Council. Evidence was provided to support the complaints; this evidence involved the response of the local authorities to queries regarding the availability of Welsh language swimming

25/7/2017

Commissioner's findings

Standard 81 The Commissioner determines that Torfaen County Borough Council has not failed to comply with standard 81 in this case, on the basis that the Council does not offer a Welsh language service in relation to swimming lessons, and that therefore the duty to comply with standard 81 does not apply. Standard 84 The Commissioner determines that Torfaen County Borough Council has failed to comply with standard 84 in this case, on the basis that the Council does not offer swimming lessons in Welsh at any level, although swimming lessons are offered in English. Standard 86 The Commissioner determines that Torfaen County Borough Council has not

lessons. In the case of Torfaen County Borough Council, the Commissioner received information which claimed that the Council had indicated, in response to a query, that it did not offer any swimming lessons in Welsh. The query was made by a member of the public in a telephone call to Torfaen County Borough Council on 01/06/2016. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, the Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid according to section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the

failed to comply with standard 86 in this case, on the basis that the Council has not developed any education course in relation to swimming lessons in the period since the imposition day for the standard, and that therefore the duty to comply with standard 86 does not apply.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 84. The Council has not failed to comply with standard 81 and 86.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Torfaen County Borough Council has failed to comply with standard 84, the Commissioner will take further action for the purpose of preventing the failure of Torfaen County Borough Council to comply with the relevant requirement from continuing or being repeated: Standard 81 When the Council offers swimming lessons in Welsh, it will be required to comply with standard 81 in relation to the Welsh language service. The Council should also ensure that it complies with standard 82 where required to do so. Standard 84 The Commissioner requires the Council to prepare an action plan which will state what steps it will take in order to comply with standard 84 in relation to swimming lessons. The Council should prepare a first

Council had failed to comply with standards 81, 84 and 86.

draft action plan within 12 weeks, that is by 17 October 2017. The Commissioner will act in accordance with section 80 of the Welsh Language Measure in relation to the action plan. The Commissioner has given the Council an advice document which will be of assistance in preparing the action plan. Standard 86 When the Council develops an education course in relation to swimming lessons, it will be required to comply with standard 86.

Decision notice given

The Decision Notice was given to the Council on 25/07/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was received on 03/06/2016. The complaint involved the swimming lessons provision of a number of local authorities, including Wrexham County Borough Council. Evidence was provided to support the complaints; this evidence involved the response of the local authorities to queries regarding the availability of Welsh language swimming lessons. In the case of Wrexham County Borough Council, the Commissioner received written information indicating

25/7/2017

Commissioner's findings

Standard 81 The Commissioner determines that Wrexham County Borough Council has not failed to comply with standard 81 in this case, on the basis that the Council does not offer a Welsh language service in relation to swimming lessons, and that therefore the duty to comply with standard 81 does not apply. Standard 84 The Commissioner determines that Wrexham County Borough Council has failed to comply with standard 84 in this case, on the basis that the Council does not offer swimming lessons in Welsh at any level, although swimming lessons are offered in English. Standard 86 The Commissioner determines that Wrexham County Borough Council has not failed to comply with standard 86 in this case, on the basis that the Council has not developed any education course in relation to swimming

Wrexham
County Borough
Council

that an oral query was made by a member of the public on 04/04/2016 at Waterworld Leisure and Activity Centre, Wrexham. This person claimed he was informed by the receptionist that the Council did not offer any swimming lessons designated as being in Welsh, although some of the swimming instructors did speak Welsh. The complainant was acting on behalf of other persons, who had made the queries to the councils, but the information submitted did not make it known who these persons were. Consequently, the Commissioner was not satisfied that the complainant was acting on behalf of persons who have been directly affected by the alleged conduct. On that basis, the Commissioner was not of the opinion that the complaints were valid according to section 93 of the Welsh Language Measure. However, the Commissioner was of the opinion that the information received created a suspicion of a failure by the Council to comply with some of the Welsh language standards imposed on it. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the

lessons in the period since the imposition day for the standard, and that therefore the duty to comply with standard 86 does not apply.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 84. The Council has not failed to comply with standard 81 and 86.

