

SCHEDULE 1

Regulation 2(1)

Service delivery Standards

PART 1

THE STANDARDS

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<b>1</b>	<b>Standards relating to correspondence sent by a body</b> <i>(1) When a body replies to correspondence</i>
<b>Standard 1:</b>	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.
	<i>(2) When a body initiates correspondence with several individuals</i>
<b>Standard 2:</b>	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.
	<i>(3) General standards relating to correspondence</i>
<b>Standard 3:</b>	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).
<b>Standard 4:</b>	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.
<b>2</b>	<b>Standards relating to telephone calls made and received by a body</b>
<b>Standard 5:</b>	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.
<b>Standard 6:</b>	Any automated telephone systems that you have must provide the complete automated service in Welsh.
<b>Standard 7:</b>	When you advertise an automated telephone service number you must not treat the Welsh language less favourably than the English language.

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**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 individual***

- Standard 8:** If you invite one individual only (“A”) to a meeting in Wales (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 conduct the meeting in Welsh, or if necessary, 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 conduct the meeting in Welsh, or if necessary, 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 conduct the meeting in Welsh, or if necessary, 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 they wish to use the Welsh language, and
  - (b) if that person (or at least one of those persons) has informed you that they wish to use the Welsh language at the meeting, provide a

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simultaneous or consecutive translation service from Welsh to English for that purpose (unless you conduct the meeting in Welsh without a translation service).

- Standard 13:** 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 ensure that a simultaneous translation service from Welsh to English is available at the meeting, and you must orally inform those present in Welsh—
- (a) that they are welcome to use the Welsh language, and
  - (b) that a simultaneous translation service is available.

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

- Standard 14:** 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 15:** 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 16:** Any publicity or advertising material that you produce where the anticipated audience is 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 17:** 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 18:** 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 19:** If you produce a form that is to be completed by an individual, you must produce it in Welsh.

- Standard 20:** 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 21:** If you produce a document (but not a form) for 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 22:** 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);

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- (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.

**9 Standards relating to investigation of registrants which may lead to legal proceedings**

**Standard 23:** You must state in publications, guidance and notices that you produce informing registrants (“R”) about investigations that may lead to legal proceedings by you, that the R about whom the investigation is being conducted may submit forms and documents and make written representations to you in Welsh in relation to that investigation.

**Standard 24:** If you produce a form in relation to an investigation that may lead to legal proceedings by you that is to be completed by a registrant about whom the investigation is being conducted, you must produce it in Welsh.

**Standard 25:** Where you contact a registrant (“R”) for the first time in relation to an investigation that may lead to legal proceedings by you against that R, you must ask the R to indicate whether R wishes to speak Welsh in meetings and scheduled telephone calls relating to the investigation.

**Standard 25A:** If a registrant (“R”) has informed you that R wishes to use the Welsh language in meetings and scheduled telephone calls relating to the investigation, you must conduct the meeting or the scheduled call in Welsh or, if necessary, arrange for a simultaneous or consecutive translation service from Welsh to English to be available at the meeting.

**Standard 26:** Where you contact a registrant (“R”) for the first time in relation to an investigation that may lead to legal proceedings by you against that R, you must ask R to indicate whether R wishes to receive copies in Welsh of forms and documents that you produce in relation to the investigation and which are to be available to R.

**Standard 26A:** Where a registrant (“R”) has indicated that they wish to receive copies in Welsh of forms and documents that you produce in relation to the investigation and which are to be made available to that R, you—

- (a) must provide such forms and documents in Welsh in relation to an investigation that may lead to legal proceedings against that R, and
- (b) must not treat the production of them less favourably than forms and documents you produce in English.

**Standard 27:** Where you receive forms or documents in Welsh from a registrant (“R”) in relation to an investigation that may lead to legal proceedings about that R, 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 legal proceedings**

**Standard 28:** You must state in publications, guidance and notices that you produce informing registrants about legal proceedings that the registrant who is the

subject of the legal proceedings may submit forms and documents and make written representations to you in Welsh in relation to those proceedings.

**Standard 29:** If you produce a form in relation to legal proceedings that is to be completed by a registrant who is the subject of legal proceedings, you must produce it in Welsh.

**Standard 30:** Where a registrant (“R”) who is the subject of legal proceedings contacts you for the first time to respond to those legal proceedings, you must ask the R to indicate whether the R wishes to speak in Welsh in those legal proceedings<sup>(1)</sup>.

**Standard 30A:** 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 31:** Where a registrant who is the subject of the legal proceedings (“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 in relation to those legal proceedings and which are to be available to R.

