

*Draft Regulations laid before the National Assembly for Wales under section 150(2) of the Welsh Language (Wales) Measure 2011, for approval by resolution of the National Assembly for Wales.*

---

DRAFT WELSH STATUTORY  
INSTRUMENTS

---

**20[xx] No. (W.)**

**WELSH LANGUAGE**

**The Welsh Language Standards  
(No. 8) Regulations 20[xx]**

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

The Welsh Language (Wales) Measure 2011 (nawm 1) (“the 2011 Measure”) makes provision for the specification of standards of conduct in relation to the Welsh language (“standards”). These replace the system of Welsh language schemes provided for by the Welsh Language Act 1993 (c. 38).

Section 26 of the 2011 Measure enables the Welsh Ministers to specify standards, and section 39 enables them to provide that a standard is specifically applicable to a person by authorising the Welsh Language Commissioner (“the Commissioner”) to give a notice to that person requiring compliance with the standard (a “compliance notice”).

These Regulations specify standards in relation to the conduct of the bodies listed in Schedule 6 to the Regulations. The listed bodies are:

- General Chiropractic Council
- General Dental Council
- General Medical Council
- General Optical Council
- General Osteopathic Council
- General Pharmaceutical Council
- Health and Care Professions Council
- Nursing and Midwifery Council
- Professional Standards Authority for Health and Social Care

Amongst other things, these bodies (apart from the Professional Standards Authority for Health and Social Care) may make decisions in respect of legal

proceedings brought before them. The Welsh Language Act 1993 makes provision about speaking Welsh in legal proceedings in Wales.

The Regulations also authorise (subject to certain exceptions set out in regulation 3(2)) the Commissioner to give a compliance notice to those bodies, in relation to standards specified by the Regulations.

In accordance with section 44 of the 2011 Measure, the Commissioner may (by way of a compliance notice) require a body to comply with one or more standards that are specifically applicable to it. To reflect that, the standards specified by the Regulations are expressed in the second person narrative, meaning that they are in “you must” form (where “you” means the relevant body in each case).

Using the flexibility provided by section 44 of the 2011 Measure the Commissioner may (if it is reasonable and proportionate, and the Commissioner wishes to do so) require a body to comply with one standard in some circumstances and another standard in other circumstances. For example, if a standard is specifically applicable to a body the Commissioner may require the body to comply with the standard in some circumstances but not others, or require it to comply with the standard only in some areas. Similarly if two or more standards relate to a specific conduct (for example, standards 8 to 11 in relation to answering telephone calls), the Commissioner may (by way of a compliance notice) require a body to comply with one of those standards only, or with different standards at different times, in different circumstances, or in different areas; as is appropriate for the body. The Commissioner is not, therefore, obliged to require every body to comply with every standard.

In accordance with section 46 of the 2011 Measure, the compliance notice given to a body must state the imposition day, or imposition days; meaning the day or days upon which the body becomes required to comply with a standard (or comply with a standard in a specific way). Using the flexibility provided for by section 46, the Commissioner may set an early imposition day for a body to comply with a standard (provided this is at least 6 months after the date on which the body was given the related compliance notice), or set an imposition day further in the future (for example in relation to more challenging standards).

Where a standard specified in these Regulations requires written material to be displayed or provided in Welsh, or for a service to be provided in Welsh, this does not mean that the material must be displayed or provided in Welsh only, or that the service must

only be provided in Welsh (unless that is specifically stated).

**Schedule 1** to the Regulations specifies **service delivery standards**. Section 28 of the 2011 Measure provides that a “service delivery standard” means a standard that relates to a service delivery activity, and is intended to promote or facilitate the use of the Welsh language, or to work towards ensuring that the Welsh language is treated no less favourably than the English language when that activity is carried out. A “service delivery activity” means a person delivering services to another person, or dealing with any other person in connection with delivering services to that other person, or to a third person.

**Schedule 2** to the Regulations specifies **policy making standards**. Section 29 of the 2011 Measure provides that a “policy making standard” means a standard that relates to a policy decision, and is intended to secure, or to contribute to securing, that the person making the policy decision considers one or more of the following—

- (a) what effects, if any, (whether positive or adverse) the policy decision would have on opportunities for people to use the Welsh language, or on treating the Welsh language no less favourably than the English language;
- (b) how the decision could be made so that the decision has positive effects, or increased positive effects, on opportunities for people to use the Welsh language, or on treating the Welsh language no less favourably than the English language;
- (c) how the decision could be made so that the decision does not have adverse effects, or has decreased adverse effects, on opportunities for other persons to use the Welsh language, or on treating the Welsh language no less favourably than the English language.

