

SCHEDULE 3

Regulation 2(3)

Operational standards

PART 1

THE STANDARDS

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<b>1</b>	<b>Standards relating to the use of the Welsh language within a body's internal administration</b>
<b>Standard 92:</b>	You must develop a policy on using Welsh internally for the purpose of promoting and facilitating the use of the language, and you must publish that policy on your intranet.
<b>Standard 93:</b>	When you offer a new post to an individual, you must ask that individual whether he or she wishes for the contract of employment or contract for services to be provided in Welsh; and if that is the individual's wish you must provide the contract in Welsh.
<b>Standard 94:</b>	You must— (a) ask each employee whether he or she wishes to receive any paper correspondence that relates to his or her employment, and which is addressed to him or her personally, in Welsh, and (b) if an employee so wishes, provide any such correspondence to that employee in Welsh.
<b>Standard 95:</b>	You must ask each employee whether he or she wishes to receive any documents that outline his or her training needs or requirements in Welsh; and if that is the employee's wish you must provide any such documents to him or to her in Welsh.
<b>Standard 96:</b>	You must ask each employee whether he or she wishes to receive any documents that outline his or her performance objectives in Welsh; and if that is the employee's wish you must provide any such documents to him or to her in Welsh.
<b>Standard 97:</b>	You must ask each employee whether he or she wishes to receive any documents that outline or record his or her career plan in Welsh; and if that is the employee's wish you must provide any such documents to him or to her in Welsh.
<b>Standard 98:</b>	You must ask each employee whether he or she wishes to receive any forms that record and authorise— (a) annual leave, (b) absences from work, and (c) flexible working hours,  in Welsh; and if that is an employee's wish, you must provide any such forms to him or to her in Welsh.

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- Standard 99:** If you publish a policy relating to behaviour in the workplace, you must publish it in Welsh.
- Standard 100:** If you publish a policy relating to health and well-being at work, you must publish it in Welsh.
- Standard 101:** If you publish a policy relating to salaries or workplace benefits, you must publish it in Welsh.
- Standard 102:** If you publish a policy relating to performance management, you must publish it in Welsh.
- Standard 103:** If you publish a policy about absence from work, you must publish it in Welsh.
- Standard 104:** If you publish a policy relating to working conditions, you must publish it in Welsh.
- Standard 105:** If you publish a policy regarding work patterns, you must publish it in Welsh.
- 2**
- Standards relating to complaints made by a member of a body's staff**
- Standard 106:** You must allow each member of staff —
- (a) to make complaints to you in Welsh, and
  - (b) to respond in Welsh to any complaint made about him or about her.
- Standard 106A:** You must state in any document that you have that sets out your procedures for making complaints that each member of staff may —
- (a) make a complaint to you in Welsh, and
  - (b) respond to a complaint made about him or about her in Welsh;
- and you must also inform each member of staff of that right.
- Standard 107:** If you receive a complaint from a member of staff or a complaint about a member of staff, and a meeting is required with that member of staff, you must —
- (a) offer to conduct the meeting in Welsh, and
  - (b) if the member of staff wishes for the meeting to be conducted in Welsh, conduct the meeting in Welsh (without the assistance of a simultaneous or consecutive translation service).
- Standard 108:** If you receive a complaint from a member of staff or a complaint about a member of staff, and a meeting is required with that member of staff, you must —
- (a) ask the member of staff whether he or she wishes to use the Welsh language at the meeting;
  - (b) explain that you will provide a translation service from Welsh to English for that purpose if it is required;

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and if the member of staff wishes to use the Welsh language, you must provide a simultaneous translation service from Welsh to English at the meeting (unless you conduct the meeting in Welsh without translation services).

**Standard 109:**

When you inform a member of staff of a decision you have reached in relation to a complaint made by him or by her, or in relation to a complaint made about him or about her, you must do so in Welsh if that member of staff—

- (a) made the complaint in Welsh,
- (b) responded in Welsh to a complaint about him or about her,
- (c) asked for a meeting about the complaint to be conducted in Welsh, or
- (ch) asked to use the Welsh language at a meeting about the complaint.

**3**

**Standards relating to a body disciplining staff**

**Standard 110:**

You must allow all members of staff to respond in Welsh to allegations made against them in any internal disciplinary process.