Statement of further actionThe Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

In the case of the Commissioner's determination that Wrexham County Borough Council has failed to comply with standard 84, the Commissioner will take further action for the purpose of preventing the failure of Wrexham County Borough Council to comply with the relevant requirement from continuing or being repeated: Standard 81 When the Council offers swimming lessons in Welsh, it will be required to comply with standard 81 in relation to the Welsh language service. The Council should also ensure that it complies with standard 82 where required to do so. Standard 84 The Commissioner requires the Council to prepare an action plan which will state what steps it will take in order to comply with standard 84 in relation to swimming lessons. The Council should prepare a first draft action plan within 12 weeks, that is by 17 October 2017. The Commissioner will act in accordance with section 80 of the Welsh Language Measure in relation to the action plan. The Commissioner

Council had failed to comply with standards 81, 84 and 86.

has given the Council an advice document which will be of assistance in preparing the action plan. Standard 86 When the Council develops an education course in relation to swimming lessons, it will be required to comply with standard 86.

Decision notice given

The Decision Notice was given to the Council on 25/07/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

The Commissioner received a complaint from a person on 23/12/2016 which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was regarding the pay and display car park self service machine at Rhayader. The complainant claimed that there was no apparent way of switching from the default English language set on the machine. The complainant therefore claimed that the pay and display self service parking machines failed to function fully in Welsh and treated the Welsh language less favourably than the English language. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to

27/6/2017

Commissioner's findings

Standard 60 The Commissioner proposes to determine that Powys County Council has failed to comply with standard 60 in this instance, due to the fact that not all pay and display self service parking machines function fully in Welsh. The Commissioner also determines that the self service machines which do function in Welsh treat the Welsh language less favourably than the English language due to the fact that the digital screen has English as the default language.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 60.

Statement of further action

Powys County Council

ascertain whether or not the Council had failed to comply with standard 60.

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

The Council is required to take the following steps for the purpose of preventing the failure from continuing or being repeated: Standard 60 Powys County Council must ensure that all pay and display self service parking machines for which it is responsible function fully in Welsh. Powys County Council must ensure that all self service machines for which it is responsible either offer an equal language choice between Welsh and English on the front page of the machine, or set the Welsh language as the default language so that the Welsh language is treated no less favourably than the English language. Powys County Council must, within 180 days of receiving the final investigation report, confirm in writing; that it has completed the steps above.

Decision notice given

The Decision Notice was given to the Council on 27/06/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Wrexham
County Borough
Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The nature of the complaint is that a member of the public had contacted the "general

27/6/2017

Commissioner's findings

Standard 11 The Commissioner's determination is that Wrexham County Borough Council failed to comply with standard 11 in this case on the basis that they did not deal with a telephone call through the medium of Welsh, despite this being the notified wish of the individual.

enquiries" telephone number of Wrexham County Borough Council (the Council) on 22 September 2016. The complainant alleges that they did not receive a Welsh language service on this telephone line. The complaint notes that the complainant chose option 2 on hearing a standard greeting menu, in order to receive a Welsh language service. After a pause, the complainant heard a standard message offering to answer the call in English by pressing number 1 or suggesting that the complainant call back for a Welsh language service. As the complainant had not pressed 1; after a period of two minutes, the call was disconnected. The complainant noted therefore that this telephone line did not provide a Welsh language service and in addition they were not informed as to when a Welsh language service would be available. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 11 and 17.

Standard 17 The Commissioner's determination is that Wrexham County Borough Council failed to comply with standard 17 in this case on the basis that they did not inform the caller that a Welsh language service was not available, and did not inform the caller as to when a Welsh language service would be available.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standards 11 and 17.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

The Council is required to take the following steps for the purpose of preventing the failure from continuing or being repeated: Standard 11 Wrexham County Borough Council must take action when upgrading or updating any telephone systems to check that those systems enable compliance with the relevant standards. Standard 17 Wrexham County Borough Council must take action when upgrading or updating any telephone systems to check that those systems enable compliance with the relevant standards. The enforcement actions are in force 28 days after the organisation receives the final Decision Notice.