**Schedule 3** to the Regulations specifies **operational standards**. Section 30 of the 2011 Measure provides that an “operational standard” means a standard that relates to the functions, or a business or other undertaking (“relevant activities”) of a person (“A”), that is intended to promote or facilitate the use of the Welsh language—

- (a) by A in carrying out A’s relevant activities,
- (b) by A and another person in dealings between them in connection with A’s relevant activities, or
- (c) by a person other than A in carrying out activities for the purposes of, or in connection with, A’s relevant activities.

**Schedule 4** to the Regulations specifies **record keeping standards**. Section 32 of the 2011 Measure provides that a “record keeping standard” is a standard relating to the keeping of records about other specified standards, records about complaints concerning compliance with other specified standards, or records about other complaints concerning the Welsh language.

**Schedule 5** to the Regulations specifies **standards that deal with supplementary matters**. These are specific forms of service delivery standards, policy making standards, operational standards and record keeping standards that deal with the matters referred to in section 27(4) of the 2011 Measure (which are supplementary to the matters dealt with in Schedules 1 to 4).

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Language Unit, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

*Draft Regulations laid before the National Assembly for Wales under section 150(2) of the Welsh Language (Wales) Measure 2011, for approval by resolution of the National Assembly for Wales.*

---

DRAFT WELSH STATUTORY  
INSTRUMENTS

---

**20[xx] No. (W.)**

**WELSH LANGUAGE**

**The Welsh Language Standards  
(No. 8) Regulations 20[xx]**

*Made*

\*\*\*

*Coming into force*

The Welsh Ministers, in exercise of the powers conferred upon them by sections 26, 27, 39 and 150(5) of the Welsh Language (Wales) Measure 2011<sup>(1)</sup>, having received the approval of the National Assembly for Wales in accordance with section 150(2) of that Measure, make the following Regulations:

**Title, commencement, application and interpretation**

**1.**—(1) The title of these Regulations is the Welsh Language Standards (No. 8) Regulations 20[xx].

(2) These Regulations come into force on [ ].

(3) These Regulations apply in relation to Wales.

(4) In these Regulations—

a “body” (“*corff*”) means a person listed in Schedule 6;

an “individual” (“*unigolyn*”) means a natural person ordinarily resident in Wales acting in their personal capacity but, does not include a registrant acting in their capacity as a registrant.

a “member of staff” (“*aelod o staff*”) means an employee of a body or a natural person working for a body but not a person appointed to a body by the Privy Council (and “staff” (“*staff*”) must be construed accordingly);

---

(1) 2011 nawm 1.

“registered” (“*wedi ei gofrestru*”) means registered in a register that the body maintains by virtue of any enactment;

a “registrant” (“*un sydd wedi cofrestru*”) means a person ordinarily resident in Wales registered with a body or applying to be registered with a body.

(5) In these Regulations—

- (a) references to any activity being carried out by a body, or to any service being provided by a body, are to be read as including a reference to that activity being carried out on the body’s behalf or to that service being provided on the body’s behalf by a third party under arrangements made between the third party and the body;
- (b) accordingly, unless a compliance notice provides to the contrary, a body will have failed to comply with a standard in respect of an activity or service it has arranged to be carried out or provided by a third party if that activity or service has not been carried out or provided in accordance with the standard.

(6) Nothing in these Regulations requires a body to comply with a standard in respect of an activity carried out by it or a service provided by it where it is carrying out that activity or providing that service on behalf of a third party under arrangements made between it and the third party.

## **Standards specified**

2.—(1) In Schedule 1—

- (a) Part 1 specifies service delivery standards;
- (b) Part 2 provides that a compliance notice must require a body to comply with certain standards specified in Part 1 if it has required the body to comply with certain other standards;
- (c) Part 3 defines a number of words and expressions.

(2) In Schedule 2—

- (a) Part 1 specifies policy making standards;
- (b) Part 2 defines a number of words and expressions.

(3) In Schedule 3—

- (a) Part 1 specifies operational standards;
- (b) Part 2 provides that a compliance notice must require a body to comply with certain standards specified in Part 1 if it has required the body to comply with certain other standards;

- (c) Part 3 defines a number of words and expressions.
- (4) In Schedule 4—
  - (a) Part 1 specifies record keeping standards;
  - (b) Part 2 defines a number of words and expressions.
- (5) In Schedule 5—
  - (a) Part 1 specifies standards that deal with matters which are supplementary to the matters dealt with in the standards specified in Schedules 1 to 4;
  - (b) Part 2 makes provision about interpreting the supplementary standards.

