

Ymatebion/Responses: : PG-001 – PG-050

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Cyhoeddir yr ymatebion yn y pecyn hwn a'r pecynnau dilynol yn yr iaith (neu ieithoedd) y cawsant eu cyflwyno.

The responses in this bundle and subsequent bundles are published in the language (or languages) in which they were submitted.

Mae'r seren '*' yn dynodi ymateb a ddaeth i law fel rhan o ymgyrch Cymdeithas yr Iaith Gymraeg. Ceir copi o'r ymateb ar ddiwedd pecyn ymatebion rhifau 251-505.

The asterisk '*' denotes a response which was received as part of a campaign by Cymdeithas yr Iaith Gymraeg. A copy of the response is available at the end of the bundle of responses numbered 251-505.

PG-001 – Godfrey Northam

Diolch am hyn. Rwyf wedi ei yrru ymlaen. Mae 66 o dudalennau'n ormod i'w darllen ond yr ofn yw'r hen ddywediad " Os nad ydych eisiau i rywbeth symud ymlaen, rhowch o i bwyllgor" h.y. a ydy comisynewyr yn lle comisiynydd yn mynd i arafu pethau ? Godfrey

Rhan 1: Hybu'r Gymraeg

Cwestiwn 1 – Ym mharagraffau 49–54, rydym wedi amlinellu'r rôl yr ydym yn cynnig y dylai Llywodraeth Cymru ei chwarae i hybu'r Gymraeg, h.y. swyddogaethau'r Llywodraeth i hybu'r Gymraeg. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys p'un a oes meysydd y dylid eu hychwanegu neu eu tynnu o'r rhestr ym mharagraff 53.

Cwestiwn 2 – Yn Nhabl 1, rydym wedi amlinellu'r adnoddau mewn perthynas â'r swyddogaethau cyffredinol i hybu'r Gymraeg yr ydym o'r farn y dylent fod ar gael i unrhyw gorff neu gyrff sy'n helpu yn y gwaith o hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 3 – A ydych chi'n cytuno â'r opsiwn a ffefrir gennym (Opsiwn 4), sef un corff i fod yn gyfrifol am hybu'r Gymraeg ac am fonitro a gorfodi cydymffurfiaeth â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Os ydych yn anghytuno, nodwch pa opsiwn (gan gynnwys opsiynau nad ydym wedi'u trafod yn y Papur Gwyn) y dylem ei ystyried yn eich barn chi.

Sylwadau ategol

Cwestiwn 4 – Rydym wedi seilio ein dewis, sef un corff, ar sail eglurder, cydnawsedd a gwerth am arian. A ydych chi'n cytuno â'n sail resymegol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 5 – Pa faterion perthnasol eraill y dylem eu hystyried wrth wneud ein cynnig terfynol ynghylch pa gorff neu gyrff ddylai hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau?

Sylwadau ategol

Mae bwysig hybu'r Gymraeg yn ein gymdeithas mor gymaint a phosib, i normalieddio y Gymraeg, pwysleisio manteision i fusnesau defnyddio Cymraeg "Y Punt Gymraeg" a phwysleisio manteision rhieni anfon eu plant i addsyg Gymraeg i greu dinasyddion dwyieithog. Un peth arall sydd yn gweithio ydi pan mae bobl yn gwisgo bathodyn neu rhuban i fynd o amgylch eich gwddw sy'n nodi eich bod yn ddwyieithog, mae hynny'n ddefnyddiol iawn.

Cwestiwn 6 – A oes gennych unrhyw sylwadau pellach ar Ran 1 y Papur Gwyn?

Rhan 2: Llywodraethiant ac atebolrwydd

Cwestiwn 7 – Ym mharagraffau 93–95, rydym wedi nodi rhai gofynion cyffredinol yn ymwneud â threfniadau llywodraethu ac atebolrwydd y corff. Beth yw eich barn chi am y gofynion cyffredinol hyn, ac a oes yna fesurau monitro a ffrwyno eraill a ddylai fod yn weithredol ar y corff arfaethedig?

Sylwadau ategol

Cwestiwn 8 – A ydych chi'n cytuno â'r opsiwn a ffefrir gennym (Opsiwn 3), sef i sefydlu Comisiwn y Gymraeg i hybu a hwyluso defnyddio'r Gymraeg a monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 9 – Beth yw eich barn chi am y dadansoddiad rydym wedi'i ddarparu sy'n cefnogi ein dewis ni, sef Opsiwn 3? A oes unrhyw ystyriaethau eraill y dylem eu hystyried wrth wneud unrhyw gynnig terfynol?

Y peth sylfaenol bwysig ydy hybu defnydd yr iaith Gymraeg ym mhob ran o'n gymdeithas. A bod y Comisiwn yn datblygu ac adeiladu ar gwaith Comisinydd Iaith Meri Huws.

Cwestiwn 10 – A ydych chi'n credu bod Opsiwn 3 yn diogelu annibyniaeth y Comisiwn arfaethedig yn ddigonol yng nghyd-destun arfer swyddogaethau ar gyfer monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Ydw	<input type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input checked="" type="checkbox"/>
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Sylwadau ategol

Dwi'n ansicr os yw'n ddigonol neu beidio ond mae diogelu annibyniaeth yn bwysig.

Cwestiwn 11 – A oes unrhyw faterion ychwanegol i'r rhai a restrir ym mharagraffau 121–122 y dylem eu hystyried wrth ystyried trefniadau i sefydlu'r Comisiwn arfaethedig?

Oes	<input checked="" type="checkbox"/>	Nac oes	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 12 – A ydych chi'n cytuno â'n cynnig i symud y gofyniad ar Lywodraeth Cymru i lunio strategaeth ar gyfer y Gymraeg o Ddeddf Llywodraeth Cymru 2006 i'r Bil y Gymraeg newydd?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 13 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru adrodd i'r Cynulliad ar strategaeth y Gymraeg bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input checked="" type="checkbox"/>
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Sylwadau ategol

Cwestiwn 14 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gyhoeddi cynllun yn nodi sut y bydd yn gweithredu'r strategaeth bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 15 – A ydych chi'n cytuno â'n cynnig i ddiddymu Cyngor Partneriaeth y Gymraeg a rhoi'r pŵer i Lywodraeth Cymru geisio cyngor gan y Comisiwn arfaethedig, sef Comisiwn y Gymraeg?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input checked="" type="checkbox"/>
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Sylwadau ategol

Cwestiwn 16 – A oes gennych unrhyw sylwadau eraill ar Ran 2 y Papur Gwyn?

Rhan 3: Safonau'r Gymraeg

Cwestiwn 17 – Rydym yn cynnig y dylid mabwysiadu model diwygiedig o'r Safonau (Opsiw 2) fel y ffordd orau o sicrhau hawliau pobl i dderbyn gwasanaethau Cymraeg. A ydych chi'n cytuno â'r cynnig hwn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ddiwygiadau pellach yr hoffech eu gweld i'r system bresennol, neu unrhyw ddulliau gweithredu eraill y dylem eu hystyried yn eich barn chi.

Cwestiwn 18 – Rydym wedi seilio'r cynnig rydym yn ei ffafrio i ddiwygio'r Safonau (Opsiw 2) ar sail yr eglurder, y capasiti ar gyfer gwella a'r costau newid sy'n gysylltiedig â phob opsiwn (paragraffau 163–165). A ydych chi'n cytuno â'n dadansoddiad?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ffactorau eraill y dylem eu hystyried wrth lunio unrhyw gynigion terfynol.

Cwestiwn 19 – A ydych chi'n cytuno â'r cynnig i ddiddymu'r dosbarthiadau presennol o Safonau, a gwahaniaethu rhwng 'Safonau' (a fyddai'n berthnasol i wasanaethau) a 'dyletswyddau cynllunio ieithyddol' (a fyddai'n berthnasol i ddyletswyddau corfforaethol)?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 20 – A ydych chi o'r farn y dylid cynnwys darpariaethau sy'n ymwneud â Chynlluniau Strategol y Gymraeg mewn Addysg yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 21 – Oes yna unrhyw faterion eraill y dylid, yn eich barn chi, eu cynnwys yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Oes	<input type="checkbox"/>	Nac oes	<input type="checkbox"/>	Ansicr	<input checked="" type="checkbox"/>
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Sylwadau ategol

Cwestiwn 22 – A ydych chi'n cytuno y dylai fod gan y Comisiwn arfaethedig bwerau cyffredinol i gynnal ymchwiliadau i sut mae cyrff yn cyflawni eu dyletswyddau o ran y Gymraeg, a fyddai'n cynnwys y Safonau a'r dyletswyddau cynllunio ieithyddol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 23 – A ydych chi'n cytuno â'n cynnig y dylai'r Comisiwn arfaethedig fonitro a chefnogi cyrff mewn perthynas â'u dyletswyddau cynllunio ieithyddol, yn hytrach na'u gorfodi?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Rwy'n cytuno â'r cynnig y dylai'r Comisiwn arfaethedig fonitro a chefnogi cyrff mewn perthynas â'u dyletswyddau cynllunio ieithyddol ond nad ydynt yn cymryd eu dyletswyddau o ddifri mae rhaid felly gorfodi.

Cwestiwn 24 – A ydych chi'n cytuno â'n cynnig i roi cyfrifoldeb am osod Safonau ar gyrff i Lywodraeth Cymru, p'un ai drwy hysbysiad cydymffurfio neu drefn arall?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 25 – A ydych chi'n cytuno â'n cynnig y dylai pob un o'r rheoliadau i wneud Safonau fod yn destun ymgynghoriad cyhoeddus llawn cyn gofyn am gymeradwyaeth y Cynulliad?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input checked="" type="checkbox"/>
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Sylwadau ategol

Cwestiwn 26 – A ydych chi'n cytuno â'n cynnig i ddiddymu Ymchwiliadau Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input checked="" type="checkbox"/>
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Sylwadau ategol

Cwestiwn 27 – A ydych chi'n cytuno â'n cynnig y dylid rhoi pwerau i gyhoeddi codau ymarfer neu ganllawiau mewn perthynas â'r Safonau i Lywodraeth Cymru?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 28 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gael pŵer i osod Safonau ar yr holl gyrff mewn sector yn uniongyrchol drwy reoliadau, heb fod angen hysbysiad cydymffurfio neu drefn arall gyffelyb?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ar y materion y dylem eu hystyried wrth lunio Safonau i'w gosod yn uniongyrchol ar gyrff o fewn sector, p'un a ddylai gyrff unigol barhau â'r hawl i herio Safon sydd wedi'i gosod arnynt, a ph'un a ddylid cael proses ymgynghori fwy trwyadl.

Cwestiwn 29 – Pa ffactorau y dylid eu cymryd i ystyriaeth neu pa weithdrefn y dylid ei dilyn er mwyn sicrhau bod y broses o osod Safonau ar Lywodraeth Cymru yn deg a thryloyw?

Sylwadau ategol

Cwestiwn 30 – A ydych chi'n cytuno â'n cynnig y dylid gorfod delio â chwynion drwy weithdrefn gwyno'r corff perthnasol cyn y caiff y Comisiwn arfaethedig, sef Comisiwn y Gymraeg, ymchwilio i fethiant honedig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 31 – A ydych chi'n cytuno â'n cynnig fod yn rhaid i gyrff gadw at weithdrefn gwyno sydd wedi'i chymeradwyo, fel y Polisi Pryderon a Chwynion Enghreifftiol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 32 – A ydych chi'n cytuno â'n cynnig mai dim ond os yw o'r farn fod yr achos honedig o dorri Safon neu weithdrefn gwyno yn un ddifrifol y dylai'r Comisiwn arfaethedig gael cymryd camau gweithredu pellach mewn perthynas â chŵyn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ar ein diffiniad o 'achos difrifol' ym mharagraff 219.

Cwestiwn 33 – A ydych chi'n cytuno â'n cynnig i ganiatáu i'r Comisiwn arfaethedig gynnal ymchwiliad ar ei liwt ei hun?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 34 – A ydych chi'n cytuno fod y camau gweithredu a ddisgrifir ym mharagraff 225 yn darparu amrywiaeth effeithiol o gamau gorfodi?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw syniadau ynghylch camau gorfodi eraill a wrthodwyd neu nad ydynt wedi cael eu hystyried yn y Papur Gwyn.

Cwestiwn 35 – Ar hyn o bryd, mae gan y Comisiynydd bwerau i osod dirwy sifil o hyd at £5,000 ac, mewn rhai amgylchiadau, i ofyn am orchymyn llys i'w gwneud yn ofynnol i gorff gydymffurfio. A ydych chi'n cytuno â'n cynnig y dylid cadw'r pwerau hyn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ynghylch y ddirwy sifil uchaf y dylai'r Comisiwn arfaethedig allu ei gosod (os o gwbl).

Cwestiwn 36 – A ydych chi'n cytuno â'n cynnig i gadw rôl y Tribiwnlys mewn perthynas â phenderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 37 – A ydych chi'n cytuno â'n cynnig y dylai'r Tribiwnlys hefyd ymdrin ag apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 38 – Rydyn ni'n cynnig cyflwyno cam cyntaf gorfodol ar gyfer y Tribiwnlys mewn perthynas ag apelau yn erbyn penderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi Safonau. Byddai'r cam cyntaf yn ei gwneud yn ofynnol i'r Tribiwnlys roi caniatâd ar y sail bod siawns rhesymol y bydd y cais yn llwyddo neu pan fo rheswm cryf arall pam y dylai'r cais gael ei glywed. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 39 – A ydych chi o'r farn y dylai'r cam cyntaf gorfodol arfaethedig fod yn gymwys i apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 40 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 3 y Papur Gwyn?

Rhan 4: Cwmpas y cyrff sy'n ddarostyngedig i ddeddfwriaeth y Gymraeg

Cwestiwn 41 – A ydych chi'n cytuno â'n cynnig i ddileu'r cyfyngiadau yn y Mesur fel bod Llywodraeth Cymru'n meddu ar y pŵer i wneud Safonau'n gymwys i unrhyw gorff o fewn cymhwysedd deddfwriaethol y Cynulliad?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 42 – A ydych chi'n cytuno â'n cynnig mai dim ond mewn perthynas â'r gwasanaethau y maent yn eu cyflenwi i'w cwsmeriaid y dylai busnesau yn y sector preifat fod yn agored i orfod cydymffurfio â Safonau?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ynghylch unrhyw gyfyngiadau y dylid eu rhoi ar y pwerau i osod Safonau ar fusnesau preifat.

Cwestiwn 43 – A ydych chi'n cytuno â'n cynnig mai dim ond fel rhan o becyn ehangach o weithgarwch sy'n hybu'r Gymraeg ac yn cynyddu ymwybyddiaeth ohoni y dylid gosod Safonau ar fusnesau preifat?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 44 – Os rhoddir pwerau i Lywodraeth Cymru i osod Safonau ar unrhyw gorff o fewn cymhwysedd y Cynulliad, a ydych chi o'r farn y dylai Safonau gael eu gosod ar unrhyw gorff neu sector nad yw ar hyn o bryd o fewn cwmpas deddfwriaeth ynghylch y Gymraeg?