**Standard 31A:** Where a registrant (“R”) has indicated that they wish to receive copies in Welsh of forms and documents that you produce in relation to those legal proceedings and which are to be made available to that 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 documents you produce in English.

**Standard 32:** Where you receive forms or documents in Welsh from a registrant who is the subject of legal proceedings (“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).

## 11 Standards relating to a body’s websites and on-line services

**Standard 33:** 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 34:** 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.

## 12 Standards relating to a body’s use of social media

**Standard 35:** If a person contacts you by social media in Welsh, you must reply in Welsh (if an answer is required).

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

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- Standard 36:** When you use social media and post content which relates exclusively to Wales, you must publish the message in Welsh.
- 13**                    **Standards relating to notices made by a body**
- Standard 37:** Any 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 38:** When you publish or display a 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.
- 14**                    **Standards for raising awareness about Welsh language services provided by a body**
- Standard 39:** You must promote any Welsh language service that you provide, and advertise that service in Welsh.
- Standard 40:** 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.
- 15**                    **Standard relating to a body’s corporate identity**
- Standard 41:** 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

- 16**                    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 Main standard</i>	<i>Column 2 Reliant standard</i>
(1)	<b>Replying to correspondence</b> Standard 1	Standard 4
(2)	<b>Corresponding with several persons</b> Standard 2	Standard 3

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		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>Public meetings</b> Standard 10	Standard 13
(7)	<b>Public meetings</b> Standard 13	Standard 10
(8)	<b>Documents</b> Standard 19, 20, or 21	Standard 22
(9)	<b>Investigation that may lead to legal proceedings</b> Standard 26	Standard 26A
(10)	<b>Investigation that may lead to legal proceedings</b> Standard 26A	Standard 26
(11)	<b>Legal proceedings</b> Standard 30	Standard 30A
(12)	<b>Legal proceedings</b> Standard 30A	Standard 30
(13)	<b>Legal proceedings</b> Standard 31	Standard 31A
(14)	<b>Legal proceedings</b> Standard 31A	Standard 31

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## PART 3

### INTERPRETING THE STANDARDS

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- 17** The standards specified in Part 1 of this Schedule must be interpreted as follows.
- 18** 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.
- 19** 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.
- 20** 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).
- 21**
- (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 Senedd Cymru;
    - (ch) section 35(1C) of the 2006 Act; or
    - (d) the Senedd 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(2);
    - (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(3);

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(2) 1993 c. 38.

(3) 2006 c. 32.



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- (ch) “Standing Orders of the Senedd” means standing orders made under section 31 of the 2006 Act;
  - (d) “the Senedd Commission’s Official Languages Scheme” means the Scheme adopted and published under paragraph 8 of Schedule 2 to the 2006 Act.
- 22** For the purpose of standards 2, 16, 19, 20 and 21, 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.
- 23** 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.
- 24** For the purposes of the standards, “meetings” do not include legal proceedings.
- 25** Standard 15 does not apply when the message that you announce over a public address system is made during an emergency or an emergency drill.
- 26** Standard 17 does not apply to material displayed on a body’s website.
- 27** (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.
- 28** (1) Standard 19 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.

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- 29 For the purposes of standard 21, 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(4).
- 30 Standard 21 does not apply to a document produced wholly or mainly for registrants.
- 31 Standards 21 and 22 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.
- 32 For the purposes of these standards “legal proceedings” means legal proceedings in relation to a registrant.
- 33 For the purposes of standards 25 and 26 a body contacts a registrant for the first time when it contacts the registrant for the first time after the date on which a compliance notice has required the body to comply with the standard.
- 34 For the purposes of standards 30 and 31 a registrant contacts a body for the first time when the registrant contacts the body for the first time after the date on which a compliance notice has required the body to comply with the standard.
- 35 Standards 33 to 34 (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 21 and 22 for specific provision in relation to documents and standard 16 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).
- 36 Standards 1 to 4 (correspondence) do not apply to correspondence sent by social media (see standard 35 in relation to social media).
- 37 Standards 35 and 36 (social media) do not apply to—
- (a) documents to which a link is provided through social media, or to video and audio clips provided through social media (see standards 21 and 22 for specific provision in relation to documents, and standard 16 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).
- 38 For the purposes of standards 37 and 38 a “notice” does not include notices prescribed by an enactment.
- 39
- (1) For the purposes of standard 41, 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 41 does not apply to the extent that an enactment requires a body to use a legal name.

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(4) 2000 c. 36.

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