**Standards that are specifically applicable**

3.—(1) The Welsh Ministers authorise the Welsh Language Commissioner to give a compliance notice to the persons listed in Schedule 6 requiring them to comply with any of the standards specified under regulation 2 and Schedules 1 to 5.

(2) But the Commissioner is not authorised to give a compliance notice to the Professional Standards Authority for Health and Social Care requiring them to comply with standards 23 to 26.

*Name*

Minister for International Relations and the Welsh Language, one of the Welsh Ministers

Date

SCHEDULE 1 Regulation 2(1)  
Service delivery Standards

PART 1  
THE STANDARDS

**1 Standards relating to correspondence sent by a body**

*(1) When a body replies to correspondence*

**Standard 1:** If you receive correspondence from a person in Wales in Welsh you must reply in Welsh (if an answer is required), unless the person has indicated that there is no need to reply in Welsh.

*(2) When a body initiates correspondence with several individuals*

**Standard 2:** When you send the same correspondence to several individuals, you must send a Welsh language version of the correspondence to the individuals at the same time as you send any English language version.

*(3) General standards relating to correspondence*

**Standard 3:** If you produce a Welsh language version and a corresponding English language version of correspondence, you must not treat the Welsh language version less favourably than the English language version (for example, if the English version is signed, or if contact details are provided on the English version, then the Welsh version must be treated in the same way).

**Standard 4:** You must state—  
(a) in correspondence, and  
(b) in publications and

notices that invite persons in Wales to respond to you or to correspond with you,

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.

## 2 **Standards relating to telephone calls made and received by a body**

**Standard 5:** When an individual contacts you on your main telephone number (or numbers), or on any helpline numbers or call centre numbers, and that individual requests that you deal with the call in Welsh, you must deal with the call in Welsh if a Welsh speaking member of staff is available (by transferring the call if necessary), until such point as—

(a) the Welsh speaking member of staff cannot provide a service on a specific subject matter; and

(b) no Welsh speaking member of staff is available to provide a service on that specific subject matter.

**Standard 6:** Any automated telephone systems that you have must provide the complete automated service in Welsh.

**Standard 7:** When you advertise an automated telephone service number you must not treat the Welsh language less favourably than the English language.

## 3 **Standards relating to a body holding meetings that are not open to the general public**

*(1) Meetings between a body and one other invited person*

**Standard 8:** If you invite one individual only (“A”) to a meeting (and no other

persons)—

- (a) you must ask A whether A wishes to use the Welsh language at the meeting, and inform A that you will conduct the meeting in Welsh or if necessary, provide a translation service from Welsh to English for that purpose, and
- (b) if A has informed you that A wishes to use the Welsh language at the meeting, you must conduct the meeting in Welsh or, if necessary, arrange for a simultaneous or consecutive translation service from Welsh to English to be available at the meeting.

***(2) Meetings between a body and more than one invited person***

**Standard 9:** If you invite more than one person to a meeting in Wales, you must ask each individual invited whether they wish to use the Welsh language at the meeting.

**Standard 9A:** If you have invited more than one person to a meeting in Wales, and at least 10% of the individuals invited have informed you that they wish to use the Welsh language at the meeting, you must arrange for a simultaneous translation service from Welsh to English to be available at the meeting.

**Standard 9B:** If you have invited more than one person to a meeting in Wales, and at least 20% of the individuals invited have informed you that they wish to use the Welsh language at the meeting, you must arrange for a simultaneous translation service from Welsh to English to be available at the meeting.

**Standard 9C:** If you have invited more than one person to a meeting in Wales, and

at least 30% of the individuals invited have informed you that they wish to use the Welsh language at the meeting, you must arrange for a simultaneous translation service from Welsh to English to be available at the meeting.

**4 Standards relating to meetings arranged by a body that are open to the public**

**Standard 10:** If you arrange a meeting held in Wales that is open to the public and at which public participation by an individual is allowed you must state on any material advertising it, and on any invitation to it, that anyone attending is welcome to use the Welsh language at the meeting.

**Standard 11:** When you send invitations to a meeting held in Wales that you arrange which is open to the public and at which public participation by an individual is allowed, you must send the invitations in Welsh.