Ydw	✓	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 45 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 4 y Papur Gwyn?

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Rhan 5: Asesu effaith ein cynigion

Cwestiwn 46 – Rydym wedi asesu effaith ein cynigion ar gydraddoldeb, plant, pobl ifanc a'u teuluoedd, a'r Gymraeg. A oes gennych chi sylwadau ar unrhyw un o'r asesiadau hyn?

Cwestiwn 47 – Hoffem wybod eich barn ar yr effeithiau y byddai'r cynigion yn ein Papur Gwyn yn eu cael ar y Gymraeg, yn benodol ar:

- i) gyfleoedd i bobl ddefnyddio'r Gymraeg
- ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Pa effeithiau fyddai, yn eich barn chi? Sut mae cynyddu effeithiau cadarnhaol neu liniaru effeithiau negyddol?

Sylwadau ategol

Cwestiwn 48 – Eglurwch hefyd sut gellid ffurfio neu newid yr opsiynau arfaethedig:

- i) fel eu bod yn cael effeithiau cadarnhaol neu fwy o effeithiau cadarnhaol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg
- ii) fel nad ydynt yn cael effeithiau andwyol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Sylwadau ategol

Cwestiwn 49 – Rydym wedi gofyn nifer o gwestiynau penodol. Os oes gennych chi faterion perthnasol nad ydym wedi rhoi sylw penodol iddynt, defnyddiwch y blwch isod i roi gwybod i ni amdanynt.

Fuasa'n wych gweld lawer fwy o feddygon teulu, deintyddion ac optegwyr sydd yn ddwyieithog.

Mae ymatebion i ymgynghoriadau yn debygol o gael eu gwneud yn gyhoeddus, ar y rhyngrwyd neu mewn adroddiad. Os byddai'n well gennych i'ch ymateb aros yn ddienw, ticiwch yma:

Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

The entire approach is wrong and is actually creating resentment. Parental 'choice' is mentioned but in many areas that is being removed from parents with WM education being given priority. It is extremely divisive.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Too much money is being spent on the language at a time when other areas, such as education and health, are suffering from lack of funding. Encourage people to take up the language, but stop enforcing it.

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

Detest this 'enforcing compliance'. It's like a totalitarian state. What's the point of changing the system yet again. Should rather but a clear questionnaire out to all people in Wales asking for their views on the future of the language.

Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

No 'value for money' where this is concerned and if you read comments across all forms of media, then you'd realise that.

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

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Question 6 – Do you have any further comments on Part 1 of the White Paper?

Waste of precious money.

Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

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Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

I don't feel you are serious in seeking responses to this. The only people who will bother with this are the zealots who want us all to speak Welsh all of the time. Taking Wales back into the past.

Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Needs regular feedback so we all know what is going on with this lunacy.

Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

As above.

Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Have you actually read that question? It's like something out of 'Alice in Wonderland'.

Question 16 – Do you have any further comments on Part 2 of the White Paper?

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Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

What about people's rights to not speak Welsh? The minority is trying to control the majority.

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

No clarity whatsoever in all of this.

Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Given the terrible record of the Welsh Government in education it is about time that this focus on the Welsh Language was put on the back burner.

Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Just come up for air and consider what the majority of people actually want.

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Shocking. This is incredibly dictatorial.

Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Not sure it makes much difference as the intention is clearly to 'enforce'.

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

A clear and easy to access public consultation.

Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

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Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

All debates/discussions should be available on a live feed and documents should be immediately accessible on a website for public scrutiny and open comment.
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Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including any comments on our definition of a ‘serious breach’ in paragraph 219.

Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission’s decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

Question 40 – Do you have any further comments on Part 3 of the White Paper?

Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly’s legislative competence?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

It's gone too far already. This is all going to deter businesses as the costs place an additional burden on them.

Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly’s competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 45 – Do you have any further comments on Part 4 of the White Paper?

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

Nowhere near enough consideration of what the majority of people in Wales think and want about the imposition of the Welsh Language on so many parts of our lives.

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

Welsh language speakers are now getting priority treatment over English speakers, particularly when it comes to jobs. This is discriminatory and I would like to see a test case brought.

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:



Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

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Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

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Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

Question 6 – Do you have any further comments on Part 1 of the White Paper?

Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body’s governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

No requirements needed. Very little support for welsh by 90 percent of the population.

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies’ compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

Welsh Language should be decided by the People of Wales and choices should be made by a referendum.

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies’ compliance with Standards?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

n/a

Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

n/a No commission required by the majority.
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Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

n/a

Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

n/a

Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

n/a

Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Abolish the Welsh Language Commission also.

Question 16 – Do you have any further comments on Part 2 of the White Paper?

Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

Welsh language should be an option not an obligation. 10 percent of people in wales speak welsh. The idea was for fairness.but 90 percent have been dragged into this.

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

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Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Classification of standards leads to discrimination and division. Allow people to choose their level of criteria.

Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Modern Foreign languages should have more support in this modern day world and these should be placed as a higher priority.

Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Remove powers and restrictions and return wales back to being democratic again.

Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Extra red tape for industry causes animosity and a loss of jobs.
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Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

A referendum would be best applied.

Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Bring in modern foreign language boards to help bring wales back to the future.

Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

People of Wales should be given powers.

Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

Nobody should. There are more important priorities.

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

The Welsh Government has a duty to its people. Listen to the people.

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

There should be no law with regards to how people choose to speak.

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

There should be no law with regards to how people choose to speak.

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a ‘serious breach’ in paragraph 219.

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Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Remove the law and allow the people to choose.
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Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

The Welsh Language law was written by a few for the many. Allow the people to choose.

Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

This is highly opposed by the majority of wales.
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Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

No law should be applied to languages in Wales. The choice should be given to the people.

Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission's decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

No tribunal should even exist that takes away a freedom of choice.

Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

No tribunal should even exist that takes away a freedom of choice.

Question 40 – Do you have any further comments on Part 3 of the White Paper?

Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly’s legislative competence?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

No law should even exist that takes away peoples freedom of choice.

Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

No law should even exist that takes away peoples freedom of choice.

Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

No law should even exist that takes away peoples freedom of choice

Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly’s competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

No law should even exist that takes away peoples freedom of choice

Question 45 – Do you have any further comments on Part 4 of the White Paper?

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

Children's education in modern foreign languages in Wales are deteriorating. Welsh should be left to peoples `choice`.

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

Place English back as a priority language for 90 percent of the populations. English should come first and should not be discriminated against.

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

The welsh language is a `fed` system and puts the English language less favorably as only 10 percent of people speak welsh, it should be only considered on a 10 percent level.

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

A lot of the questions are related to whether `something could be improved or changed` but not questioned as to whether they should

be` there at all`. The interpretation from the answers of this questionnaire could be misled, and construed as a approval, when in fact its not.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:



Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

I think however that the consultation document does not adequately make clear the distinction between "facilitating", "promoting" and "marketing". The consultation document fails to explain how the language should be "marketed" in the true sense of the word. The Government needs to undertake further research into the benefits of marketing Welsh rather than 'merely' promoting it.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

I cannot comment on Table 1 without seeing what are the proposed outcomes. Surely a budget should be based on outcomes? What will I get for my money? Only then can I judge whether the money is value-for-money or whether it could/should be allocated elsewhere. The carrot and stick approach suggested by Table 1 is appropriate but what evidence is there that the 'stick' is increasing the number of Welsh-speakers? Again we need to look at outcomes to see whether the balance is right.

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

Whilst there are no equivalents, it's interesting to note the role of the Information Commissioner when it comes to data protection, where the Commissioner has both a 'policing' role but also a role in promoting good behaviour. What is notable is that in the field of data protection there are a huge number of other commercial bodies, including chartered professional bodies, legal firms, and marketing consultants who are all promoting compliance with data protection. Of course there is self-interest: they aren't doing it for charitable reasons. We do not have a plethora of private-sector businesses with the same cash, clout and self-interest who could promote Welsh. The body which sets standards may well be the body who can answer questions regarding compliance, but that's a very different role from marketing Welsh. Marketing (as opposed to facilitation) of Welsh should therefore rest with another body, but is the Welsh Government the correct body to undertake that role? Do civil servants have the right marketing skills? If Visit Wales is the model, there are many who question its efficacy, partly because of the limitations placed upon it by being within Government. For the same reason Ken Skates is considering taking Cadw out of Government in order for it to be able to operate flexibly. Surely the same would apply to a Welsh Marketing Agency? Shouldn't marketing Welsh go out to tender and be driven by a commercial incentive? A version of option 3 therefore is preferable.

Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Synergy does not necessarily require one body, indeed taking Awarding Bodies as a model one can see the tension between those with responsibility for maintaining the integrity of the qualification against those who are promoting uptake of the qualification. In that case 'Chinese walls' are required. Two separate bodies would have a much clearer identity. A Welsh-language Marketing Agency would have a clear brand. Authenticity is key to marketing and a separate agency would not be viewed (by some) as being the 'language police' and so would be more 'welcoming' to those wishing to dip their toes in the Welsh market without fear of standards being imposed upon them. Synergy can be achieved by having clear terms of reference and clear objectives. Value for money can be achieved by competitive tendering, which may well result in administration costs well below civil service rates.

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

You need to clarify the difference between 'policing standards', 'facilitation', 'promotion' and 'marketing'. You also need to clarify what success looks like and set 'SMART' targets.

Question 6 – Do you have any further comments on Part 1 of the White Paper?

Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

It is significant that the House of Lords recommended a body governed by a board rather than an individual for regulators. This again underlines that one body may not be appropriate to undertake regulation and marketing. I do not see that a body governed by a Board in any way reduces the need for a strong leader (CEO). A non-exec Board should provide oversight and ultimately take responsibility for strategy, but it is the senior executives who deliver.

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

I do not see what's different between the current situation, having a Welsh Language Commissioner, and the proposed Welsh Language Commission other than the suggestion that a Commission would not depend so much on an individual. That's false. A Commission would need a strong leader to deliver the Commission's objectives.

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

You say "...the legislation will make provision to require the body to engage extensively with the public and stakeholders on its key decisions and policies..." but defining that in legislation will be very difficult. You need to define exactly what you mean by 'engage' and 'extensively'. The answers you get from 'engagement' will depend upon what you ask, whom you ask and how you ask. Over the lifetime of the legislation, methods of engagement will change (think for example how social media has impacted over the last ten years and who knows what might arise in the next ten years).

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

Who will appoint the Board? If the appointment is subject to the approval of the Minister then there is democratic oversight in theory, but in practice the appointments could be highly political. Should appointments be subject to oversight by an Assembly committee?

Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

There must be an opportunity for either a separate Marketing Agency or for the Commission to be able to outsource some of its functions as it seems fit to commercial organisations.

Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

It should remain as at present to ensure that the Welsh Government as a whole 'owns' the problem. The solution may well be delivered by the Commission, but the language is of fundamental importance to Wales as a nation and as such should be a Welsh Government strategy, informed by the work of the Commission.

Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Strategies are long-term, so a five-year strategy makes sense. On the other hand

successful strategies are not immutable; they change and adapt to current circumstances which were unforeseen at the time the strategy was developed. There is no conflict between having a long-term strategy and having annual updates.

Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Similarly a long-term strategy requires a long-term plan, but again this will be subject to change (take for example Brexit which will impact on all aspects of the Government of Wales). Clearly one cannot ignore changing circumstances and it is entirely reasonable for the Government to report annually. It need not be a long report if there have been no significant changes to the plan, but the assumption must be that the plan will change and adapt over time.

Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Firstly I don't agree that promotion (marketing) of the Language should necessarily fall within the remit of the Commission. Secondly the Partnership Council is surely a useful tool to engage with stakeholders which you have proposed to include within the legislation. I do not see therefore why the Partnership Council cannot continue and to support the Commission. Nevertheless one would want to see what are the aims and objectives of the Partnership Council and assess to what extent those aims have been achieved. The consultation document does not provide the necessary evidence on which one can take a view.

Question 16 – Do you have any further comments on Part 2 of the White Paper?

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Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

I support simplification and a reduction of bureaucracy but only if this is introduced in tandem with a widening of the scope of bodies which are subject to the Standards. Indeed there are many bodies named in the original legislation which have not yet been impacted by the Standards. There should be no excuse for delaying the application of reformed Standards widely.

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

If the Standards are simplified then a timetable should be established for including significant private-sector businesses within the Act.

Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between 'Standards' (which would relate to services) and 'language planning duties' (which would relate to corporate duties)?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Language planning expertise is essential to ...maintain and improve the position of Welsh within communities and everyday life." If so, then Language Planning should extend to selected parts of the private sector because they impact significantly on "communities and everyday life".

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

There's no point having statutory language planning duties if ultimately they are not enforced by someone.

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

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Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Establish an Online Dispute Resolution system to deal with alleged failures.
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Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a 'serious breach' in paragraph 219.

It should take action regardless of the seriousness, but what action it takes will necessarily be proportionate.
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Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

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Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

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Question 36 – Do you agree with our proposal to retain the Tribunal's role in relation to the proposed Commission's decisions regarding enforcing bodies' compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

But once again perhaps the Tribunal should adopt an Online Dispute Resolution model to deal with the majority of cases.

Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Supporting comments

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Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

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Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly's competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

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- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:



Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

You should be adding Welsh language education, particularly for adults, as a key priority. Obviously education for children in schools will increase the number of Welsh speakers but there is a significant equality issue in failing to provide easy-to-access (i.e. frequent and affordable) Welsh lessons for adults. As more and more services will be required to be delivered in Welsh, anyone living in Wales who wasn't fortunate enough to have been educated their whole life here will lose out, be unable to get jobs and feel unable to remain in Wales. This will lead to massive brain drain, a problem we already have, particularly with graduates. English people and those from other parts of the world (like refugees, or people who've migrated to Wales from elsewhere in Europe) should have a fair chance to learn and use the Welsh language too. This should have been considered as part of an equality impact assessment. BAME people will almost certainly be adversely affected.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Again you're missing huge funding for Welsh language education.

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

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Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

Education education education

Question 6 – Do you have any further comments on Part 1 of the White Paper?

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Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

They seem fine. Education is missing again though.
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Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Enforcing compliance with standards needs to be coupled throughout with an equality impact caveat. We cannot allow people to be pushed out of the workforce,
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or kept in lower skilled jobs than they could be because bodies are required to use Welsh. Make it possible for people to learn Welsh. As you go on the standards will inevitably start to be extended (whether in law or expectation) to private businesses and the third sector, etc. These organisations do not have space in the budget to be paying for their employees to have Welsh lessons like the public sector can afford. There must be government funding made available for this.

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

The government should be reporting to the Assembly on all strategic targets (not just Welsh language but everything from health to transport) as frequently as practicable. Scrutiny of decision making is lacking in Wales and we must put a stop to that.

Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Make it easier for the government to publish plans and that won't be a burden.

Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 16 – Do you have any further comments on Part 2 of the White Paper?

Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

The standards should be coupled with equality impact assessments, both for staff (who may not be able to speak Welsh and may therefore miss out on promotion or

job opportunities) and for service users or equivalent.

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Adult education funding!

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

The government should have to at least consult with a sector before imposing standards, and standards should be developed in collaboration. Government instinct for ownership is damaging the way the country is run. Co-production would work better for everyone. Examples of this would include organisations which don't operate in the way the commissioner or standards-setting body expect. For example, the use of Twitter. You could require every tweet to be posted in Welsh but you would potentially literally be forcing someone (who's a twitter expert, but not a Welsh speaker) out of their job. There's also a significant consideration to be made as regards the modern workplace generally. It's important that standard-setting bodies are made up of a range of people from a wide variety of sectors and backgrounds. BAME people, working class, all parts of Wales and those with experience in manual work, low-paid work, insecure work, fast-moving tech companies, start ups, call centres etc. Don't just assume government policy experts actually know what the reality is like for organisations.

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

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Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body’s complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a ‘serious breach’ in paragraph 219.

Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

This needs to be handled with care to avoid prejudice.

Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission’s decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

Question 40 – Do you have any further comments on Part 3 of the White Paper?

Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly's legislative competence?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

With caveats for equality impact assessments, liaison with trade unions and impact on the non-Welsh-speaking workforce.

Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

Again this must be handled extremely carefully. People could lose jobs and then Wales will lose talent.

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Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly's competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 45 – Do you have any further comments on Part 4 of the White Paper?

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Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

Age impact: You have not considered people still in the workforce who were educated in Wales before the teaching of the Welsh language was compulsory. These people could be disadvantaged by not being able to do the jobs they currently do (or promotions) due to not being able to speak Welsh. Visual impairment: I don't feel that the impacts here have been properly considered. You have identified that there is a need for future technology, like screen reading software which can cope with bilingual text, but in the absence of that currently existing, you could be making text very inaccessible. You might consider a standardised form for bilingual text that will be read by a screen-reader. Side-byside bilingual text is a nightmare for everyone from designer to user so this is a good thing anyway. Transgender: Does the Welsh lexicon, standardised for use by public bodies, include a full set of accepted terms for all gender identity characteristics, as per those included in the standard English dictionary? There is no evidence that this has been fully considered. Race: I disagree with this assessment. As explained in an answer to a

previous question, there is a very real possibility that workers will be disadvantaged and unable to get jobs if they are not fluent in Welsh. Without provision of free adult Welsh lessons, people not born in Wales will lose out. This includes English people but it is likely a significant percentage of BAME people living in Wales will be more affected than White Welsh people living in Wales.

Part 2: 1.2 - Some of these proposals could lead to discrimination against non-Welsh speakers

Part 2: 1.3 - It is unclear how making more provision for Welsh-language services will bring community cohesion, particularly for people who have no experience of speaking and using Welsh, unless education can be provided

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:



Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

Add: Developing the role of Welsh language in research. Although research is most often written in English for internationalisation reasons, many scholars still publish academic papers in their own native language (e.g. Dutch, Swedish, etc). The Welsh government can have considerable effect in the promulgation of the publishing of academic documents in the Welsh language and assisting in the creation of Welsh language peer-reviewed academic journals.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Although I am unaware of the funding available to the Welsh government, I would still consider proposing the provision of a higher amount of resources.

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

Option 2. The main agents of the promotion of the Welsh language should be publicly accountable if they are to be funded mainly by the taxpayers.

Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

The Department of Education and Skills
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Question 6 – Do you have any further comments on Part 1 of the White Paper?

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Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

They are adequate.

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

No opinion

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

I would personally consider conducting the census every 5 years as well, though.

Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

I would personally consider conducting the census every 5 years as well.

Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 16 – Do you have any further comments on Part 2 of the White Paper?

Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

Removing the translation of corporate and technical documentation might be only an example, but it can be argued that this may hamper progress in building the infrastructure for the Welsh language by removing an incentive for bodies to adopt or create Welsh language departments for themselves and allow more people to develop a career with the Welsh language. I would not be comfortable removing similar requirements.

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

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Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a ‘serious breach’ in paragraph 219.

Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

Allowing the commission to be able to take no action may lead to many complaints be ignored. Inaction should not be allowed.

Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission's decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

Question 40 – Do you have any further comments on Part 3 of the White Paper?

Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly’s legislative competence?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

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Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Imposing them as part of a package is acceptable, but imposing Standards to private business should not be constrained in this manner

Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly’s competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 45 – Do you have any further comments on Part 4 of the White Paper?

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

None

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

Further backlash from anti-Welsh language supporters.
Increasing the reach of Welsh-medium education (including higher education) would provide a long-term benefit and mitigate this negative effect.

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

No opinion.

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:



Rhan 1: Hybu'r Gymraeg

Cwestiwn 1 – Ym mharagraffau 49–54, rydym wedi amlinellu'r rôl yr ydym yn cynnig y dylai Llywodraeth Cymru ei chwarae i hybu'r Gymraeg, h.y. swyddogaethau'r Llywodraeth i hybu'r Gymraeg. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys p'un a oes meysydd y dylid eu hychwanegu neu eu tynnu o'r rhestr ym mharagraff 53.

Mae angen addasu'r safonau o ran be sy angen cyfieithu i sicrhau fod yr arian sylweddol sy'n cael ei wario ar gyfieithu (ee yn y sefydliad dwi'n gweithio ynddo £10k y mis) yn mynd ar ddatblygu adnoddau penodol i siaradwyr Cymraeg sy'n brin iawn fel apiau, gloywi iaith staff yn arbennig staff meddygol, datblygu technoleg newydd, fideos, gwella cyfrifon cyfryngau cymdeithasol Cymraeg, hybu ymhlith yr ifanc ayyb. Byddai hyn yn llawer fwy defnyddiol na chyfieithu dogfennau sych a diflas does neb eisiau eu darllen yn y naill iaith -ee dogfennau cyfarfodydd, termau ac amodau, polisiau ayyb.

Cwestiwn 2 – Yn Nhabl 1, rydym wedi amlinellu'r adnoddau mewn perthynas â'r swyddogaethau cyffredinol i hybu'r Gymraeg yr ydym o'r farn y dylent fod ar gael i unrhyw gorff neu gyrff sy'n helpu yn y gwaith o hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

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Cwestiwn 3 – A ydych chi'n cytuno â'r opsiwn a ffeirir gennym (Opsiwn 4), sef un corff i fod yn gyfrifol am hybu'r Gymraeg ac am fonitro a gorfodi cydymffurfiaeth â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Os ydych yn anghytuno, nodwch pa opsiwn (gan gynnwys opsiynau nad ydym wedi'u trafod yn y Papur Gwyn) y dylem ei ystyried yn eich barn chi.

Sylwadau ategol

Ar yr amod bod yna Swyddogion penodol, hawdd i gysylltu gyda nhw ar gael i ymdrin ag unrhyw gwynion lle nad yw'r safonau'n cael eu dilyn a'u bod yn gweithredu'n syth i ddatrys diffyg cydymffurfio yn lle cymryd blwyddyn neu ragor fel y Comisiynydd i

'archwilio'. Dyn ni ddim angen cwango arall o'r elite Cymraeg sy'n ennill cyflogau bras ac yn gwneud dim byd ymarferol i helpu'r Cymry ar lawr gwlad.

Cwestiwn 4 – Rydym wedi seilio ein dewis, sef un corff, ar sail eglurder, cydnawsedd a gwerth am arian. A ydych chi'n cytuno â'n sail resymegol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Ydw -angen llawer llai o waith papur a ffordd symlach i gyflwyno'r safonau yn lle pdfs trwsogl enfawr a gwefan gwael lle chi'n methu ffeindio dim byd fel un y Comisiynydd nawr. Mae fy sefydliad i gyda staff o 4 yng Nghymru yn gorfod cydymffurfio gydag 150 o safonau ac mae ei bencadlys yn Llundain. Mae yna ddiffyg hyblygrwydd hefyd o ran addasu i anghenion sefydliadau sydd ag un aelod staff yn unig l ofalu am weithredu'r holl safonau hyn fel yn fy achos i. Does dim canmoliaeth yn cael ei roi gan y Comisiynydd chwaith- er enghraifft pan ces i sgor o 96% mewn ymarfer siopwr dirgel y Comisiynydd oedd yn archwilio nifer o wefannau sylweddol a'u hymdriniaeth o'r Gymraeg yn fy hen lle gwaith llynnedd, ni ddywedwyd gair o glod. Ond mae yna barodrwydd i wneud mor a mynydd o gamweddau bach. Oes mae angen erlid ond hefyd mae angen brolio am ymarfer da. Mae cynnwys pitw y wefan Hybu yn wael iawn. Hefyd pam mae angen dau logo Cymraeg? Defnyddiwch yr un iaith Gwaith oren sy'n adnabyddus nawr yn lle'r un sal 'Cymraeg' na sy ddim yn gweithio hanner cystal o ran dyluniad ar wefannau a chyfryngau eraill.

Cwestiwn 5 – Pa faterion perthnasol eraill y dylem eu hystyried wrth wneud ein cynnig terfynol ynghylch pa gorff neu gyrff ddylai hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau?

Sylwadau ategol

Cael wynebau newydd ffres sy'n arbenigwyr mewn meysydd fel digidiol, ieuenctid ac iaith sydd wedi gweithio yn y diwydiannau yma ac nid gweision sifil neu raddedigion newydd dibrofiad fel cyw swyddogion polisi y Comisiynydd sy'n newid bob dwy funud.

Cwestiwn 6 – A oes gennych unrhyw sylwadau pellach ar Ran 1 y Papur Gwyn?

Y peth pwysig yw bod arian ddim yn cael ei wastraffu ar gyfieithu rwtsh diflas a biwrocrataidd. Angen dadansoddi beth yn union mae'r Cymry yn mynd i'w ddefnyddio a'i werthfawrogi (e.e. Gweithwyr meddygol sy'n siarad Cymraeg, nwyddau Cymraeg, gwasanaeth siop, derbynfeydd, apiau, dosbarthiadau gloywi iaith yn y gwaith a chyfleoedd ymarferol i staff ddysgu'r iaith achos sdim digon o siaradwyr Cymraeg mas yna i gynnig gwasanaeth gyfartal ar hyn o bryd. O ganlyniad mae'r aelodau staff prin sydd yn meddu ar y sgiliau dan bwysau mawr. Angen gorfodi mwy o sefydliadau hefyd i wneud mwy o swyddi yn Gymraeg hanfodol -edrychwch ar Brifysgol Caerdydd a'u record nhw er enghraifft -yn arbennig staff uwch.

Rhan 2: Llywodraethiant ac atebolrwydd

Cwestiwn 7 – Ym mharagraffau 93–95, rydym wedi nodi rhai gofynion cyffredinol yn ymwneud â threfniadau llywodraethu ac atebolrwydd y corff. Beth yw eich barn chi am y gofynion cyffredinol hyn, ac a oes yna fesurau monitro a ffrwyno eraill a ddylai fod yn weithredol ar y corff arfaethedig?

Sylwadau ategol

Angen mwy o staff uwch sefydliadau i fod yn atebol yn lle taflu'r baich ar ysgwyddau Swyddogion Iaith yn unig. Angen llawer mwy o spot checks dirybudd a beth am greu system 'graddio' fel y system hylendid ar gyfer bwytai a siopau? Bod sticer ar bob drws yn dangos sgor o 1-5 o ymdriniaeth sefydliadau a busnesau preifat hefyd o'r Gymraeg a'u bod yn cael hyn a hyn o amser i wella eu sgor cyn cael dirwy swmpus. Gall gwmnïau cyhoeddus sy'n sgorio'n uchel ennill grantiau i ddatblygu eu hadnoddau Cymraeg ymhellach fel sbardun.

Cwestiwn 8 – A ydych chi'n cytuno â'r opsiwn a ffefrir gennym (Opsiwn 3), sef i sefydlu Comisiwn y Gymraeg i hybu a hwyluso defnyddio'r Gymraeg a monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

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Cwestiwn 9 – Beth yw eich barn chi am y dadansoddiad rydym wedi'i ddarparu sy'n cefnogi ein dewis ni, sef Opsiwn 3? A oes unrhyw ystyriaethau eraill y dylem eu hystyried wrth wneud unrhyw gynnig terfynol?

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Cwestiwn 10 – A ydych chi'n credu bod Opsiwn 3 yn diogelu annibyniaeth y Comisiwn arfaethedig yn ddigonol yng nghyd-destun arfer swyddogaethau ar gyfer monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

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Cwestiwn 11 – A oes unrhyw faterion ychwanegol i'r rhai a restrir ym mharagraffau 121–122 y dylem eu hystyried wrth ystyried trefniadau i sefydlu'r Comisiwn arfaethedig?

Oes	<input type="checkbox"/>	Nac oes	✓	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 12 – A ydych chi'n cytuno â'n cynnig i symud y gofyniad ar Lywodraeth Cymru i lunio strategaeth ar gyfer y Gymraeg o Ddeddf Llywodraeth Cymru 2006 i'r Bil y Gymraeg newydd?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 13 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru adrodd i'r Cynulliad ar strategaeth y Gymraeg bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input type="checkbox"/>	Anghytuno	✓	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Na -5 mlynedd yn rhy hir.

Cwestiwn 14 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gyhoeddi cynllun yn nodi sut y bydd yn gweithredu'r strategaeth bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol

Pob tair achos ma pethe'n newid yn gyflym yn arbennig technoleg a beth fydd yn digwydd yn sgil Brexit -hiliaeth cynyddol a diffyg arian ayyb.

Cwestiwn 15 – A ydych chi'n cytuno â'n cynnig i ddiddymu Cyngor Partneriaeth y Gymraeg a rhoi'r pŵer i Lywodraeth Cymru geisio cyngor gan y Comisiwn arfaethedig, sef Comisiwn y Gymraeg?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 16 – A oes gennych unrhyw sylwadau eraill ar Ran 2 y Papur Gwyn?

Ma'r egwyddorion yn dda ond ceisiwch gael pobl newydd gyda phrofiad ar lawr gwlad i'ch cyngori ac nid y Taffia arferol.

Rhan 3: Safonau'r Gymraeg

Cwestiwn 17 – Rydym yn cynnig y dylid mabwysiadu model diwygiedig o'r Safonau (Opswn 2) fel y ffordd orau o sicrhau hawliau pobl i dderbyn gwasanaethau Cymraeg. A ydych chi'n cytuno â'r cynnig hwn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ddiwygiadau pellach yr hoffech eu gweld i'r system bresennol, neu unrhyw ddulliau gweithredu eraill y dylem eu hystyried yn eich barn chi.