Decision notice given

The Decision Notice was given to the Council on 27/06/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Welsh Ministers

The Commissioner received a complaint on 09/08/2016 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint was regarding an alleged failure by the Welsh Ministers to provide a telephone service in Welsh on a direct line telephone number in one of their departments. The complainant alleged that he called 01443 663718 (a direct line telephone number within the Education Directorate) on 09/08/2016; that the call was answered by someone who did not speak Welsh; that this person did not offer to transfer the complainant to a Welsh speaker; and that, instead, the person spoke to the complainant in English. In an e-mail on 08/11/2016, in response to a request by the Commissioner for further information, the complainant stated that the relevant call was between 14:00 and 15:00 on 09/08/2016.

9/6/2017

Commissioner's findings

Standard 18 Standard 18 requires the Welsh Ministers to provide a service in Welsh in its entirety in cases where a person uses a direct line telephone number to contact one of their departments, and where that person wishes to receive a service in Welsh. The complainant wished to receive a service in Welsh when he telephoned the direct line telephone number allocated to a member of staff working for the Welsh Ministers on 09/08/2016, but the Welsh Ministers did not provide the service (i.e. the telephone call) in Welsh. The Commissioner believes that this is tantamount to a failure on the part of the Welsh Ministers to comply with the requirement in standard 18 to provide a service in Welsh in its entirety if the person calling wishes to receive a service in Welsh.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: The Commissioner determined that Welsh Ministers did fail to comply with standard 18.

Statement of further action

Further action was taken in respect of Welsh Ministers' failure to comply with standard 18.

			<p>Statement on the further action In the case of the Commissioner's determination that the Welsh Ministers failed to comply with standard 18, the Commissioner shall be taking further action in order to prevent the continuation or repetition of the failure by Welsh Ministers to comply with the relevant requirement: Standard 18 The Commissioner requires the Welsh Ministers to take further action to ensure that all members of staff are aware of how they should deal with telephone calls to departments on direct line telephone numbers in order to ensure compliance with the Welsh language standards. The Welsh Ministers should take this action within 40 working days of the date of the final investigation report.</p> <p>Decision notice given Decision notice given The Decision Notice was given to Welsh Ministers on 09/06/2017.</p> <p>Appeals made to the tribunal No appeal was made to the Tribunal.</p>
<p><u>Welsh Ministers</u></p>	<p>The Commissioner received a complaint on 22/09/2016 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complaint involved an alleged failure by the Welsh Ministers to provide a telephone service in Welsh on their main telephone number. The complainant alleged that he telephoned 0300 0604400 (the Welsh Ministers' main</p>	<p>9/6/2017</p>	<p>Commissioner's findings Standard 10 Standard 10 requires the Welsh Ministers to provide a service in Welsh in its entirety in cases where a person contacts a body on its main telephone number, and where that person wishes to receive a service in Welsh. The Commissioner believes that this means, if the call needs to be transferred from the main telephone number to a member of staff who can provide a service on a specific subject matter, that it should be transferred to a member of staff who can do so in Welsh. The</p>

telephone number) around 12:00 on 22/09/2016, and asked to speak to the press office; that he received a Welsh language response and service from the person who answered the call; that he was transferred to the press office and received an English only greeting 'Hello, press office'; that no offer was made to transfer him to a member of staff who could deal with the call in Welsh, and that instead he had to ask to be transferred. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not Welsh Ministers had failed to comply with standard 10.

complainant wished to receive a service in Welsh when he contacted the Welsh Ministers on their main telephone number on 22/09/2016 to speak to the press office. The complainant received a service in Welsh from the member of staff who answered the call to the main telephone number, but the call was transferred to a member of staff from the press office who could not deal with the call in Welsh. The Commissioner believes that this amounts to a failure on the part of the Welsh Ministers to comply with the requirement in standard 10 to deal with the call in Welsh in its entirety if the person calling wishes to receive a service in Welsh.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: The Commissioner determined that Welsh Ministers did fail to comply with standard 10.