**Standard 12:** If you invite persons to speak at a meeting in Wales that you arrange which is open to the public and at which public participation by an individual is allowed you must—

- (a) ask each person invited to speak whether he or she wishes to use the Welsh language, and
- (b) if that person (or at least one of those persons) has informed you that he or she wishes to use the Welsh language at the meeting, provide a simultaneous or consecutive translation service from Welsh to English for that purpose (unless you conduct the meeting in Welsh without a translation service).

**5 Standards relating to public events organised or funded by a body**

**Standard 13:** If you organise a public event in Wales you must ensure that, in promoting the event, the Welsh language is treated no less favourably than the English language (for example, in the way the event is advertised or publicised).

**Standard 14:** If you organise a public event in Wales you must ensure that the Welsh language is treated no less favourably than the English language at the event (for example, in relation to services offered to persons attending the event, in relation to signs you produce and display at the event and in relation to audio announcements made at the event).

**6 Standard relating to a body's publicity and advertising**

**Standard 15:** Any publicity or advertising material that you produce for an individual must be produced in Welsh and if you produce the material in Welsh and English, you must not treat the Welsh language version less favourably than you treat the English language version.

**7 Standards relating to a body displaying material in public**

**Standard 16:** Any material that you produce and display in public in Wales must be displayed in Welsh, and you must not treat any Welsh language version of the material less favourably than the English language version.

**Standard 17:** Any material that you produce and display at a public exhibition in Wales organised by you must be displayed in Welsh, and you must not treat any Welsh language version of the material less favourably than you treat an English language version.

**8 Standards relating to a body producing and publishing**

## **documents and forms**

**Standard 18:** If you produce a form that is to be completed by an individual, you must produce it in Welsh.

**Standard 19:** If you produce an application form that you make available for a registrant to be included on the register maintained by you, you must produce it in Welsh.

**Standard 20:** If you produce a document (but not a form) which is available to one or more individuals, you must produce it in Welsh—

- (a) if the subject matter of the document suggests that it should be produced in Welsh, or
- (b) if the anticipated audience in Wales, and their expectations, suggests that the document should be produced in Welsh.

**Standard 21:** If you produce a document or a form in Welsh and in English you must—

- (a) not treat any Welsh language version less favourably than you treat the English language version (whether separate versions or not);
- (b) not differentiate between the Welsh and English version in relation to any requirements that are relevant to the document or form (for example in relation to any deadline for submitting the form, or in relation to the time allowed to respond to the content of the document or form); and
- (c) ensure that the English language version clearly states that the document or form is also available in Welsh.

**Standard 22:** You must state in publications, guidance and notices that you produce informing persons about legal proceedings that they may submit forms and documents and make written representations to you in Welsh.

**Standard 23:** Where a registrant contacts you to respond to legal proceedings, you must ask the registrant to indicate whether the registrant wishes to speak in Welsh in any legal proceedings<sup>(1)</sup>.

**Standard 23A:** If a registrant (“R”) has informed you that R wishes to use the Welsh language in any legal proceedings held in England, you must conduct the legal proceedings in Welsh or, if necessary, arrange for a simultaneous or consecutive translation service from Welsh to English to be available at the meeting.

**Standard 24:** Where a registrant (“R”) contacts you for the first time to respond to legal proceedings, you must ask R to indicate whether R wishes to receive copies in Welsh of forms and documents that you produce and which are to be available to R (including, for example, written determinations or orders in relation to those legal proceedings).

**Standard 24A:** Where a registrant (“R”) contacts you to respond to legal proceedings, and R indicates that they wish to receive copies in Welsh of forms and documents that you produce and which are to be made available to R, you—

- (a) must provide such forms and documents in Welsh in relation to those legal proceedings, and
- (b) must not treat the production of them less favourably than forms and

---

<sup>(1)</sup> Section 22 of the Welsh Language Act 1993 (c. 38) makes provision about speaking Welsh in legal proceedings in Wales.

documents you produce in English.

**Standard 25:** Where you receive forms or documents in Welsh from a registrant (“R”) responding to legal proceedings, you must not treat those forms or documents less favourably than ones that you receive in English (including amongst other matters, in relation to the timescale for receiving such forms and documents and informing R of decisions).

**10 Standards relating to a body’s websites and on-line services**

**Standard 26:** You must designate and maintain a page (or pages) on your website which provides information (in Welsh) on—

- (a) you,
- (b) the services you provide generally,
- (c) the services you provide in Wales,
- (ch) how to make a complaint about a person regulated by you,
- (d) the Welsh language services you provide and how each of those Welsh language services can be accessed.