Wele fy nodiadau blaenorol. Hefyd mae'n werth ymgynghori gyda defnyddwyr cyffredin Cymraeg ac nid y Taffia yn unig o ran y Safonau sydd wedi eu gweithredu hyd yn hyn gan sefydliadau cylch 2. Cynhaliwch arolwg i weld pa wasanaethau sy'n cael eu defnyddio a'u gwerthfawrogi, faint o ymwybyddiaeth sydd gan bobl am beth sydd ar gael a beth sy ddim yn gwneud gwahaniaeth i Gymry cyffredin cyn gosod mwy o safonau. Hefyd syniad da i gynnig hyblygrwydd os oes na broblem ddilys mewn gweithredu safon-ee cwmni o Lundain sydd hefo un swyddfa fechan yng Nghymru sy'n dymuno defnyddio cyfrif Twitter Cymraeg arwahan yn lle cyfrif Saesneg sydd ar gyfer y DU oll.

Cwestiwn 18 – Rydym wedi seilio'r cynnig rydym yn ei ffafrio i ddiwygio'r Safonau (Opswn 2) ar sail yr eglurder, y capasiti ar gyfer gwella a'r costau newid sy'n gysylltiedig â phob opsiwn (paragraffau 163–165). A ydych chi'n cytuno â'n dadansoddiad?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ffactorau eraill y dylem eu hystyried wrth lunio unrhyw gynigion terfynol.

Cwestiwn 19 – A ydych chi'n cytuno â'r cynnig i ddiddymu'r dosbarthiadau presennol o Safonau, a gwahaniaethu rhwng 'Safonau' (a fyddai'n berthnasol i wasanaethau) a 'dyletswyddau cynllunio ieithyddol' (a fyddai'n berthnasol i ddyletswyddau corfforaethol)?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 20 – A ydych chi o'r farn y dylid cynnwys darpariaethau sy'n ymwneud â Chynlluniau Strategol y Gymraeg mewn Addysg yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 21 – Oes yna unrhyw faterion eraill y dylid, yn eich barn chi, eu cynnwys yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Oes	<input type="checkbox"/>	Nac oes	<input type="checkbox"/>	Ansicr	<input checked="" type="checkbox"/>
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Sylwadau ategol

Cwestiwn 22 – A ydych chi'n cytuno y dylai fod gan y Comisiwn arfaethedig bwerau cyffredinol i gynnal ymchwiliadau i sut mae cyrff yn cyflawni eu dyletswyddau o ran y Gymraeg, a fyddai'n cynnwys y Safonau a'r dyletswyddau cynllunio ieithyddol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 23 – A ydych chi'n cytuno â'n cynnig y dylai'r Comisiwn arfaethedig fonitro a chefnogi cyrff mewn perthynas â'u dyletswyddau cynllunio ieithyddol, yn hytrach na'u gorfodi?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Holl bwysig- angen annog ymarfer da hefyd. Ac angen ymestyn i gwmnïau preifat, banciau, darparwyr adnoddau ar-lein yng Nghymru a siopau ayyb

Cwestiwn 24 – A ydych chi'n cytuno â'n cynnig i roi cyfrifoldeb am osod Safonau ar gyrff i Lywodraeth Cymru, p'un ai drwy hysbysiad cydymffurfio neu drefn arall?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 25 – A ydych chi'n cytuno â'n cynnig y dylai pob un o'r rheoliadau i wneud Safonau fod yn destun ymgynghoriad cyhoeddus llawn cyn gofyn am gymeradwyaeth y Cynulliad?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Wele uchod -angen siarad gyda defnyddwyr hefyd drwy ymchwil ar lawr gwlad gan nad yw pawb yn mynd arlein yn enwedig pobol oedrannus. Cynnal 'surgeries' mewn canolfannau cymdeithasol er enghraifft dros gacen a phaned.

Cwestiwn 26 – A ydych chi'n cytuno â'n cynnig i ddiddymu Ymchwiliadau Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 27 – A ydych chi'n cytuno â'n cynnig y dylid rhoi pwerau i gyhoeddi codau ymarfer neu ganllawiau mewn perthynas â'r Safonau i Lywodraeth Cymru?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 28 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gael pŵer i osod Safonau ar yr holl gyrff mewn sector yn uniongyrchol drwy reoliadau, heb fod angen hysbysiad cydymffurfio neu drefn arall gyffelyb?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ar y materion y dylem eu hystyried wrth lunio Safonau i'w gosod yn uniongyrchol ar gyrff o fewn sector, p'un a ddylai gyrff unigol barhau â'r hawl i herio Safon sydd wedi'i gosod arnynt, a ph'un a ddylid cael proses ymgynghori fwy trwyadl.

Cwestiwn 29 – Pa ffactorau y dylid eu cymryd i ystyriaeth neu pa weithdrefn y dylid ei dilyn er mwyn sicrhau bod y broses o osod Safonau ar Lywodraeth Cymru yn deg a thryloyw?

Sylwadau ategol

Cwestiwn 30 – A ydych chi'n cytuno â'n cynnig y dylid gorfod delio â chwynion drwy weithdrefn gwyno'r corff perthnasol cyn y caiff y Comisiwn arfaethedig, sef Comisiwn y Gymraeg, ymchwilio i fethiant honedig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Dyma'r arfer mwyaf synhwyrol-rhoi cyfle i'r sefydliad ddatrys y broblem o fewn cyfnod tynn penodol ac yna mynd at y Comisiynydd.

Cwestiwn 31 – A ydych chi'n cytuno â'n cynnig fod yn rhaid i gyrff gadw at weithdrefn gwyno sydd wedi'i chymeradwyo, fel y Polisi Pryderon a Chwynion Enghreifftiol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 32 – A ydych chi'n cytuno â'n cynnig mai dim ond os yw o'r farn fod yr achos honedig o dorri Safon neu weithdrefn gwyno yn un ddifrifol y dylai'r Comisiwn arfaethedig gael cymryd camau gweithredu pellach mewn perthynas â chwyn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ar ein diffiniad o ‘achos difrifol’ ym mharagraff 219.

Cwestiwn 33 – A ydych chi'n cytuno â'n cynnig i ganiatáu i'r Comisiwn arfaethedig gynnal ymchwiliad ar ei liwt ei hun?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 34 – A ydych chi'n cytuno fod y camau gweithredu a ddisgrifir ym mharagraff 225 yn darparu amrywiaeth effeithiol o gamau gorfodi?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw syniadau ynghylch camau gorfodi eraill a wrthodwyd neu nad ydynt wedi cael eu hystyried yn y Papur Gwyn.

Cwestiwn 35 – Ar hyn o bryd, mae gan y Comisiynydd bwerau i osod dirwy sifil o hyd at £5,000 ac, mewn rhai amgylchiadau, i ofyn am orchymyn llys i'w gwneud yn ofynnol i gorff gydymffurfio. A ydych chi'n cytuno â'n cynnig y dylid cadw'r pwerau hyn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ynghylch y ddirwy sifil uchaf y dylai'r Comisiwn arfaethedig allu ei gosod (os o gwbl).

Cwestiwn 36 – A ydych chi'n cytuno â'n cynnig i gadw rôl y Tribiwnlys mewn perthynas â phenderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 37 – A ydych chi'n cytuno â'n cynnig y dylai'r Tribiwnlys hefyd ymdrin ag apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 38 – Rydyn ni'n cynnig cyflwyno cam cyntaf gorfodol ar gyfer y Tribiwnlys mewn perthynas ag apelau yn erbyn penderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi Safonau. Byddai'r cam cyntaf yn ei gwneud yn ofynnol i'r Tribiwnlys roi caniatâd ar y sail bod siawns rhesymol y bydd y cais yn llwyddo neu pan fo rheswm cryf arall pam y dylai'r cais gael ei glywed. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 39 – A ydych chi o'r farn y dylai'r cam cyntaf gorfodol arfaethedig fod yn gymwys i apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 40 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 3 y Papur Gwyn?

Rhan 4: Cwmpas y cyrff sy'n ddarostyngedig i ddeddfwriaeth y Gymraeg

Cwestiwn 41 – A ydych chi'n cytuno â'n cynnig i ddileu'r cyfyngiadau yn y Mesur fel bod Llywodraeth Cymru'n meddu ar y pŵer i wneud Safonau'n gymwys i unrhyw gorff o fewn cymhwysedd deddfwriaethol y Cynulliad?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Holl bwysig bod cwmnïau preifat sy'n gwneud arian yma yn cyfrannu at ddiwylliant y wlad hefyd.

Cwestiwn 42 – A ydych chi'n cytuno â'n cynnig mai dim ond mewn perthynas â'r gwasanaethau y maent yn eu cyflenwi i'w cwsmeriaid y dylai busnesau yn y sector preifat fod yn agored i orfod cydymffurfio â Safonau?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ynghylch unrhyw gyfyngiadau y dylid eu rhoi ar y pwerau i osod Safonau ar fusnesau preifat.

Cofiwch ddefnyddio fy system 'graddio' i sef fel y gwnaed gyda'r system sgorio hylendid. Gellid ddefnyddio'r botymau iaith gwaith i sgorio allan o 5 a'u gwneud yn gyfraith bod yn rhaid iddynt arddangos eu sgor ar ffurf sticer ar eu ffenestri blaen.

Cwestiwn 43 – A ydych chi'n cytuno â'n cynnig mai dim ond fel rhan o becyn ehangach o weithgarwch sy'n hybu'r Gymraeg ac yn cynyddu ymwybyddiaeth ohoni y dylid gosod Safonau ar fusnesau preifat?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 44 – Os rhoddir pwerau i Lywodraeth Cymru i osod Safonau ar unrhyw gorff o fewn cymhwysedd y Cynulliad, a ydych chi o'r farn y dylai Safonau gael eu gosod ar unrhyw gorff neu sector nad yw ar hyn o bryd o fewn cwmpas deddfwriaeth ynghylch y Gymraeg?

Ydw	✓	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 45 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 4 y Papur Gwyn?

Rhan 5: Asesu effaith ein cynigion

Cwestiwn 46 – Rydym wedi asesu effaith ein cynigion ar gydraddoldeb, plant, pobl ifanc a'u teuluoedd, a'r Gymraeg. A oes gennych chi sylwadau ar unrhyw un o'r asesiadau hyn?

Cwestiwn 47 – Hoffem wybod eich barn ar yr effeithiau y byddai'r cynigion yn ein Papur Gwyn yn eu cael ar y Gymraeg, yn benodol ar:

- i) gyfleoedd i bobl ddefnyddio'r Gymraeg
- ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Pa effeithiau fyddai, yn eich barn chi? Sut mae cynyddu effeithiau cadarnhaol neu liniaru effeithiau negyddol?

Sylwadau ategol

Angen hwyluso defnydd o'r iaith bob dydd heb ormod o waith papur a chyfieithu di-angen. Mae yna elit pendant yn y Gymraeg ar hyn o bryd -ee pam mae cwmni Ateb Cymru yn cael eistedd mewn cyfweiliadau ar gyfer swyddi gyda'r Comisiynydd ac yna'n cael eu talu am helpu cwmnïau i gydymffurfio gyda'r safonau hynny? Angen gwylio rhag bod yr 'usual suspects' a'r cwmnïau cyfieithu a'r cwangos yn pluo eu nythod (i fod yn idiomllyd) a'r Cymry cyffredin yn fawr callach o'u hawliau a be sy ar gael iddynt.

Cwestiwn 48 – Eglurwch hefyd sut gellid ffurfio neu newid yr opsiynau arfaethedig:

- i) fel eu bod yn cael effeithiau cadarnhaol neu fwy o effeithiau cadarnhaol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg
- ii) fel nad ydynt yn cael effeithiau andwyol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Sylwadau ategol

Wele fy sylwadau blaenorol.

Cwestiwn 49 – Rydym wedi gofyn nifer o gwestiynau penodol. Os oes gennych chi faterion perthnasol nad ydym wedi rhoi sylw penodol iddynt, defnyddiwch y blwch isod i roi gwybod i ni amdanynt.

Mae ymatebion i ymgynghoriadau yn debygol o gael eu gwneud yn gyhoeddus, ar y rhyngrwyd neu mewn adroddiad. Os byddai'n well gennych i'ch ymateb aros yn ddienw, ticiwch yma:



Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

The proposals go beyond protecting Welsh, they are aimed at spreading the use of Welsh. The government should accept that the majority of Welsh people use English and do not want to be made to use the language. English is a huge asset for our nation putting us at the heart of international life.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

It is quixotic to think that people will adopt a new home language just through promotional work.

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

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Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

Question 6 – Do you have any further comments on Part 1 of the White Paper?

The basic premise is flawed, the Welsh language is being undemocratically forced at English speakers who represent the majority in Wales.

Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

Accountability is key, budgets should be kept within realistic limits and not detract from more pressing government programmes

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Enforcement of Welsh language is certainly not desirable.

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

The Welsh language commission should include senior members who oversee the protection of English in its relation to the use of Welsh.
A Monoglot Welsh future would be a disaster for our nation.

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Annual oversight is better

Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 16 – Do you have any further comments on Part 2 of the White Paper?

part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

Welsh communications should be available, but there should be an opt-out provision for English speakers who do not wish to participate.

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

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Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Compulsory study of Welsh at secondary level is a major handicap for our educational system.
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Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Unsure

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Compulsion should be avoided

Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

Imposition should be avoided

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

The main factor is that in order to support a minority of Welsh speakers a large legal framework is being prepared to inconvenience the majority who do not wish to speak Welsh.
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Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a ‘serious breach’ in paragraph 219.

Compulsion should be avoided

Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

Compulsion should be avoided

Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

Compulsion should be avoided

Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission's decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

Question 40 – Do you have any further comments on Part 3 of the White Paper?

Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly’s legislative competence?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Compulsion should be avoided

Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

Compulsion should be avoided

Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly’s competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 45 – Do you have any further comments on Part 4 of the White Paper?

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

Children should be encouraged, but not compelled, to learn other languages, of which Welsh is but one example.

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

The measures will help to protect the use of Welsh in rural areas, but it is doubtful if there will be any effect in the main populous areas.
We should be very careful not to spoil our integration with the United Kingdom.
The use of Welsh on road signs is already a significant safety issue, notably not seen in Scotland or Ireland.

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

The resources being used to widen the use of Welsh endanger our economic life. Wider use of Welsh isolates us in the UK, and more

widely. Tourism is damaged, employment of English incomers is hindered, education opportunities are lost, resources are wasted by sending Welsh communications to all without the choice of opting out. Welsh has become oppressively intrusive. The majority of Welsh people do not want to use the language, government should represent the majority as well as minorities.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

✓

Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

The Welsh government should put the promotion of the Welsh language into context against the problems of poverty , social mobility, lack of decent career choices and other current issues being faced by many of the populace.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Language is a tool for communication not a vanity project. Spend money on the where the vast majority would like it spent, NHS, General Education etc, it is called democracy, stop giving a disproportionate ear to small vocal groups of Welsh nationalists.