Statement of further action

Further action was taken in respect of Welsh Ministers' failure to comply with standard 10.

Statement on the further action

In the case of the Commissioner's determination that the Welsh Ministers have failed to comply with standard 10, the Commissioner shall be taking further action in order to prevent the continuation or repetition of the failure by Welsh Ministers to comply with the relevant requirement: Standard 10 I require the Welsh Ministers to take action to ensure that members of staff who answer calls to their main telephone number establish whether the person

calling wishes to receive a service in Welsh, and to ensure that telephone calls are transferred to Welsh-speaking members of staff if necessary. The Commissioner requires the Welsh Ministers to take further action to ensure that all members of staff are aware of what they should do when dealing with telephone calls in order to comply with the Welsh language standards. The Welsh Ministers should take these actions within 40 working days of the date of the final investigation report.

Decision notice given

Decision notice given The Decision Notice was given to Welsh Ministers on 09/06/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

Cardiff Council

The Commissioner received a complaint from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complainant alleged that the agendas and minutes of the City of Cardiff Council's (the Council) main committees were not available in Welsh on its website. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Council had failed to comply with standards 41, 48, 49 and 52.

1/6/2017

Commissioner's findings

Standard 48 In failing to ensure that all agendas and minutes relating to management board or cabinet meetings, and/or meetings open to the public, were available in Welsh after the imposition day, the Commissioner concludes that the City of Cardiff Council has failed to produce agendas and minutes in Welsh for management board or cabinet meetings, and/or agendas and minutes for meetings open to the public. Standard 48 In failing to provide Welsh language versions of all agendas and minutes available in English on its website, the Commissioner concludes that the Council has treated the Welsh language less favourably than the English language in producing and publishing agendas and minutes in relation to management board or cabinet

meetings, and/or meetings open to the public. The Council has failed to ensure that all agendas and minutes relating to management board or cabinet meetings, and/or meetings open to the public available in English are also available in Welsh in a public space, namely its website, since the imposition day. The Commissioner therefore concludes that it has failed to ensure that Welsh language documents are not treated less favourably than their English language counterparts in terms of their location and prominence. The Council also failed to ensure that the Welsh and English language versions of the Cabinet meeting's agenda, which was held on 12 July 2016, did not differ in terms of their visual presentation. The Commissioner therefore concludes that the Council has treated the Welsh language less favourably than the English language in producing this document.

Standard 49 By failing to include a statement in English language agendas and minutes that those documents are available in Welsh, the Commissioner concludes that the Council failed to clearly state that those documents are also available in Welsh.

Standard 52 The Council stated that the text and menus of its website are now available in Welsh. However, this investigation found no Welsh language agenda for the Economy and Scrutiny Committee meeting held on 12 May 2016 incorporated onto the website's Welsh language interface. This was despite there being an English language version of the same agenda available on the corresponding English language page. The Commissioner therefore concludes that the Council failed to ensure that the text of each page of its website was available in Welsh following the imposition date. This conclusion is consolidated by the

Council's own admission that that pages of its website did not function bilingually following the imposition day. By ensuring the use of the same font, colour and size for the text of agendas incorporated onto its website, the Commissioner concludes that the Council ensured that the Welsh language is treated no less favourably than the English language in terms of the visual presentation of text on its website. In failing to ensure that the text of every English language page was also available in Welsh, the Commissioner concludes that Welsh language text has been treated less favourably than English language text in terms of its publication on the Council's website.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standards 41, 48, 49 and 52.

Statement of further action

The Commissioner decided to take further action in accordance with section 77 of the Welsh Language Measure.