**Standard 27:** If you have a Welsh language web page that corresponds to an English language web page, you must state clearly on the English language web page that the page is also available in Welsh, and you must provide a direct link to the Welsh page on the corresponding English page.

**11 Standards relating to a body’s use of social media**

**Standard 28:** If a person contacts you by social media in Welsh, you must reply in Welsh (if an answer is required).

**12 Standards relating to official**

## **notices made by a body**

**Standard 29:** Any official notice that you publish or display in Wales and which relates to a service provided in Wales must be published or displayed in Welsh, and you must not treat any Welsh language version of a notice less favourably than an English language version.

**Standard 30:** When you publish or display an official notice in Wales that contains Welsh language text as well as English language text, the Welsh language text must be positioned so that it is likely to be read first.

## **13 Standards for raising awareness about Welsh language services provided by a body**

**Standard 31:** You must promote any Welsh language service that you provide, and advertise that service in Welsh.

**Standard 32:** If you provide a service in Welsh that corresponds to a service you provide in English, any publicity or document that you produce, or website that you publish, which refers to the English service must also state that a corresponding service is available in Welsh.

## **14 Standard relating to a body's corporate identity**

**Standard 33:** When you form, revise or present your corporate identity, you must not treat the Welsh language less favourably than the English language.

## **PART 2**

### **STANDARDS THAT ARE RELIANT ON OTHER STANDARDS – SPECIAL CONDITIONS**

**15** When a compliance notice requires a body to comply with one of the standards listed on a specific row

in column 1 of Table 1, that compliance notice must also require that body to comply (in whatever way the Welsh Language Commissioner considers appropriate) with the standard or standards listed in column 2 of that row (or with one or more of those standards where that is stated).

**TABLE 1**

<i>Row</i>	<i>Column 1</i> <i>Main standard</i>	<i>Column 2</i> <i>Reliant standard</i>
(1)	<b>Replying to correspondence</b> Standard 1	Standard 4
(2)	<b>Corresponding with several persons</b> Standard 2	Standard 3 Standard 4
(3)	<b>Raising awareness about corresponding in Welsh</b> Standard 4	Standard 1
(4)	<b>Meetings with more than one person</b> Standard 9	One or more of the following: Standard 9A Standard 9B Standard 9C
(5)	<b>Meetings with more than one person</b> Standard 9A, 9B or 9C	Standard 9
(6)	<b>Documents</b> Standard 18, 19, or 20	Standard 21
(7)	<b>Legal proceedings</b>	

	Standard 23	Standard 23A
(8)	<b>Legal proceedings</b> Standard 23A	Standard 23
(9)	<b>Legal proceedings</b> Standard 24	Standard 24A
(10)	<b>Legal proceedings</b> Standard 24A	Standard 24

### PART 3

#### INTERPRETING THE STANDARDS

- 16** The standards specified in Part 1 of this Schedule must be interpreted as follows.
- 17** The standards only apply to the extent that a body—
- (a) delivers services to a person, or
  - (b) deals with any other person in connection with delivering services—
    - (i) to that other person, or
    - (ii) to a third person.
- 18** A body is not required to produce, to display or to send material in Welsh to the extent that another enactment has specified the wording of a document, a sign or a form which would run contrary to that requirement.
- 19** For the purposes of the standards—
- (a) a requirement to produce, to send, to publish, to display, to make available or to issue any written material in Welsh does not mean that the material should be produced, sent, published, displayed, made available or issued in Welsh only, nor does it mean that the material should be produced in Welsh first (unless that is

specifically stated in the standard);

- (b) a requirement to provide a service in Welsh does not mean that that service should only be provided in Welsh (unless that is specifically stated in the standard).

20

(1) A body is not required to translate into Welsh any text that it has not produced (“text A”).

(2) A body will not be treating the Welsh language less favourably if it does not translate text A into Welsh but see sub-paragraph (3).

(3) A body must use the Welsh version of text A if another person has produced text A in Welsh in accordance with—

- (a) its Welsh Language Scheme;
- (b) a duty to comply with standards;
- (c) Standing Orders of the Assembly;
- (ch) section 35(1C) of the 2006 Act; or
- (d) the Assembly Commission’s Official Languages Scheme.

(4) In this paragraph—

- (a) “Welsh Language Scheme” means a Welsh language scheme produced in accordance with Part 2 of the Welsh Language Act 1993(1);
- (b) “a duty to comply with standards” means a duty to comply with a standard under section 25 of the Welsh Language (Wales) Measure 2011;
- (c) “the 2006 Act” means the Government of Wales Act 2006(2);

---

(1) 1993 c. 38.