**Standard 110A:**

You must —

- (a) state in any document that you have which sets out your arrangements for disciplining staff that any member of staff may respond in Welsh to any allegations made against him or against her, and
- (b) if you commence a disciplinary procedure in relation to a member of staff, inform that member of staff of that right.

**Standard 111:**

If you organise a meeting with a member of staff regarding a disciplinary matter that relates to his or to her conduct you must —

- (a) offer to conduct the meeting in Welsh; and
- (b) if the member of staff wishes for the meeting to be conducted in Welsh, conduct the meeting in Welsh (without the assistance of a simultaneous or consecutive translation service).

**Standard 112:**

If you organise a meeting with a member of staff regarding a disciplinary matter that relates to his or her conduct you must —

- (a) ask the member of staff whether he or she wishes to use the Welsh language at the meeting, and
- (b) explain that you will provide a translation service for that purpose if it is required;

and, if the member of staff wishes to use the Welsh language, you must provide a simultaneous translation service from Welsh to English at the meeting (unless you conduct the meeting in Welsh without a translation service).



the Welsh language and to assist your staff to use the Welsh language.

- Standard 120:** You must provide the interface and menus on your intranet pages in Welsh.
- 5** **Standards relating to a body developing Welsh language skills through planning and training its workforce**
- Standard 121:** You must assess the Welsh language skills of your employees.
- Standard 122:** You must provide training in Welsh in the following areas, if you provide such training in English —
- (a) recruitment and interviewing;
  - (b) performance management;
  - (c) complaints and disciplinary procedures;
  - (ch) induction;
  - (d) dealing with the public; and
  - (dd) health and safety.
- Standard 123:** You must provide training (in Welsh) on using Welsh effectively in —
- (a) meetings;
  - (b) interviews; and
  - (c) complaints and disciplinary procedures.
- Standard 124:** You must provide opportunities during working hours —
- (a) for your employees to receive basic Welsh language lessons, and
  - (b) for employees who manage others to receive training on using the Welsh language in their role as managers.
- Standard 125:** You must provide opportunities for employees who have completed basic Welsh language training to receive further training, free of charge, to develop their language skills.
- Standard 126:** 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 127:** 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.
- Standard 128:** You must provide wording or a logo for your staff to include in e-mail signatures which will enable them to indicate whether they speak Welsh fluently or whether they are learning the language.

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- Standard 129:** You must provide wording for your employees which will enable them to include a Welsh language version of their contact details in e-mail messages, and to provide a Welsh language version of any message which informs others that they are unavailable to respond to e-mail messages.
- Standard 130:** You must make available to members of staff who are able to speak Welsh a badge for them to wear to convey that.
- Standard 130A:** You must promote to members of staff the wearing of a badge that conveys that a member of staff is able to speak Welsh.
- 6**
- Standards relating to a body recruiting and appointing**
- Standard 131:** 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 131A:** If you have categorised a post as one where Welsh language skills are essential, desirable or need to be learnt you must —
- (a) specify that when advertising the post, and
  - (b) advertise the post in Welsh.
- Standard 132:** When you advertise a post, you must 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.
- Standard 132A:** If you publish —
- (a) application forms for posts;
  - (b) material that explains your procedure for applying for posts;
  - (c) information about your interview process, or about other assessment methods when applying for posts;
  - (ch) job descriptions;
- you must publish them in Welsh; and you must ensure that the Welsh language versions of the documents are treated no less favourably than any English language versions of those documents.
- Standard 132B:** You must not treat an application for a post made in Welsh less favourably than you treat an application made in English (including, amongst other matters, in relation to the closing date you set for receiving applications and in relation to any timescale for informing individuals of decisions).
- Standard 133:** You must ensure that your application forms for posts provide a space for individuals to indicate that they wish an interview

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or other method of assessment in Welsh and if an individual so wishes, you must conduct any interview or other method of assessment in Welsh (without the assistance of a simultaneous or consecutive translation service).