Statement on the further action

The Council is required to take the following steps for the purpose of preventing the failure from continuing or being repeated: The Council must ensure that the agendas and minutes of management board or cabinet meetings, and/or meetings open to the public are produced and published in Welsh in order to comply with standard 41. ii. The Council must ensure that PDF versions of the agendas and minutes of management board or cabinet

meetings, and/or meetings open to the public are produced and published in Welsh on its website in order to comply with standard 48. iii. Where there are English language PDF versions of agendas and minutes of management board or cabinet meetings, and/or meetings open to the public, the Council must ensure that these documents are also available in Welsh, at the same time and in the same location as corresponding English language versions in order to comply with standard 48. iv. The Council must ensure that there is no difference in terms of the format of Welsh and English PDF versions of agendas and minutes of management board or cabinet meetings, and/or meetings open to the public in order to comply with standard 48. v. The Council must ensure that English language PDF versions of the agendas and minutes of management board or cabinet meetings, and/or meetings open to the public clearly state that those documents are also available in Welsh in order to comply with standard 49. vi. The Council must ensure that the text of all agendas incorporated onto its website is available in Welsh in order to comply with standard 52. vii. The Council must ensure that all Welsh language pages relating to Council committee meetings on its website are fully functional in order to comply with standard 52. viii. The Council must ensure that any text available in English on its website is also available in Welsh so that Welsh language pages are not treated less favourably than corresponding English language pages in order to comply with standard 52. ix. The Council must ensure that its staff is aware of the arrangements in place for, and guidance on, producing (and publishing) agendas and minutes in

Welsh. These steps are to be implemented within 28 days of issuing the Commissioner's final determination.

Decision notice given

The Decision Notice was given to the Council on 01/06/2017

Appeals made to the tribunal

No appeal was made to the Tribunal.

Neath Port
Talbot County
Borough Council

The Commissioner received a complaint from a person on the 2nd of August 2016 which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. The complainant alleged that she phoned Neath Port Talbot County Borough Council's (the Council) main telephone number, 01639 686 868, on 29 July 2016 to make an enquiry. She chose the option to receive a Welsh language service. The complainant alleges that she waited on the phone for ten minutes. A Welsh language service did not seem to be available at the time and there was a regular (automated) message informing callers that an English language telephone service was available. The complainant said that she did not have time to wait for a Welsh language service that Day; she, therefore, had to choose the English

1/6/2017

Commissioner's findings

Standard 17 By failing to ensure, during periods when no Welsh language telephone service is available, that there are adequate arrangements in place to inform persons who choose the Welsh language option and who do not switch to the English language line, when the Welsh language service will be available, I conclude that the Council has failed to inform persons when a Welsh language service will be available.

Commissioner's determination

Under section 73(2) of the Welsh Language Measure the Commissioner determined as follows: The Council has failed to comply with standard 17.

Statement of further action

The Commissioner decided to take further action in accordance with section 76 and 77 of the Welsh Language Measure.

Statement on the further action

language service in order to receive an answer to her enquiry.

In accordance with section 77(3)(b) of the The Welsh Language Measure, the Commissioner requires Neath Port Talbot County Borough Council to take the following steps: i. Neath Port Talbot Borough Council must ensure that adequate arrangements are in place to receive telephone calls in Welsh and/or inform persons that their call can be transferred to a Welsh speaking member of staff in order to comply with standard 10. ii. When no Welsh language telephone service is available, Neath Port Talbot County Borough Council must inform persons calling when a Welsh language service will be available in order to comply with standard 17. These steps are to be implemented within 28 days of issuing the Commissioner's final determination. In accordance with section 76(3)(a) of the Welsh Language Measure, the Commissioner makes the following recommendations to Neath Port Talbot County Borough Council: i. Neath Port Talbot County Borough Council should ensure that its staff are aware, and that they inform persons who wish to receive a Welsh language telephone service, that it is possible to arrange for a Welsh speaker to call them back. ii. Neath Port Talbot County Borough Council should ensure, when persons select the option for a Welsh language service, that it does not encourage them to receive an English language service. iii. Neath Port Talbot County Borough Council should ensure that messages that are played to persons who have selected the option for a Welsh language service do not imply that a Welsh language service is not available.