(2) 2006 c. 32.

- (ch) “Standing Orders of the Assembly” means standing orders made under section 31 of the 2006 Act;
- (d) “the Assembly Commission’s Official Languages Scheme” means the Scheme adopted and published under paragraph 8 of Schedule 2 to the 2006 Act.

**21** For the purpose of standards 2, 15, 18, 19 and 20, a reference to—

- (a) publicity or advertising material being produced for an individual,
- (b) a form or document being available to registrants or individuals,
- (c) a form to be completed by an individual, or
- (ch) correspondence being sent to individuals,

means publicity or advertising material, documents, forms or correspondence whether or not it is also produced for, available to, to be completed by or sent to persons outside Wales.

**22** In standard 6 an “automated” telephone system means a system that answers telephone calls and guides persons through a set procedure with a recorded message which, for example, asks a person to press different keys in order to choose different options.

**23** For the purposes of the standards, “meetings” do not include legal proceedings.

**24** Standard 14 does not apply when the message that you announce over a public address system is made during an emergency or an emergency drill.

**25** Standard 16 does not apply to material displayed on a body’s website.

26

(1) Subject to sub-paragraph (2), where a standard refers to material that is to be produced in Welsh, references to treating the Welsh language no less favourably than the English language, or to treating a Welsh language version no less favourably than an English language version, include, amongst other matters (and in addition to specific matters referred to in any individual standard), treating the Welsh language no less favourably as regards—

- (a) the visual presentation of material (for example in relation to the colour or font of any text);
- (b) the size of the material;
- (c) the position and prominence of the material in any public place;
- (ch) when and how the material is published, provided or exhibited;
- (d) the publication format of material.

(2) A body will not be treating the Welsh language less favourably than the English language if it does not send, display or circulate Welsh language material outside of Wales (with the exception of standard 24A).

27

(1) Standard 18 does not apply to the forms listed in sub-paragraph (2).

(2) The forms are—

- (a) forms used by a body to recruit employees;
- (b) forms used when submitting a tender to enter into a contract with a body.

28

For the purposes of standard 20, references to documents or other materials being available to individuals do not include documents or materials that are only

available by virtue of the Freedom of Information Act 2000<sup>(1)</sup>.

- 29** Standards 20 and 21 do not apply to—
- (a) an enactment made by a body or to a draft enactment prepared by a body; or
  - (b) any advertising material contained in a document, brochure, leaflet, pamphlet or card.
- 30** For the purposes of standard 24 a registrant contacts a body for the first time when it contacts the body for the first time after the date on which a compliance notice has required the body to comply with the standard.
- 31** Standards 26 to 27 (websites) do not apply to—
- (a) documents to which a link is provided on a website, advertising material on a website, or to video and audio clips on a website (see standards 20 and 21 for specific provision in relation to documents and standard 15 in relation to advertising material produced by a body);
  - (b) information presented by persons (other than the body) on an interactive page published on a body's website (for example on a section for comments or on a discussion forum).
- 32** Standards 1 to 4 (correspondence) do not apply to correspondence sent by social media (see standard 28 in relation to social media).
- 33** Standard 28 (social media) does not apply to—
- (a) documents to which a link is provided through social

---

(1) 2000 c. 36.

media, or to video and audio clips provided through social media (see standards 20 and 21 for specific provision in relation to documents, and standard 15 in relation to advertising material produced by a body);

- (b) information presented by persons (other than the body) on a body's social media account (for example on a section for comments).

**34** For the purposes of standards 29 and 30 an “official notice” does not include notices prescribed by an enactment.

**35** (1) For the purposes of standard 33, the reference to a body forming or presenting its “corporate identity” includes, amongst other things, the way a body presents itself by means of visual statements, the name or names used by a body, and a body's branding and slogans (for example, branding and slogans printed on its stationery).

(2) Standard 33 does not apply to the extent that an enactment requires a body to use a legal name.

**36** For the purposes of the standards “enactment” means an enactment (whenever enacted or made) comprised in, or in an instrument made under —

- (a) an Act of Parliament; or
- (b) a Measure or an Act of the National Assembly for Wales.

## SCHEDULE 2 Regulation 2(2)

### Policy making Standards

#### PART 1

#### THE STANDARDS

**1 Standards relating to considering the effects of a body's policy decisions on the Welsh language**

**Standard 34:** When you formulate a new policy, or review or revise an existing policy, you must consider what effects, if any (whether positive or adverse), the policy decision would have on—

- (a) opportunities for persons to use the Welsh language, and
- (b) treating the Welsh language no less favourably than the English language.