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

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Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

Question 6 – Do you have any further comments on Part 1 of the White Paper?

Listen to what non Welsh speakers actually say.

Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

I do not mind you using terms such as "compliance" and "enforce" as the white paper itself suggests this does create a growing feel of unease and resentment at the imposition of a vanity project promoted by the Welsh government.

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

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Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies’ compliance with Standards?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 16 – Do you have any further comments on Part 2 of the White Paper?

Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

With regards to your own figures on the miniscule use of Welsh when compared with use of English, an alternative would be to actually give an option to receive all future correspondence (census forms, electoral forms etc) in your preferred language, it might give an indication of the mood of the electorate.

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

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Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Wales is already struggling with the enforcement of Welsh language strategic policies within Non Welsh language schools, let the children's education come before misguided social engineering.

Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Let's have a referendum on the public purse being used to promote the use of a minority language that is being badged as sign of "Welshness"

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Ask people who are not involved or do not have any interest in the Welsh language, I think you will be surprised at the level of resentment that no-one in the political arena has opposed the imposition of the Welsh language.

Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

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Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

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Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	✓
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Supporting comments, including any comments on our definition of a ‘serious breach’ in paragraph 219.

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Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	✓
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Supporting comments

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Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	✓
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

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Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input type="checkbox"/>	Disagree	✓	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

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Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	✓
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Supporting comments

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Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	✓
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Supporting comments

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Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission’s decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	✓
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Supporting comments

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Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	✓
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Supporting comments

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Question 40 – Do you have any further comments on Part 3 of the White Paper?

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Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly’s legislative competence?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

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Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly’s competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 45 – Do you have any further comments on Part 4 of the White Paper?

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

Language should be about communication, we should let people decide if they wish to learn Welsh, by enforcing and setting legal standards to be met is the surest way to create resentment. My own children could not understand why they had no choice at school over lessons in Welsh, as a result they and their peer group have no interest in using the language (they do speak other languages)

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Stop equating Welsh language with Welsh culture, it alienates large swathes of the population.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

☐

Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

I agree with all proposed

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

I agree with all

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

"Too many cooks spoil the broth"

Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

One body will be paid, and one body held to account.

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

"Can all their staff speak Welsh"

Question 6 – Do you have any further comments on Part 1 of the White Paper?

Reference to bilingual pre school teachers and how this could be incorporated at an early learning stage.

Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

I agree with the general requirements, but I also think that a charitable Welsh speaking organisation, should be on hand to consult with going forward.

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

With consultation from a welsh speaking charitable organisation.

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

This seems to be the most logical and fair solution

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies’ compliance with Standards?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

But it could have monitoring by a Welsh speaking charitable organisation.

Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

This is the best way forward
Question

Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

This should be reported annually due to the speed at which change occurs.

Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

This should be published annually due to the speed at which change occurs.

Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

The people of Wales voted for devolution and gave you the power, and we pay for your services through our taxes, so exercise that power..

Question 16 – Do you have any further comments on Part 2 of the White Paper?

None

Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

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Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

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Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

If it is clear from the outset, then there can be no confusion.

Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Signage in dual languages.

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Reports on examinations should be public like OFSTED, Estyn etc.
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Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

I think that they should have enforcement powers as they will be the ones who has most expertise and knowledge of what the bill is all about.

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

A public consultation gives all interested to have their say, one of the best ways to gather feedback, then the outcome is transparent and has been consulted with the major stakeholders, the public.

Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

I am at logger heads with this one, and would like to see what happens going forward to establish whether this is a good or bad thing.

Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

Definitely need to consult on this one. An appeal process maybe??

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

Make sure it is well publicised, across all of Wales and welsh borders. Possible open session where the public can attend to view the procedures.

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

As this is the norm in most organisations, then you should have a chance to deal with complaints as do they.

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Standard practice.

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a 'serious breach' in paragraph 219.

I would define some examples of "serious breach"

Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Protecting the publics right to freedom of information.

Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

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Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

I would say that £5000 is relatively a low amount considering the welsh language is part of our heritage. I would like to see this figure increased, this may help to get the message across clearer.

Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Absolutely

Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

They are the experts, let them continue.

Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission’s decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Tribunals cost a lot of money, so this is good practice. If there is insufficient evidence or little chance of success, then why waste tax payers money.

Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Just to be consistent and fair.

Question 40 – Do you have any further comments on Part 3 of the White Paper?

Good luck.

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Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly’s legislative competence?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Consistency.

Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

This is a good place to start to get people on board, and I think it will encourage further interaction with the welsh language.
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Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Change is inevitable, but some accept change more willingly than others, so this approach seems to be fair and not overpowering until the change has come into its own.

Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly’s competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

This will form change later on I believe.

Question 45 – Do you have any further comments on Part 4 of the White Paper?

Good luck

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

Well done.

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

The usual effects that we have seen over many years since the welsh language has gone into decline, diminishing use, however, if marketed strongly enough I believe it will increase use and bring back part of our heritage.

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Thorough and informed marketing. In both languages..

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Migrants and the welsh language. Would we require them to learn welsh as part of their settlement, even if basic or conversational

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:



Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

Wales has chosen to adopt the Welsh language and should Stop using English. There will be huge cost savings and it will encourage non Welsh speakers like me to learn. English will be taught as a second language or could be another language, French Spanish Mandarin/Cantonese. It will not stop people coming to Wales for holidays or to retire. We go to other countries for both.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

You have got to go for it

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

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Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

You must have one body and unity

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

Question 6 – Do you have any further comments on Part 1 of the White Paper?

Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body’s governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 16 – Do you have any further comments on Part 2 of the White Paper?

The sooner you get on with it the better. Remember that some urban areas are on the border and you will have to have a strategy. May be an adjustment, a local poll. A study of the Dutch/Belgium border might be helpful.

Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

This would be a sensible arrangement, but should be temporary.

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

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Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Best left to schools

Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

These will come out in the debate about to start, after all the whole thing could be rejected.

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor	<input checked="" type="checkbox"/>
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				disagree	
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Supporting comments

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

There may be resistance let us here it.

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

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Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a ‘serious breach’ in paragraph 219.

Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

There will be resistance let us here it

Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission's decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 40 – Do you have any further comments on Part 3 of the White Paper?

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Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly's legislative competence?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly's competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

Question 45 – Do you have any further comments on Part 4 of the White Paper?

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

You may find that your goal is impossible, it will be difficult to achieve if you do not ask the people by having a ballot.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:



Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

I would expect an indication that the Welsh Assembly is also responsible for native English speaking students in Wales and that a provision be added that any effect on English speakers be considered in any Welsh language proposals.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

I would expect the vibrant and unique Anglo-Welsh culture also be promoted. Continuing failure is alienating native English speakers from Welsh culture and excluding them from our development as a nation.

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

Impact of Welsh language promotion should be assessed against native English speakers.

Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

As mentioned above this body should also assess the impact on native English speakers.

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

Impact on native English speakers.

Question 6 – Do you have any further comments on Part 1 of the White Paper?

Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body’s governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies’ compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

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Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies’ compliance with Standards?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor	<input type="checkbox"/>
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				disagree	
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Supporting comments

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Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 16 – Do you have any further comments on Part 2 of the White Paper?

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Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people’s rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

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Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

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Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor	<input type="checkbox"/>
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				disagree	
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Supporting comments

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Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor	<input type="checkbox"/>
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				disagree	
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Supporting comments, including any comments on our definition of a ‘serious breach’ in paragraph 219.

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Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

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Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

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Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission's decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 40 – Do you have any further comments on Part 3 of the White Paper?

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Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly's legislative competence?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly's competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 45 – Do you have any further comments on Part 4 of the White Paper?

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:



Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

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Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

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Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

A greater focus on promotion is welcomed. The commissioner became a policing commissioner for the language.

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

Allow bodies delivering services to tailor the need to translate to local demographics and demand.

Question 6 – Do you have any further comments on Part 1 of the White Paper?

Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

The commission should be about promotion with enforcement only in the case of major continuous breaches

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies’ compliance with Standards?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 16 – Do you have any further comments on Part 2 of the White Paper?

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Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

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Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

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Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between 'Standards' (which would relate to services) and 'language planning duties' (which would relate to corporate duties)?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

I work in the public sector and speak Welsh. I can no longer do my job as effectively as before. All work is slow and productivity has dropped due to the strict standards. This should not happen.

Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

They should support not "monitor". Monitor implies the same as enforce. You monitor then enforce.

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Should only be enforced in major breaches

Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a ‘serious breach’ in paragraph 219.

Who defines serious? Presumably "an action that results in services not being improved"

Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

This is a backward step

Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

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Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

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Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission's decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 40 – Do you have any further comments on Part 3 of the White Paper?

--

Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly's legislative competence?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

This is seriously damaging to enforce any standards on the private sector. All private sector businesses provide services to customers. You will drive down inward investment if you do this. Contractor firms already don't bid for work here because of the standards.
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Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

leave business out of this. There should be a programme of support for businesses to encourage staff to learn Welsh.
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Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly's competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

This is a dangerous blank cheque for rolling out standards
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Question 45 – Do you have any further comments on Part 4 of the White Paper?

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Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

This is the most important thing I am going to say.
Before the Welsh Language Standards were implemented I had a team of 14 staff. 8 of whom enrolled in Welsh learning. The introduction of the Standards and enforcement of them bred resentment towards the language amongst many in the team and that I know. Does this make them want to enrol their children in Welsh language school? No. Do they want to learn Welsh now? No.

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

I have heard of many marketing campaigns where the Welsh Commissioner has stepped in to claim that Welsh is treated less favourably than English because English was in white. Even though Welsh was at the top of the campaign. At much cost I might add.
The wording on this is wrong. Both languages should be treated equally, recognising that Welsh is the native language of Wales but that English is the predominantly spoken one.

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

As a Welsh language speaker I want to support my colleagues and friends to learn Welsh. One other development that has concerned me is the presumed right of smaller Menter Iaith and other Welsh Language organisations to presume to change their roles into sub commission bodies that police the standards. Can I ask that the roles of these groups and the funding they access is defined and made clear in future.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:



Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

I am all for promoting and supporting the use of the Welsh Language in Wales. Imposing the standards on services and businesses is another matter. There is enormous costs involved in providing multi language information and I am unclear whether the Government will provide the funding for publications in Welsh or provide a department that will undertake the translation at minimal costs. I feel too much money is being spent on the promotion of the Welsh language rather than on services and building up the employment opportunities for the Welsh people. The money spent on the language would be better spent on housing, education, employment, health and social services, public transport improvements - these would benefit the people of Wales far more.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

See above, I praise and agree with the promotion and encouragement to use Welsh. I would like to see services and business receive incentives but I disagree with enforcing compliance.

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

As with my previous comment this whole area feels like a waste of money and resources that could be put to use in other areas for the benefit of the country and its people.

Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

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Question 6 – Do you have any further comments on Part 1 of the White Paper?

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Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

No.

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

Look for other ways to encourage and support the use of the language without enforcement - this is a free country

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

It feels like another way to waste public money

Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 16 – Do you have any further comments on Part 2 of the White Paper?

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Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

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Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

I think Welsh language use should be a choice made by the parents and the child not a compulsory requirement in education in Wales - put it on offer not insist it is taught

Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Freedom to choose

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

'imposing' standards does not really work in the same sentence as 'fair and transparent'

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

If an approved complaints procedure, such as the Model Concerns and Complaints Policy is already in place then concerns or complaints about a failure in welsh language service provision would naturally fall under that procedure.

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a ‘serious breach’ in paragraph 219.

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Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

i disagree with enforcement action

Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

What would the fine monies be used for? I believe if there is plenty of support businesses and services would promote and encourage the use of Welsh without threats. One of the obstacles is the cost involved to those businesses and services and a lack of Welsh speakers in the workforce.

Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission’s decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 40 – Do you have any further comments on Part 3 of the White Paper?

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Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly's legislative competence?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

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Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly's competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 45 – Do you have any further comments on Part 4 of the White Paper?

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:



Thank you. I have tried to read/absorb but I do not have all day/days to do so. I am completely bemused by the funding issues.....stunned that it is a 'factor'. It somehow detracts from the 'principle'.

As an 'english speaker' living in Wales I strongly support any effort to maintain the 'culture/identity' of 'Wales'. By the same token I have noted over 30 plus years just how the indigenous have abused..... carcasses left lying in hedges to rotplastic/polythene feed bags left littering the countryside.

Best wishes.
Susie Butler

Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

I can not see why setting up a Welsh Language Commission necessitates abolishing the role of Commissioner. I think such a body needs to be headed by a recognisable head which is identifiable and approachable by the general public.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

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Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

Question 6 – Do you have any further comments on Part 1 of the White Paper?

Responsibility for use of the Welsh language needs to be extended to private companies and organisations. Clearly this could present problems for smaller bodies and a scale of responsibilities according to company size needs to be developed. These responsibilities need to extend to all bodies trading or operating in Wales.

Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body’s governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

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Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies’ compliance with Standards?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Too much change (deterioration) can occur in 5 years. It needs to report annually.
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Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

See above

Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 16 – Do you have any further comments on Part 2 of the White Paper?

Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Enforcement or the right of enforcement is essential if successful outcomes are to be achieved.

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

We are all aware how slow and obstructive such internal investigations can be.

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor	<input checked="" type="checkbox"/>
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				disagree	
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Supporting comments, including any comments on our definition of a ‘serious breach’ in paragraph 219.

Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

They need to be increased.

Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission's decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 40 – Do you have any further comments on Part 3 of the White Paper?

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Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly's legislative competence?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

What about staff?

Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly's competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 45 – Do you have any further comments on Part 4 of the White Paper?

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

Clearly both these points are at the crux of the need for legislation. They must ensure sincere compliance and not just lip service.

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:



**Ymateb Ombwdsmon Gwasanaethau Cyhoeddus Cymru i
Ymgynghoriad Llywodraeth Cymru: 'Taro'r Cydbwysedd Iawn: Cynigion ar gyfer Bil y Gymraeg'**

Rwy'n falch o gael y cyfle i ymateb i Bapur Gwyn Llywodraeth Cymru 'Taro'r Cydbwysedd Iawn: Cynigion ar gyfer Bil y Gymraeg'.

Yn fy ngwaith fel Ombwdsmon Gwasanaethau Cyhoeddus Cymru, rwy'n ymchwilio i gwynion a wneir gan aelodau o'r cyhoedd sy'n credu eu bod wedi dioddef caledi neu anghyfiawnder drwy gamweinyddu neu fethiant gwasanaeth gan gorff yn fy awdurdodaeth sef, i bob pwrpas, yr holl sefydliadau hynny sy'n gyfrifol am ddarparu gwasanaethau cyhoeddus sydd wedi'u datganoli i Gymru. Mae'r rhain yn cynnwys y canlynol:

- llywodraeth leol (cynghorau sir a chynghorau cymuned);
- y Gwasanaeth Iechyd Gwladol (yn cynnwys meddygon teulu a deintyddion);
- landlordiaid cymdeithasol cofrestredig (cymdeithasau tai); a
- Llywodraeth Cymru, ynghyd â'r cyrff y mae'n eu noddi.