Decision notice given

The Decision Notice was given to the Council on 01/06/2017.

Appeals made to the tribunal

No appeal was made to the Tribunal.

The Commissioner received a complaint on 30/03/2016 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure. It is alleged that the following publicity material is in English only; posters and signs advertising fitness classes and special offers for customers. A complaint was received that the Council's website along with Deeside Leisure Centre's Facebook page treat the Welsh language less favourably than the English language. A complaint was also made that the Technogym self-service machine was in English only, along with the absence of S4C on Technogym machines at Deeside Leisure Centre. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not the Flintshire County Council had failed to comply with standards 37, 38, 52, 58, 60, 61 and 63.

12/5/2017

Commissioner's findings

Standard 37 The standard requires a body to produce all publicity or advertising material in Welsh, and if it produces the advertising material in Welsh and in English, it must not treat the Welsh language version less favourably than it treats the English language version. According to the evidence presented, Flintshire County Council produced publicity and advertising material in English only, in the form of posters and via language choices on screen. Standard 38 The standard asks a body to display any material in public in Welsh and to not treat the Welsh language version less favourably than the English language version. No publicity and advertising material complained about was displayed in public in Welsh. This means that Flintshire County Council was not complying with standard 38 when the complainant contacted the Council. Standard 52 Standard 52 requires a body to ensure that the pages of its website are available and are fully functional in Welsh, and that the Welsh language is not treated less favourably than the English language. Flintshire County Council recognises that the Welsh language page for Deeside Leisure Centre did not correspond to its English language page. This means that the Welsh language was treated less favourably than the English language. Standard 58 Standard 58 requires a body to ensure that the Welsh

Flintshire
County Council

language is not treated less favourably than the English language when using social media. The Council acknowledges that not all messages which appear on the Council's Facebook page are bilingual. That means that the Welsh language has been treated less favourably than the English language when using social media.

Standard 60 The standard requires any self service machines available to function fully in Welsh, and the Welsh language must be treated no less favourably than the English language in relation to that machine. From the evidence presented, it is clear that the Welsh language is not offered as a language choice on screen. That means that the machine complained about does not function fully in Welsh, and the Welsh language is treated less favourably than the English language in relation to that machine.

Standard 61 During the temporary works outside the leisure centre in April, the sign erected was in English only. It has been established that the permanent sign on the leisure centre and library building containing a grammatical error, namely an incorrect mutation 'Ganolfan Hamdden Dyfrdwy a Llyfrgell', was erected before the imposition day.

Standard 63 The permanent sign which contained an incorrect mutation in the Welsh language version on the leisure centre and library building had been erected before the imposition day. When the sign was erected has no bearing on consideration of this standard. This means that the Council failed to ensure that Welsh language text on signs is accurate in terms of meaning and expression.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: The Commissioner determined that the Council did fail to comply with standards 37, 38, 52, 58, 60, 61 and 63.

Statement of further action

Further action was taken in respect of the Council's failure to comply with standards 37, 38, 52, 58, 60, 61 and 63.

Statement on the further action

In terms of the Commissioner's determination that the Council has failed to comply with standards 37, 38, 52, 58, 60, 61 and 63, the Council is required to take the following steps in order to prevent the failure being repeated, in accordance with section 79(1)(b)(ii) of the Welsh Language Measure: Standard 37 In order to comply with standard 37, Flintshire County Council must issue all departments involved in producing publicity or advertising material with guidance on the need to produce material in Welsh in order to avoid treating the Welsh language less favourably than the English language. Standard 38 In order to comply with standard 38, Flintshire County Council must ensure that all members of staff are aware of the need to display any material in public in Welsh, in order to avoid treating the Welsh language less favourably than the English language. Standard 52 In order to comply with standard 52, Flintshire County Council must ensure that every Welsh language page on the Council's website is updated at the same time as the English language page, so that the text functions fully and consistently in both languages. Standard 58 In order to comply with standard 52,