**Standard 35:** When you formulate a new policy, or review or revise an existing policy, you must consider how the policy could be formulated (or how an existing policy could be changed) so that the policy decision would have positive effects, or increased positive effects, on—

- (a) opportunities for persons to use the Welsh language, and
- (b) treating the Welsh language no less favourably than the English language.

**Standard 36:** When you formulate a new policy, or review or revise an existing policy, you must consider how the policy could be formulated (or how an existing policy could be changed) so that the policy decision would not have adverse effects, or so that it would have decreased adverse effects, on—

- (a) opportunities for persons to use the Welsh language, and

- (b) treating the Welsh language no less favourably than the English language.

**Standard 37:** When you publish a consultation document which relates to a policy decision, the document must consider, and seek views on, the effects (whether positive or adverse) that the policy decision under consideration would have on—

- (a) opportunities for persons to use the Welsh language, and
- (b) treating the Welsh language no less favourably than the English language.

**Standard 38:** When you publish a consultation document which relates to a policy decision the document must consider, and seek views on, how the policy under consideration could be formulated or revised so that it would have positive effects, or increased positive effects, on—

- (a) opportunities for persons to use the Welsh language, and
- (b) treating the Welsh language no less favourably than the English language.

**Standard 39:** When you publish a consultation document which relates to a policy decision the document must consider, and seek views on, how the policy under consideration could be formulated or revised so that it would not have adverse effects, or so that it would have decreased adverse effects, on—

- (a) opportunities for persons to use the Welsh language, and
- (b) treating the Welsh language no less favourably than the English language.

**Standard 40:** When you commission or undertake research that is intended to assist you to make a policy decision, you must ensure that the research

considers what effects, if any (and whether positive or adverse), the policy decision under consideration would have on—

- (a) opportunities for persons to use the Welsh language, and
- (b) treating the Welsh language no less favourably than the English language.

**Standard 41:** When you commission or undertake research that is intended to assist you to make a policy decision, you must ensure that the research considers how the policy decision under consideration could be made so that it would have positive effects, or so that it would have increased positive effects, on—

- (a) opportunities for persons to use the Welsh language, and
- (b) treating the Welsh language no less favourably than the English language.

**Standard 42:** When you commission or undertake research that is intended to assist you to make a policy decision, you must ensure that the research considers how the policy decision under consideration could be made so that it would not have adverse effects, or so that it would have decreased adverse effects, on—

- (a) opportunities for persons to use the Welsh language, and
- (b) treating the Welsh language no less favourably than the English language.

## PART 2

### INTERPRETING THE STANDARDS

**2** In Part 1 of this Schedule a “policy decision” means any decision made by a body about the exercise of its functions or about the conduct of its business or other undertaking, and it includes, amongst other things (and

as appropriate to the body),  
decisions about—

- (a) the content of legislation;
- (b) the exercise of statutory powers;
- (c) the content of policy statements;
- (ch) strategies or strategic plans;
- (d) internal structures and office locations.

**3**

In Part 1 of this Schedule a reference to positive or adverse effects is a reference to such effects whether direct or indirect.

## SCHEDULE 3 Regulation 2(3)

### Operational standards

#### PART 1

#### THE STANDARDS

#### **1 Standards relating to a body developing Welsh language skills through planning and training its workforce**

**Standard 43:** You must provide training courses so that your employees can develop—

- (a) awareness of the Welsh language (including awareness of its history and its role in Welsh culture);
- (b) an understanding of the duty to operate in accordance with the Welsh language standards;
- (c) an understanding of how the Welsh language can be used in the workplace.

**Standard 44:** When you provide information to new employees (for example by means of an induction process), you must provide information for the purpose of raising their awareness of the Welsh language.

#### **2 Standards relating to a body recruiting and appointing**

**Standard 45:** When you assess the requirements for a new or vacant post, you must assess the need for Welsh language skills, and categorise it as a post where one or more of the following apply—

- (a) Welsh language skills are essential;
- (b) Welsh language skills need to be learnt when appointed to the post;
- (c) Welsh language skills are desirable; or

(ch) Welsh language skills are not necessary.

**Standard 45A:**

When you advertise a post which you have categorised as one where Welsh language skills are essential, desirable or need to be learnt you must—

- (a) specify that in the advertisement, and
- (b) advertise the post in Welsh.