Rwyf hefyd yn gallu ystyried cwynion am wasanaethau gofal lliniarol a gofal cymdeithasol sydd wedi'u hariannu neu eu trefnu'n breifat.

Ar ben hynny, mae'n rhan o'm hawdurdodaeth i ystyried honiadau fod aelodau o gyrff llywodraeth leol wedi torri cod ymddygiad eu hawdurdod.

Mae Comisiynydd y Gymraeg yn awdurdod rhestredig yn Atodlen 3 o Ddeddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005. Rwyf hefyd wedi llofnodi Memorandwm Cydddealltwriaeth gyda Chomisiynydd y Gymraeg, ac mae fy swyddfa wedi ymgymryd â'r gwaith o ymchwilio i gwynion am Gynghorau Cymuned, yn ymwneud ag iaith, lle nad oes cynllun iaith ar waith.

Mae fy ymateb i'r ymgynghoriad hwn wedi'i gyfyngu i'r elfen cwynion yn y Papur Gwyn.

Mae targed Llywodraeth Cymru i gael 1 miliwn o siaradwyr Cymraeg erbyn 2050 yn uchelgeisiol, a dylai hyn olygu bod yr holl adnoddau sydd ar gael i gefnogi'r iaith yn cael eu defnyddio yn y ffordd fwyaf effeithiol bosibl.

Ymddengys fod y system bresennol yn rhy fiwrocataidd ac yn gymhleth a'i bod yn gallu bod yn wastraffus. Gallai hyn beryglu'r ewyllys da sydd tuag at yr iaith yn ogystal â defnyddio adnoddau y gellid eu defnyddio'n well i hyrwyddo'r Gymraeg a chreu siaradwyr Cymraeg newydd.

Y Llywodraeth ddylai benderfynu a yw'n briodol dod â'r maes rheoleiddio a hyrwyddo iaith ynghyd. Fodd bynnag, rwy'n credu y gallai ac y dylai'r broses delio â chwynion ddilyn trefniadau mewn meysydd datganoledig eraill, gan sicrhau nad y Llywodraeth na'r rheini a benodir gan y Llywodraeth sy'n ymchwilio i gwynion, ond yn hytrach corff gwbl annibynnol. Mae hyn yn gymorth i sicrhau bod y cyhoedd yn dal yn ymddiried yn y broses delio â chwynion.

Rwy'n croesawu'r ffaith fod Adran 75 yn nhrosolwg yr Ymgynghoriad yn cyfeirio at arferion da Ombwdsmon Gwasanaethau Cyhoeddus Cymru sy'n rhoi cyfle, fel arfer, i gyrff ymchwilio ac ymateb yn y lle cyntaf. Mae'r ddogfen Iawn yn cyfeirio hefyd at bolisi Cwynion a Phryderon Enghreifftiol

Cymru. Yn fy marn i, byddai'r diwygio a gynigir yn arbed arian ac yn sicrhau hefyd bod arferion iaith da yn cael eu mabwysiadu'n fwy cyffredin. Ond, mae'n bwysig nodi hefyd bod fy mhwerau statudol yn rhoi'r disgresiwn i mi beidio â mynnu hefyd am gyfeirio o'r fath at y corff y derbynnir cwyn yn ei gylich os ydw i o'r farn na fyddai hynny'n briodol. Bydd sefyllfa debyg o ran cwynion am faterion yn ymwneud â'r Gymraeg yn caniatáu disgresiwn mewn achosion priodol.

Mae nifer o'r materion yr ymchwiliwyd iddynt, ac y cyfeiriwyd atynt yn y ddogfen ymgynghori, yn ymddangos yn ddibwys, ac yn fy marn i byddai'n fwy priodol delio â'r rhain drwy drefn Datrys yn Gynnar. Mae fy swyddfa wedi cytuno ar 287 o ddatrysiadau cynnar neu setliadau gwirfoddol yn 2016/17, cynnydd o 26% ers 2015/16. Yn sgil hyn, llwyddwyd i osgoi talu costau ymchwiliad, a chynnig canlyniad effeithiol ac amserol i'r achwynydd hefyd.

Mae fy awdurdodaeth wedi'i sefydlu cyn awdurdodaeth Comisiynydd y Gymraeg. Nid wyf yn credu felly y byddai Deddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005 yn mynnu unrhyw ddiwygiad statudol er mwyn caniatáu i'm swyddfa ymchwilio i gwynion ynghylch y Gymraeg yn erbyn cyrff cyhoeddus. Ar ben hynny, mae adran 8 (3) o'r Ddeddf yn nodi bod unrhyw swyddogaeth sy'n ymwneud â'r Gymraeg neu unrhyw agwedd ar ddiwylliant Cymru yn cael ei chyflawni mewn perthynas â Chymru, yn rhan o'm hawdurdodaeth. Gan fod swydd Comisiynydd y Gymraeg wedi cael ei sefydlu wedyn, mae cwynion yn ymwneud â'r Gymraeg wedi cael eu cyfeirio at Gomisiynydd y Gymraeg yn unol â'r Memorandwm Cyd-ddealltwriaeth y cyfeiriwyd ato uchod ac er mwyn sicrhau dull cyson o weithredu.

Er y byddai'n gwneud synnwyr i faterion yn ymwneud â'r Gymraeg ddilyn y broses dau gam a drafodwyd uchod, nid wyf yn credu y dylwn fod yn rhan o'r broses sy'n penderfynu pa gosb y dylid ei rhoi. Y Comisiwn/Comisiynydd ddylai benderfynu ynghylch hyn o hyd, gydag apeliadau'n cael eu hystyried gan y Tribiwnlys. Yn unol â'r trefniadau hyn, byddai fy rôl yn debyg i'r hyn a wnaif mewn achosion Cod Ymddygiad, lle mae Deddf Llywodraeth Leol 2000 yn rhoi pwerau i'm swyddfa gynnal yr ymchwiliad ond bod unrhyw gosb yn cael ei rhoi gan naill ai'r pwyllgor safonau neu gan Banel Dyfarnu Cymru.

Er bod fy mhwerau'n caniatáu i mi ymchwilio i ddarparwyr gofal preifat, os bwriedir cynnwys cwmnïau cyfleustodau preifat yn rhan o'm hawdurdodaeth, rwy'n credu y byddai hyn yn arwain at newid sylweddol yn fy awdurdodaeth ac y byddai angen ailddrafftio Bil Ombwdsmon Gwasanaethau Cyhoeddus.

I grynhoi, pe byddai Llywodraeth Cymru yn mynd ati i ddiwygio, byddwn yn argymhell gweithredu fel a ganlyn:

- Bod cwynion ynghylch materion Cymraeg yn dilyn y drefn dau gam a ddisgwyllir mewn cwynion eraill am faterion datganoledig.
- Bod fy swyddfa yn cael gwneud penderfyniadau yn ôl disgresiwn i gychwyn lle y bo hynny'n briodol.
- Bod prosesau Datrys yn Gynnar yn cael eu defnyddio i greu'r effaith orau bosibl.
- Dylai cwynion heb eu datrys sy'n weddill ddod i'm swyddfa.
- Mai dim ond ymchwilio fyddai rôl fy swydd.
- Os bydd angen cosbi corff am ei weithredoedd, mater i'r Comisiwn/Comisiynydd fyddai hyn o hyd. Byddai'r Tribiwnlys yn parhau yn ei rôl i ystyried apeliadau ar gyfer gosod safonau neu gosbau.

Manteision

- **Arbed cryn dipyn o arian cyhoeddus**
- **Adlewyrchu'r arfer gorau fel sy'n bodoli yng ngwlad y Basg a Chatalonia, lle mae gan yr ombwdsmyn yn yr ardaloedd hynny awdurdodaeth lawn dros gwynion yn ymwneud ag iaith.**
- **Defnyddio arfer gorau yn rhan ganolog wrth ddelio â chwynion gan sicrhau bod y cyhoedd yn dal yn ymddiried yn y broses.**
- **Mae datrys cwynion yn gynnar yn cynnig ateb effeithiol ac amserol i'r achwynwyr.**

Os bydd yr awgrymiadau hyn o ddiddordeb, byddwn yn hapus eu trafod gyda chi a/neu eich swyddogion.

Ombwdsmon Gwasanaethau Cyhoeddus Cymru

Medi 2017

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Copi i Meri Huws, Comisiynydd y Gymraeg

Simon Thomas AC, Cadeirydd Pwyllgor Cyllid Cynulliad Cenedlaethol Cymru

**Response of the Public Services Ombudsman for Wales to the
Welsh Government Consultation: 'Striking the Right Balance: Proposals for a Welsh Language Bill'**

I am pleased to have the opportunity to respond to the Welsh Government's White Paper '**Striking the Right Balance: Proposals for a Welsh Language Bill**'.

As Public Services Ombudsman for Wales (PSOW), I investigate complaints made by members of the public who believe they have suffered hardship or injustice through maladministration or service failure on the part of a body in my jurisdiction, which essentially are all those organisations responsible for delivering public services devolved to Wales. These include:

- local government (both county and community councils);
- the National Health Service (including GPs and dentists);
- registered social landlords (housing associations); and
- the Welsh Government, together with its sponsored bodies.

I am also able to consider complaints about privately arranged or funded social care and palliative care services.

In addition I have jurisdiction to consider allegations that members of local government bodies have broken their authority's code of conduct.

The Welsh Language Commissioner is a listed authority in Schedule 3 of the Public Services Ombudsman (Wales) Act 2005. I have also signed a Memorandum of Understanding with the Welsh Language Commissioner and my office has undertaken the investigation of language related complaints about Community Councils where no language scheme has been put in place.

My response to this consultation is restricted to the complaints aspects of the White Paper.

The Welsh Government's target of 1 million Welsh Speakers by 2050 is an ambitious one, which should require that all resources available to support the language are used in the most effective way possible.

It would appear that the current system is over-bureaucratic and complicated and that it can be wasteful. This could not only put goodwill towards the language at risk, but it also absorbs resources that could be better spent in promoting Welsh and creating new Welsh speakers.

It is a matter for the Government to decide whether it is appropriate to bring language promotion and regulation together. However, I believe that complaint handling could and should follow arrangements in other devolved fields, ensuring that complaints are not investigated by Government, or by Government appointees, but by a wholly independent body. This helps to maintain public confidence in the complaint handling process.

I welcome the fact that Section 75 of the Consultation overview refers to the PSOW good practice of generally allowing bodies the opportunity to investigate and respond in the first instance. The full document helpfully refers also to the all Wales Model Concerns and Complaints policy. I think the proposed reform would save money and also ensure more mainstream adoption of good language

practice. However, it is also important to note that my statutory powers also give me discretion not to insist on such a referral to the body being complained about where I consider that not to be appropriate. A similar position for complaints about Welsh language matters would allow for discretion in appropriate cases.

A number of the matters investigated, and referred to in the consultation document, seem trivial, and in my view would be more appropriately dealt with by an Early Resolution procedure. My office agreed some 287 early resolutions or voluntary settlements in 2016/17, an increase of 26% on 2015/16. These not only avoided the costs of an investigation, but also offered an effective and timely outcome for the complainant.

My jurisdiction pre-dates that of the Welsh Language Commissioner. I do not therefore believe that the Public Services Ombudsman (Wales) Act 2005 would require any statutory amendment to allow my office to investigate Welsh language complaints against public bodies. Furthermore, section 8 (3) of the Act specifies that any function relating to Welsh language or any aspect of Welsh culture is discharged in relation to Wales falls within my jurisdiction. As the Welsh Language Commissioner was subsequently established, complaints relating to the Welsh language have been referred to the Welsh Language Commissioner's in accordance with the Memorandum of Understanding referred to above and for consistency in approach.

Whilst complaints about Welsh language matters could sensibly follow the two stage process discussed above, I do not consider that I should be involved in determining any sanction that should be applied. This should remain a matter for the Commission/er, with appeals considered by the Tribunal. My role, under these arrangements, would be akin to that I fulfil in Code of Conduct cases, where the Local Government Act 2000 gives my office powers to carry out the investigation but any sanction is applied by either a standards committee or the Adjudication Panel of Wales.

Whilst my powers allow me to investigate private care providers, if the intention is to bring private utility companies within jurisdiction I believe this would mark a significant change in my jurisdiction and would require a redrafting of the Public Services Ombudsman Bill.

In summary, should the Welsh Government proceed with reform I would recommend the following approach:

- That complaints about Welsh language matters follow the two-stage procedure expected in other complaints about devolved matters.
- Discretion is retained for consideration by my office in the first instance where appropriate.
- That Early Resolution processes are used to maximum effect.
- Residual unresolved complaints should come to my office.
- My office's role would only be in relation to investigation.
- Should the actions of a body warrant sanction this should remain a matter for the Commission/er. The Tribunal would continue its role in considering appeals for standards impositions or sanctions.

Benefits

- **Save significant amounts of public money**

- Should these suggestions be of interest, I would be happy to discuss them with you and/or your officials.

September 2017

Simon Thomas AM, Chair of National Assembly for Wales Finance Committee

Rhan 1: Hybu'r Gymraeg

Cwestiwn 1 – Ym mharagraffau 49–54, rydym wedi amlinellu'r rôl yr ydym yn cynnig y dylai Llywodraeth Cymru ei chwarae i hybu'r Gymraeg, h.y. swyddogaethau'r Llywodraeth i hybu'r Gymraeg. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys p'un a oes meysydd y dylid eu hychwanegu neu eu tynnu o'r rhestr ym mharagraff 53.

Cwestiwn 2 – Yn Nhabl 1, rydym wedi amlinellu'r adnoddau mewn perthynas â'r swyddogaethau cyffredinol i hybu'r Gymraeg yr ydym o'r farn y dylent fod ar gael i unrhyw gorff neu gyrff sy'n helpu yn y gwaith o hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 3 – A ydych chi'n cytuno â'r opsiwn a ffefrir gennym (Opsiwn 4), sef un corff i fod yn gyfrifol am hybu'r Gymraeg ac am fonitro a gorfodi cydymffurfiaeth â'r Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Os ydych yn anghytuno, nodwch pa opsiwn (gan gynnwys opsiynau nad ydym wedi'u trafod yn y Papur Gwyn) y dylem ei ystyried yn eich barn chi.

Sylwadau ategol

Cwestiwn 4 – Rydym wedi seilio ein dewis, sef un corff, ar sail eglurder, cydnawsedd a gwerth am arian. A ydych chi'n cytuno â'n sail resymegol?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 5 – Pa faterion perthnasol eraill y dylem eu hystyried wrth wneud ein cynnig terfynol ynghylch pa gorff neu gyrff ddylai hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau?