Flintshire County Council must publish all messages on the Council's Facebook page in Welsh. Standard 60 In order to comply with standard 60, Flintshire County Council must take steps to include the Welsh language on the Technogym self service machine when the company develops it, in order to ensure that the machine functions in Welsh. Standard 61 In order to comply with standard 61, Flintshire County Council must provide clear guidance to anyone who supplies or provides a service on its behalf regarding the need to erect all signs in Welsh. Standard 63 In order to comply with standard 63, Flintshire County Council must ensure that arrangements are put in place to check all Welsh language signs to ensure that they are accurate in terms of meaning and expression. In accordance with Section 76(3)(a) Welsh Language Measure, the Commissioner gives Flintshire County Council the following recommendation: The Commissioner recommends including S4C as a TV channel choice within Deeside Leisure Centre.

Decision notice given

Decision notice given The Decision Notice was given to the Council on 12/05/2017

Appeals made to the tribunal

Appeals made to the Tribunal No appeal was made to the Tribunal.

Welsh Ministers

The Commissioner received a complaint on 30/03/2016 from a person which satisfied the conditions of section 93(3) to (6) of the Welsh Language Measure.

12/5/2017

Commissioner's findings

Standard 21 The standard imposes a requirement on the Welsh Ministers, amongst other things, to ask an individual, when they telephone the individual for the first

The complainant alleges that she received a telephone call on Saturday morning, 18 June 2016, from a person acting on behalf of the Welsh Ministers, who were conducting the Superfast Cymru survey. She alleges that she was not given the choice to participate in the survey through the medium of Welsh, and that she had to request a Welsh language service. Following her request, her call was transferred to a Welsh speaker, and the survey was then conducted successfully through the medium of Welsh. The Commissioner decided to undertake an investigation under section 71 of the Welsh Language Measure in order to ascertain whether or not Welsh Ministers had failed to comply with standards 21 and 81.

time, whether the individual wishes to receive telephone calls from them in Welsh. Welsh Ministers is duty-bound to comply with the standard since 30/03/2016. Beaufort Research, when conducting the survey on behalf of the Welsh Ministers, did not ask the complainant, when making the telephone call to the individual for the first time, if the individual wished to receive telephone calls from them in Welsh. This means that the Welsh Ministers were not complying with the requirements of standard 21 when they made a telephone call to the complainant for the first time on 18 June 2016. Standard 81. The standard requires a body to take proactive steps to promote and facilitate the fact that a Welsh service is available, and to encourage use of the said service. The Welsh Ministers did not inform the complainant that a Welsh service was available, and they did not encourage use of the said service.

Commissioner's determination

Under section 73 (2) of the Welsh language Measure, the Commissioner has determined as follows: The Commissioner determined that Welsh Ministers did fail to comply with standard 21 and 81.

Statement of further action

Further action was taken in respect of Welsh Ministers' failure to comply with standards 21 and 81
Statement on the further action
In terms of the Commissioner's determination that Welsh Ministers has failed to comply with standards 21 and 81, Welsh Ministers is required to take the following steps in order to prevent the failure being repeated, in accordance with

section 79(1)(b)(ii) of the Welsh Language Measure:
Standard 21 In order to comply with standard 21, the Welsh Ministers must give clear instruction to anyone making telephone calls on their behalf to individuals for the first time of the need: - to ask if the individual wishes to receive telephone calls from the Welsh Ministers in Welsh - to make a record of that choice if the individual wishes to receive telephone calls in Welsh - to transfer this information to the Welsh Ministers Standard 81 In order to comply with standard 81, the Welsh Ministers must give clear instruction to anyone delivering or providing a service on their behalf of the need to promote any Welsh service provided, and to advertise the said service in Welsh.

Decision notice given

Decision notice given The Decision Notice was given to Welsh Ministers on 12/05/2017

Appeals made to the tribunal

No appeal was made to the Tribunal.