**Standard 134:**

You must ensure that your application forms for posts —

- (a) provide a space for individuals to indicate that they wish to use the Welsh language at an interview or at any other method of assessment, and
- (b) explain that you will provide a translation service from Welsh to English for that purpose if it is required;

and, if the individual wishes to use the Welsh language at the interview or assessment, you must provide a simultaneous translation service at the interview or assessment (unless you conduct the interview or assessment in Welsh without that translation service).

**Standard 135:**

When you inform an individual of your decision in relation to an application for a post, you must do so in Welsh if the application was made in Welsh.

**7**

**Standards relating to signs displayed in a body's workplace**

**Standard 136:**

When you erect a new sign or renew a sign in your workplace (including temporary signs), any text displayed on the sign must be displayed in Welsh (whether 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 in English, you must not treat the Welsh language text less favourably than the English language text.

**Standard 137:**

When you erect a new sign or renew a sign in your workplace (including temporary signs) which conveys the same information in Welsh and in English, the Welsh language text must be positioned so that it is likely to be read first.

**Standard 138:**

You must ensure that the Welsh language text on signs displayed in your workplace is accurate in terms of meaning and expression.

**8**

**Standard relating to audio announcements and messages in a body's workplace**

**Standard 139:**

When you make announcements in the workplace using audio equipment, that announcement must be made in Welsh, and if the announcement is made in Welsh and in English, the announcement must be made in Welsh first.

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**PART 2**  
**STANDARDS THAT ARE RELIANT ON OTHER**  
**STANDARDS – SPECIAL CONDITIONS**

<b>9</b>	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.
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**TABLE 1**

<i>Row</i>	<b>Column 1</b> <i>Main standard</i>	<b>Column 2</b> <i>Reliant standard</i>
(1)	<b>Complaints procedures</b> Standard 106	Standard 106A
(2)	<b>Complaints procedures</b> Standard 106A	Standard 106
(3)	<b>Disciplining staff</b> Standard 110	Standard 110A
(4)	<b>Disciplining staff</b> Standard 110A	Standard 110
(5)	<b>Intranet</b> Standards 115, 116 or 117	Standard 118
(6)	<b>Raising awareness of Welsh language badge</b> Standard 130	Standard 130A
(7)	<b>Raising awareness of Welsh language badge</b> Standard 130A	Standard 130
(8)	<b>Recruitment and appointments</b> Standard 131	Standard 131A
(9)	<b>Recruitment</b> Standard 132	Standard 132A Standard 132B Standard 135
	<b>Internal signs</b>	Standard 138

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<i>Row</i>	<b>Column 1</b> <i>Main standard</i>	<b>Column 2</b> <i>Reliant standard</i>
(10)	Standard 136	

## PART 3

### INTERPRETING THE STANDARDS

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- 10** The standards specified in Part 1 of this Schedule must be interpreted as follows.
- 11**
- (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;
  - (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;
  - (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.
- 12** For the purposes of standards 115, 116 and 117 (a body’s intranet), references to treating the Welsh language no less favourably than the English language 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 the material (for example in relation to the colour, size, font and format of any text);
  - (b) when material is published on the intranet;

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but it does not mean that the Welsh language material must appear on the same page as the English language material, or on a page that is likely to open before the corresponding English language version of a page.

- 13** For the purposes of standards 132A (recruitment) and 136 (internal signs), references to treating the Welsh language no less favourably than the English language includes, 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 the 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 area;
  - (ch) when and how material is published, provided or exhibited;
  - (d) the publication format of the material.
- 14** For the purposes of the standards a requirement to publish, provide or display any written material in Welsh does not mean that material should be published, provided or, displayed in Welsh only, nor does it mean that the material should be produced in Welsh first (unless that is specifically stated in the standard).
- 15** Standards 115 to 118 (intranet) do not apply to—
- (a) documents to which a link is provided on the intranet, advertising material on the intranet, or to video and audio clips on the intranet (see standards 99 to 105 for specific provision in relation to documents);
  - (b) information presented by persons on an interactive page published on a body’s intranet (for example on a section for comments or on a discussion forum).
- 16** For the purposes of standards 131 and 131A only —
- (a) “post” includes a public appointment;
  - (b) “public appointment” means any appointment to a public body or public office.
- 17** Standard 139 does not apply when the message that you announce over a public address system is made during an emergency or an emergency drill.
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