Sylwadau ategol

Cwestiwn 6 – A oes gennych unrhyw sylwadau pellach ar Ran 1 y Papur Gwyn?

Rhan 2: Llywodraethiant ac atebolrwydd

Cwestiwn 7 – Ym mharagraffau 93–95, rydym wedi nodi rhai gofynion cyffredinol yn ymwneud â threfniadau llywodraethu ac atebolrwydd y corff. Beth yw eich barn chi am y gofynion cyffredinol hyn, ac a oes yna fesurau monitro a ffrwyno eraill a ddylai fod yn weithredol ar y corff arfaethedig?

Sylwadau ategol

Cwestiwn 8 – A ydych chi'n cytuno â'r opsiwn a ffeirir gennym (Opsiwn 3), sef i sefydlu Comisiwn y Gymraeg i hybu a hwyluso defnyddio'r Gymraeg a monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 9 – Beth yw eich barn chi am y dadansoddiad rydym wedi'i ddarparu sy'n cefnogi ein dewis ni, sef Opsiwn 3? A oes unrhyw ystyriaethau eraill y dylem eu hystyried wrth wneud unrhyw gynnig terfynol?

Cwestiwn 10 – A ydych chi'n credu bod Opsiwn 3 yn diogelu annibyniaeth y Comisiwn arfaethedig yn ddigonol yng nghyd-destun arfer swyddogaethau ar gyfer monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Ydw	<input type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 11 – A oes unrhyw faterion ychwanegol i'r rhai a restrir ym mharagraffau 121–122 y dylem eu hystyried wrth ystyried trefniadau i sefydlu'r Comisiwn arfaethedig?

Oes	<input type="checkbox"/>	Nac oes	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 12 – A ydych chi'n cytuno â'n cynnig i symud y gofyniad ar Lywodraeth Cymru i lunio strategaeth ar gyfer y Gymraeg o Ddeddf Llywodraeth Cymru 2006 i'r Bil y Gymraeg newydd?

Cytuno	X	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 13 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru adrodd i'r Cynulliad ar strategaeth y Gymraeg bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 14 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gyhoeddi cynllun yn nodi sut y bydd yn gweithredu'r strategaeth bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 15 – A ydych chi'n cytuno â'n cynnig i ddiddymu Cyngor Partneriaeth y Gymraeg a rhoi'r pŵer i Lywodraeth Cymru geisio cyngor gan y Comisiwn arfaethedig, sef Comisiwn y Gymraeg?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 16 – A oes gennych unrhyw sylwadau eraill ar Ran 2 y Papur Gwyn?

Rhan 3: Safonau'r Gymraeg

Cwestiwn 17 – Rydym yn cynnig y dylid mabwysiadu model diwygiedig o'r Safonau (Opsiw 2) fel y ffordd orau o sicrhau hawliau pobl i dderbyn gwasanaethau Cymraeg. A ydych chi'n cytuno â'r cynnig hwn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	x
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ddiwygiadau pellach yr hoffech eu gweld i'r system bresennol, neu unrhyw ddulliau gweithredu eraill y dylem eu hystyried yn eich barn chi.

Cymal 151:

- **Pwynt 1** -Croesawu'r cynnig i gyfuno rhai safonau atodol. Mae'r safonau atodol ar hyn o bryd yn dilyn trefn o osod yr un dyletswyddau ar gorff ond fesul dosbarth o safonau. Gellid mynd ati i arall-eirio'r safonau drwy wneud un math o safon yn berthnasol i bob un dosbarth o safonau sydd yn benodol gymwys neu sydd wedi'i osod ar gorff.
- **Pwynt 1** -Yn yr un modd, gellid cyfuno'r safonau cadw cofnodion, neu osod safon sy'n llai rhagnodol er mwyn rhoi disgrisiwn i'r Comisiynydd (neu gorff newydd) manylu pa fath o gofnodion y byddai'n dymuno i gyrff cadw yn unol â'r hyn y mae'n dymuno monitro yn ystod y cyfnod hwnnw.
- **Pwynt 1** -Gellid edrych i mewn i'w gwneud yn ofynnol i gorff gydymffurfio â'r safonau cadw cofnodion heb fod angen mynd trwy'r broses o ymgynghori a negodi rhwng y corff a'r Comisiynydd wedi iddynt gael eu pennu mewn rheoliadau. Mae'r math o safonau hyn yn rhai hollol sylfaenol, felly nid yw'n gwneud synnwyr i beidio'u gosod. Gellid lleihau ar firocratiaeth felly drwy'i wneud yn ofynnol i'w gosod mewn hysbysiad cydymffurfio fel mater o drefn, yn hytrach na'n ddewisol. Mae'r un peth yn wir gyda'r safonau atodol. Nid yw'r Comisiynydd wedi peidio â gosod y safonau hyn ar unrhyw un o'r cyrff sydd yn cydymffurfio gyda safonau ar hyn o bryd.
- **Pwynt 2** -Anghytuno gyda'r ail bwynt bwled. Mewn egwyddor, anghytunaf gyda'r bwriad i ddileu neu 'ddyfrio lawr' rhai safonau sydd eisoes wedi'u pennu, sy'n rhoi hawl uniongyrchol i bersonau allu defnyddio'r Gymraeg. Byddai hyn yn gam yn ôl ac yn dyfrio ar yr hawliau sydd gan bersonau i ddefnyddio'r Gymraeg. Mae'r ffaith bod safonau eisoes wedi'u pennu ar gyfer rhai gweithgareddau (megis dogfennau corfforaethol a thechnegol maith) mwy na thebyg yn golygu yr oedd eisoes ymrwymadau yng nghynlluniau iaith blaenorol y cyrff hynny i'w darparu yn Gymraeg (e.e. gweler hen gynllun iaith Cyngor Gwynedd). Nid yw'r ffaith bod gweithgaredd yn gostus neu'n cael ei ddefnyddio'n llai aml yn golygu na ddylid pennu safon sy'n berthnasol i'r weithgaredd hwnnw mewn rheoliadau.

Dim ond y cam cyntaf yn y broses yw bod safon yn cael ei bennu. Mae camau pellach wedyn yn y broses er mwyn ystyried os yw gofyniad yn un rhesymol a chymesur ai peidio. Mae 'na llawer o gamau i'w dilyn ar ôl i safon gael ei bennu sy'n golygu bod angen i'r corff sy'n gosod y ddyletswydd bwysu a mesur rhesymoldeb a chymesuredd gofyniad (e.e. ymgynghori ar hysbysiad cydymffurfio drafft yn unol ag Adran 47 y Mesur, neu drwy broses her megis drwy ddarparu gwybodaeth pellach i'r Comisiynydd wedi iddi ddilysu her, cynnig sylwadau wrth ymateb i ystyriaethau rhagarweiniol y Comisiynydd, neu drwy ddarparu rhagor o wybodaeth pellach drwy cyfarfod ffurfiol cyn i'r Comisiynydd wneud dyfarniad terfynol). Mae cyrff yn cael amryw o gyfleon yn ystod y broses o osod safonau i gyfleu bod unrhyw ofyniad yn un

afresymol neu'n anghymesur i'r pwynt lle gellir mynd at Dribiwnlys neu Uchel Lys am ddyfarniad.

- **Pwynt 3** – Ddim yn cytuno na'n anghytuno gyda'r pwynt hwn mewn egwyddor, i'r graddau na fyddai diwygio'r safonau yn golygu lleihau ar yr hawliau sydd gan bersonau i dderbyn gwasanaeth yn Gymraeg ar hyn o bryd.
- **Pwynt 4** - Nid oes angen Deddfu er mwyn caniatáu i'r hyn a nodir yn y bedwaredd baragraff ddigwydd. Mae hyn yn broses all ddigwydd yn unol â Mesur y Gymraeg.

Cymal 152: Cytuno gyda'r bwriad mewn egwyddor. Fodd bynnag, nid oes dim yn y Mesur cyfredol sy'n atal Gweinidogion Cymru rhag diwygio rheoliadau pob 10 mlynedd er mwyn eu 'moderneiddio'. Felly, nid wy'n gweld bod angen Deddfu neu ddiwygio'r broses er mwyn caniatáu i hyn ddigwydd.

O ran sicrhau gwelliant parhaus yn y gwasanaethau y mae corff yn ei gynnig dros amser, mae'r Mesur eisoes yn caniatáu i'r Comisiynydd amrywio hysbysiad cyfredol, neu ddiddymu hysbysiad a rhoi un newydd yn ei le. Drwy'r weithdrefn monitro, byddai modd i'r Comisiynydd adnabod lle mae'r corff arni o ran darparu gwasanaethau yn Gymraeg, ac amrywio'u hysbysiadau i gynnwys safonau mwy heriol dros amser. Er enghraifft, gosod safon sy'n golygu bod corff yn cynnal cyfarfodydd yn Gymraeg yn hytrach na chyfieithu ar y pryd. Nid oes angen Deddfu pellach er mwyn sicrhau gwelliant parhaus, gan fod modd i'r Comisiynydd wneud hynny eisoes drwy ddiwygio hysbysiadau dros amser.

Cwestiwn 18 – Rydym wedi seilio'r cynnig rydym yn ei ffafrio i ddiwygio'r Safonau (Opsion 2) ar sail yr eglurder, y capasiti ar gyfer gwella a'r costau newid sy'n gysylltiedig â phob opsiwn (paragraffau 163–165). A ydych chi'n cytuno â'n dadansoddiad?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	X
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ffactorau eraill y dylem eu hystyried wrth lunio unrhyw gynigion terfynol.

Gweler ymateb i gwestiwn 17

Cwestiwn 19 – A ydych chi'n cytuno â'r cynnig i ddiddymu'r dosbarthiadau presennol o Safonau, a gwahaniaethu rhwng 'Safonau' (a fyddai'n berthnasol i wasanaethau) a 'dyletswyddau cynllunio ieithyddol' (a fyddai'n berthnasol i ddyletswyddau corfforaethol)?

Cytuno	<input type="checkbox"/>	Anghytuno	X	Ddim yn cytuno nac yn anghytuno	x
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Sylwadau ategol

Byddwn yn cytuno mewn egwyddor i wahaniaethu rhai safonau i fod yn rhai 'cynllunio ieithyddol' pe byddai pwerau ymchwilio a gorfodi'r Comisiynydd barhau'n perthnasol i'r cynlluniau hynny.

Mae tystiolaeth cadarn bod gorfodaeth wedi sicrhau gwelliant sylweddol o ran cynllunio ieithyddol. Un o wendidiau'r cynlluniau iaith Gymraeg oedd nad oedd goblygiadau i'r cyrff

weithredu ar eu hymrwymiaidau i gynllunio'n ieithyddol. Byddai mynd yn ôl i oes y cynllun iaith yn gam sylweddol yn ôl.

Cwestiwn 20 – A ydych chi o'r farn y dylid cynnwys darpariaethau sy'n ymwneud â Chynlluniau Strategol y Gymraeg mewn Addysg yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cytuno mewn egwyddor. Mae lle i ddadlau y byddai'n fanteisiol i gyfuno'r holl ddeddfwriaeth sy'n ymwneud â'r Gymraeg mewn i un bil er hwylustod.

Cwestiwn 21 – Oes yna unrhyw faterion eraill y dylid, yn eich barn chi, eu cynnwys yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Oes	<input type="checkbox"/>	Nac oes	<input type="checkbox"/>	Ansicr	x
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Sylwadau ategol

Ehangu ar remit y cynlluniau strategol y Gymraeg mewn addysg i weithredu ar argymhellion adolygiad brys a wnaed gan Aled Roberts.

Cwestiwn 22 – A ydych chi'n cytuno y dylai fod gan y Comisiwn arfaethedig bwerau cyffredinol i gynnal ymchwiliadau i sut mae cyrff yn cyflawni eu dyletswyddau o ran y Gymraeg, a fyddai'n cynnwys y Safonau a'r dyletswyddau cynllunio ieithyddol?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	x
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Sylwadau ategol

Cwestiwn 23 – A ydych chi'n cytuno â'n cynnig y dylai'r Comisiwn arfaethedig fonitro a chefnogi cyrff mewn perthynas â'u dyletswyddau cynllunio ieithyddol, yn hytrach na'u gorfodi?

Cytuno	<input type="checkbox"/>	Anghytuno	x	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Byddai caniatáu hynny yn gam yn ôl.

Cwestiwn 24 – A ydych chi'n cytuno â'n cynnig i roi cyfrifoldeb am osod Safonau ar gyrff i Lywodraeth Cymru, p'un ai drwy hysbysiad cydymffurfio neu drefn arall?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae problemau ymarferol o roi cyfrifoldeb o osod safon i Lywodraeth Cymru, ond i roi cyfrifoldeb i'r Comisiynydd neu gorff arall gorfodi neu fonitro'r dyletswyddau.

Bydd angen gweithdrefn lle bydd y Comisiynydd (neu gorff newydd) yn gwybod a yw safon wedi'i oedi yn dilyn unrhyw her neu apêl. Fel arall, ni all y Comisiynydd (neu gorff newydd) wybod â sicrwydd os yw safon yn parhau'n weithredol pan ddaw cwyn.

Mae peryg y byddai'r Llywodraeth (wrth ystyried rhesymoldeb a chymesuredd gosod safonau mewn hysbysiad neu bennu safonau mewn rheoliadau) yn dehongli safonau yn wahanol i'r ffordd y mae'r Comisiynydd (neu gorff newydd), sef y rheoleiddiwr, yn ei ddehongli. Pa ddehongliad yw'r un cywir? Beth sy'n digwydd pan fo anghytundeb rhwng y ddau gorff? All y corff fynd â'r Llywodraeth i Dribiwnlys y Gymraeg oherwydd ei bod yn anghytuno gyda phenderfyniad neu ddehongliad y Llywodraeth?

Cwestiwn 25 – A ydych chi'n cytuno â'n cynnig y dylai pob un o'r rheoliadau i wneud Safonau fod yn destun ymgynghoriad cyhoeddus llawn cyn gofyn am gymeradwyaeth y Cynulliad?

Cytuno	x	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Ydw. Fodd bynnag, nid yw'n glir yn y Papur Gwyn beth ddylai ddigwydd pan fo corff yn cael ei adnabod lle gellir ychwanegu'r corff hwnnw i reoliadau sydd eisoes wedi pasio. Er enghraifft, pan fo corff newydd yn cael ei sefydlu a bod rheoliadau addas ar eu cyfer. Byddai cael mwy o eglurder am hynny'n ddefnyddio.

Cwestiwn 26 – A ydych chi'n cytuno â'n cynnig i ddiddymu Ymchwiliadau Safonau?

Cytuno	X	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Ydw, i'r graddau bod fforwm i'r cyhoedd ac i'r Comisiynydd allu bwydo mewn i'r drafodaeth o'r hyn y dylai cael eu gwneud yn benodol gymwys mewn rheoliadau e.e. ymgynghoriad cyhoeddus.