## PART 2

### STANDARDS THAT ARE RELIANT ON OTHER STANDARDS – SPECIAL CONDITIONS

- 3** When a compliance notice requires a body to comply with one of the standards listed on a specific row in column 1 of Table 1, that compliance notice must also require that body to comply (in whatever way the Welsh Language Commissioner considers appropriate) with the standard or standards listed in column 2 of that row.

**TABLE 1**

<i>Row</i>	<b>Column 1</b> <i>Main standard</i>	<b>Column 2</b> <i>Reliant standard</i>
(1)	<b>Recruitment and appointments</b> Standard 45	Standard 45A

## PART 3

### INTERPRETING THE STANDARDS

- 4** The standards specified in Part 1 of this Schedule must be interpreted as follows.

- 5** For the purposes of standards 46 and 46A only—
- (a) “post” includes a public appointment;
  - (b) “public appointment” means any appointment to a public body or public office.

- 6** For the purposes of standard 45A the requirement to advertise a post in Welsh does not mean that the advertisement should be produced, sent, published, displayed, made available or issued in Welsh only.

SCHEDULE 4 Regulation 2(4)  
Record Keeping Standards

PART 1  
THE STANDARDS

**1**                    **Standards relating to a body keeping records**

**Standard 46:**      You must keep a record, in relation to each financial year, of the number of complaints you receive relating to your compliance with standards.

**Standard 47:**      You must keep a record, in relation to each financial year, of the number of new and vacant posts which were categorised (in accordance with standard 45) as posts where—

- (a) Welsh language skills are essential;
- (b) Welsh language skills need to be learnt when appointed to the post;
- (c) Welsh language skills are desirable; or
- (ch) Welsh language skills are not necessary.

PART 2  
INTERPRETING THE STANDARDS

**2**                    The standards specified in Part 1 of this Schedule must be interpreted as follows.

**3**                    For the purposes of standards 46 and 47 “financial year” means the body's own financial year.

## SCHEDULE 5 Regulation 2(5)

### Standards which deal with Supplementary Matters

#### PART 1

#### THE STANDARDS

##### **1 A body publicising standards**

**Standard 48:** You must ensure that a document which records the standards with which you are under a duty to comply, and the extent to which you are under a duty to comply with those standards, is available on your website.

##### **2 A body publishing a complaints procedure**

**Standard 49:** You must—

- (a) ensure that you have a complaints procedure that deals with how you intend to deal with complaints relating to your compliance with the standards with which you are under a duty to comply, and
- (b) publish a document that records that procedure on your website.

##### **3 A body producing an annual report regarding standards**

**Standard 50:** (1) You must produce a report (an “annual report”), in Welsh, in relation to each financial year, which deals with the way in which you have complied with the standards with which you were under a duty to comply during that year.

(2) The annual report must include the following information (where relevant, to the extent you are under a duty to comply with the standards referred to)—

- (a) the number of complaints that you received during the

year in question which related to compliance with the standards with which you were under a duty to comply (on the basis of the records you kept in accordance with standard 46);

(b) the number (on the basis of the records you kept in accordance with standard 47) of new and vacant posts that you advertised during the year which were categorised as posts where—

- (i) Welsh language skills were essential;
- (ii) Welsh language skills needed to be learnt when appointed to the post;
- (iii) Welsh language skills were desirable; or
- (iv) Welsh language skills were not necessary.

(3) You must publish the annual report no later than 6 months following the end of the financial year to which the report relates.

(4) You must ensure that a current copy of your annual report is available on your website.

**4**

**A body providing information to the Welsh Language Commissioner**

**Standard 51:** You must provide the Welsh Language Commissioner (if requested by the Commissioner) with any information which relates to your compliance with the service delivery standards, the policy making standards or the operational standards with which you are under a duty to comply.

**PART 2**

**INTERPRETING THE STANDARDS**

- 5 The standards specified in Part 1 of this Schedule must be interpreted as follows.
- 6 For the purpose of standard 50, “financial year” means the body’s own financial year.
- 7 For the purpose of the standards a requirement to produce or publish any written material in Welsh does not mean that material should be produced or published in Welsh only, nor does it mean that the material should be produced in Welsh first (unless that is specifically stated in the standard).

**SCHEDULE 6** Regulation 3

General Chiropractic Council

General Dental Council

General Medical Council

General Optical Council

General Osteopathic Council

General Pharmaceutical Council

Health and Care Professions Council

Nursing and Midwifery Council

Professional Standards Authority for Health and Social  
Care