Cwestiwn 27 – A ydych chi'n cytuno â'n cynnig y dylid rhoi pwerau i gyhoeddi codau ymarfer neu ganllawiau mewn perthynas â'r Safonau i Lywodraeth Cymru?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	X
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Sylwadau ategol

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Cwestiwn 28 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gael pŵer i osod Safonau ar yr holl gyrff mewn sector yn uniongyrchol drwy reoliadau, heb fod angen hysbysiad cydymffurfio neu drefn arall gyffelyb?

Cytuno	<input type="checkbox"/>	Anghytuno	X	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ar y materion y dylem eu hystyried wrth lunio Safonau i'w gosod yn uniongyrchol ar gyrff o fewn sector, p'un a ddylai gyrff unigol barhau â'r hawl i herio Safon sydd wedi'i gosod arnynt, a ph'un a ddylid cael proses ymgynghori fwy trwyadl.

Byddai gwneud hynny yn golygu'n ymarferol y byddai dyletswyddau yn cael eu gosod sy'n gyrhaeddadwy i'r corff 'gwanaf' yn y sector gydymffurfio ag o yn hytrach na bod safonau mwy heriol yn cael eu gosod ar gyrff. Er enghraifft, safonau cyfieithu ar y pryd yn cael eu gosod ar bawb, er efallai y byddai corff o fewn y sector yn gweithredu trwy gyfrwng y Gymraeg ac yn gallu cynnal cyfarfodydd drwy gyfrwng y Gymraeg ar bob achlysur.

Cwestiwn 29 – Pa ffactorau y dylid eu cymryd i ystyriaeth neu pa weithdrefn y dylid ei dilyn er mwyn sicrhau bod y broses o osod Safonau ar Lywodraeth Cymru yn deg a thryloyw?

Sylwadau ategol

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Cwestiwn 30 – A ydych chi'n cytuno â'n cynnig y dylid gorfod delio â chwynion drwy weithdrefn gwyno'r corff perthnasol cyn y caiff y Comisiwn arfaethedig, sef Comisiwn y Gymraeg, ymchwilio i fethiant honedig?

Cytuno	<input type="checkbox"/>	Anghytuno	X	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Nac ydw. Mae'n digon anodd i berson gwyno yn y lle cyntaf felly dylai'r broses fod mor hawdd â phosibl i'w gwneud. Diffyg modd o ddelio gyda chwynion yn anffurfiol neu drwy ddatrysiad buan yw'r broblem, nid y ffaith bod modd i bersonau wneud cwynion yn uniongyrchol at sefydliadau.

Cwestiwn 31 – A ydych chi'n cytuno â'n cynnig fod yn rhaid i gyrff gadw at weithdrefn gwyno sydd wedi'i chymeradwyo, fel y Polisi Pryderon a Chwynion Enghreifftiol?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	x
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Sylwadau ategol

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Cwestiwn 32 – A ydych chi'n cytuno â'n cynnig mai dim ond os yw o'r farn fod yr achos honedig o dorri Safon neu weithdrefn gwyno yn un ddifrifol y dylai'r Comisiwn arfaethedig gael cymryd camau gweithredu pellach mewn perthynas â chŵyn?

Cytuno	<input type="checkbox"/>	Anghytuno	X	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ar ein diffiniad o 'achos difrifol' ym mharagraff 219.

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Cwestiwn 33 – A ydych chi'n cytuno â'n cynnig i ganiatáu i'r Comisiwn arfaethedig gynnal ymchwiliad ar ei liwt ei hun?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	x
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Sylwadau ategol

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Cwestiwn 34 – A ydych chi'n cytuno fod y camau gweithredu a ddisgrifir ym mharagraff 225 yn darparu amrywiaeth effeithiol o gamau gorfodi?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw syniadau ynghylch camau gorfodi eraill a wrthodwyd neu nad ydynt wedi cael eu hystyried yn y Papur Gwyn.

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Cwestiwn 35 – Ar hyn o bryd, mae gan y Comisiynydd bwerau i osod dirwy sifil o hyd at £5,000 ac, mewn rhai amgylchiadau, i ofyn am orchymyn llys i'w gwneud yn ofynnol i gorff gydymffurfio. A ydych chi'n cytuno â'n cynnig y dylid cadw'r pwerau hyn?

Cytuno	X	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ynghylch y ddirwy sifil uchaf y dylai'r Comisiwn arfaethedig allu ei gosod (os o gwbl).

Cwestiwn 36 – A ydych chi'n cytuno â'n cynnig i gadw rôl y Tribiwnlys mewn perthynas â phenderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	X	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 37 – A ydych chi'n cytuno â'n cynnig y dylai'r Tribiwnlys hefyd ymdrin ag apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Cytuno	X	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 38 – Rydyn ni'n cynnig cyflwyno cam cyntaf gorfodol ar gyfer y Tribiwnlys mewn perthynas ag apelau yn erbyn penderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi Safonau. Byddai'r cam cyntaf yn ei gwneud yn ofynnol i'r Tribiwnlys roi caniatâd ar y sail bod siawns rhesymol y bydd y cais yn llwyddo neu pan fo rheswm cryf arall pam y dylai'r cais gael ei glywed. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 39 – A ydych chi o'r farn y dylai'r cam cyntaf gorfodol arfaethedig fod yn gymwys i apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Ydw	<input type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 40 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 3 y Papur Gwyn?

Rhan 4: Cwmpas y cyrff sy'n ddarostyngedig i ddeddfwriaeth y Gymraeg

Cwestiwn 41 – A ydych chi'n cytuno â'n cynnig i ddileu'r cyfyngiadau yn y Mesur fel bod Llywodraeth Cymru'n meddu ar y pŵer i wneud Safonau'n gymwys i unrhyw gorff o fewn cymhwysedd deddfwriaethol y Cynulliad?

Cytuno	X	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 42 – A ydych chi'n cytuno â'n cynnig mai dim ond mewn perthynas â'r gwasanaethau y maent yn eu cyflenwi i'w cwsmeriaid y dylai busnesau yn y sector preifat fod yn agored i orfod cydymffurfio â Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	X	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ynghylch unrhyw gyfyngiadau y dylid eu rhoi ar y pwerau i osod Safonau ar fusnesau preifat.

Nac ydw. Dylai pob corff fod yn agored i orfod cydymffurfio â phob dosbarth o safonau. Mae camau pellach o fewn y broses o osod safonau sy'n galluogi Gweinidogion Cymru i beidio ei gwneud yn ofynnol i gorff gydymffurfio â safon, sef drwy beidio gwneud y safonau hynny yn benodol gymwys i gorff neu grŵp o gyrff o fewn rheoliadau.

Mae sefydliadau preifat, yn unol â Chynlluniau iaith Gymraeg, eisoes yn ymrwymo i ddyletswyddau sy'n disgyn y tu hwnt i gyflenwi gwasanaethau i gwsmeriaid.

Cwestiwn 43 – A ydych chi'n cytuno â'n cynnig mai dim ond fel rhan o becyn ehangach o weithgarwch sy'n hybu'r Gymraeg ac yn cynyddu ymwybyddiaeth ohoni y dylid gosod Safonau ar fusnesau preifat?

Cytuno	<input type="checkbox"/>	Anghytuno	X	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 44 – Os rhoddir pwerau i Lywodraeth Cymru i osod Safonau ar unrhyw gorff o fewn cymhwysedd y Cynulliad, a ydych chi o'r farn y dylai Safonau gael eu gosod ar unrhyw gorff neu sector nad yw ar hyn o bryd o fewn cwmpas deddfwriaeth ynghylch y Gymraeg?

Ydw	X	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

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Cwestiwn 45 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 4 y Papur Gwyn?

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Rhan 5: Asesu effaith ein cynigion

Cwestiwn 46 – Rydym wedi asesu effaith ein cynigion ar gydraddoldeb, plant, pobl ifanc a'u teuluoedd, a'r Gymraeg. A oes gennych chi sylwadau ar unrhyw un o'r asesiadau hyn?

Cwestiwn 47 – Hoffem wybod eich barn ar yr effeithiau y byddai'r cynigion yn ein Papur Gwyn yn eu cael ar y Gymraeg, yn benodol ar:

- i) gyfleoedd i bobl ddefnyddio'r Gymraeg
- ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Pa effeithiau fyddai, yn eich barn chi? Sut mae cynyddu effeithiau cadarnhaol neu liniaru effeithiau negyddol?

Sylwadau ategol

Cwestiwn 48 – Eglurwch hefyd sut gellid ffurfio neu newid yr opsiynau arfaethedig:

- i) fel eu bod yn cael effeithiau cadarnhaol neu fwy o effeithiau cadarnhaol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg
- ii) fel nad ydynt yn cael effeithiau andwyol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Sylwadau ategol

Cwestiwn 49 – Rydym wedi gofyn nifer o gwestiynau penodol. Os oes gennych chi faterion perthnasol nad ydym wedi rhoi sylw penodol iddynt, defnyddiwch y blwch isod i roi gwybod i ni amdanynt.

Mae'r Papur gwyn drwyddi draw yn cyfeirio at y safonau yn rhoi hawliau i'r cyhoedd. Dylid pwysleisio bod y Mesur a'r safonau yn rhoi hawliau ehangach na hynny gan ei fod yn rhoi hawliau i bersonau, sy'n cynnwys sefydliadau cyhoeddus a'i staff.

Nid oes dim byd yn y Papur Gwyn sy'n cyfeirio at yr hyn y bwriedir ar gyfer diwygio neu lunio cynlluniau iaith, a phwy fydd yn gyfrifol am yr elfen hwnnw.

Mae ymatebion i ymgynghoriadau yn debygol o gael eu gwneud yn gyhoeddus, ar y rhyngrwyd neu mewn adroddiad. Os byddai'n well gennych i'ch ymateb aros yn ddienw, ticiwch yma:



Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

It is good to see that the Welsh Government recognises the current limitations of digital technology software development and plans to influence improvements.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

We fully support any plans to move away from enforcement (where possible) and to a more supportive role. The proposed complaint process is also a step in the right direction.

Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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The Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

The body's recent experience of working with standards and their success of monitoring and enforcing them.

Question 6 – Do you have any further comments on Part 1 of the White Paper?

No

Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

The general requirements set out in paragraphs 93 – 95 appear reasonable and proportional.

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Clarity will be required on the powers delegated/not delegated to members, with clearly identified routes for decision making.

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

The analysis provided provides sufficient information to support option 3. Decision making as stated above.

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Consideration should be given to the staffing of the newly formed body to ensure the right skills mix to deliver the new strategic direction.

Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Consideration should be given to introducing a set of key performance indicators that could be reported to the Assembly annually to ensure that the plan remains on track.

Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 16 – Do you have any further comments on Part 2 of the White Paper?

No

Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people’s rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

As with any of the options the success of the chosen option is dependent on open and continued communication between sectors and the Commission.

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

Another factor to consider under capacity for improvement is the technology in use/available to a sector. For example does an organisation have the technical capability to meet the Standards set?

Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

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Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

<p>The strategy sets out plans to increase the level of Welsh speakers through the education system, it could therefore be a minimum of 10 years before we see a real difference in the number of Welsh speakers within our communities. The Standards need to reflect this, with any standard introduced now being reflective of the profile of our communities today. With a view to revisiting the Standards after delivery of key milestones of the strategy in the future, so that the Standards evolve over time with the changing profile of our communities. However reflecting the need to support the</p>

delivery of the strategy.

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

The proposal will enable the Commission to allocate resources to deal with more serious/ complex complaints.

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a 'serious breach' in paragraph 219.

Resources will be finite and it is essential that they are focussed where they have the greatest impact.

Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Care needs to be taken here. This would exceed the current powers of the PSOW and could result in allegations of a 'witch hunt' by the Commission where no complaint has been received.

Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

Given that all public sector bodies are facing financial cuts on an annual basis a fine may not be the most effective and could alienate the Commission from citizens. More formal and public ‘naming and shaming’ may be considered more impactful.

Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

See response above.

Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission’s decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an

application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 40 – Do you have any further comments on Part 3 of the White Paper?

No

Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly's legislative competence?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

**When considering which organisations to make applicable to Standards careful consideration should be paid to the cost of implementation to the body and their capacity to comply.
As the Standards are still in their infancy the application of Standards to other bodies should be placed on hold until all bodies currently covered have implemented the Standards.**

Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

It is important that the Standards do not become a 'tax' on companies working in Wales. Employment is a key economic driver and we need businesses to be on board not resistant to impositions.

Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

See above.

Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly's competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Taking into account proportionality.

Question 45 – Do you have any further comments on Part 4 of the White Paper?

No

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

No

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

In areas where English is predominantly spoken it can be difficult to employ sufficient Welsh speakers to really treat Welsh no less favourably than English. It is important that this is borne in mind as many organisations could be committed to the principles of the Standards but find it almost impossible to fully comply with (ii) above.

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here.

☐



Tîm Bil y Gymraeg
Is-adran y Gymraeg
Llywodraeth Cymru
Parc Cathays
Caerdydd
CF10 3NQ

Drwy e-bost

18 Hydref 2017

Annwyl Syr/Madam

Dogfen ymgynghori ar y Papur Gwyn

Ysgrifennwn mewn ymateb i'ch ymgynghoriad ar y Papur Gwyn *Taro'r cydbwysedd iawn*.

Ni yw'r rheoleiddiwr dros y proffesiynau optegol yn y Deyrnas Unedig. Ein diben yw amddiffyn y cyhoedd drwy hyrwyddo safonau uchel o addysg, perfformiad ac ymddygiad ymhlith optegwyr. Ar hyn o bryd rydym yn cofrestru tua 29,000 o optometryddion, optegwyr dosbarthu, myfyrwyr optometreg a busnesau optegol.

Cydnabyddwn bwysigrwydd sicrhau mynediad i wasanaethau yn y sector iechyd ar gyfer siaradwyr Cymraeg a thrin y Gymraeg a'r Saesneg ar y sail eu bod yn gyfartal. Rydym wedi gweithredu Cynllun Iaith Gymraeg ers 2009 a'n bwriad yw adeiladu arno yn y dyfodol trwy weithredu Safonau'r Gymraeg.

Roeddem o'r farn y byddai'n ddefnyddiol egluro amgylchiadau penodol y GOC o ran ein cylch gwaith a'n diben statudol:

- Ni sy'n gyfrifol am reoleiddio optegwyr ledled y DU. Mae hyn yn golygu nad yw'r mwyafrif helaeth - dros 95 y cant – o'r sawl rydym yn darparu gwasanaethau iddynt yn byw neu'n gweithio yng Nghymru.
- Dim ond un swyddfa sydd gennym, yn Lloegr, a chaiff ein holl wasanaethau eu darparu gan staff sydd wedi eu lleoli tu allan i Gymru.
- Rydym yn elusen ac, yn yr un modd â rheoleiddwyr eraill gweithwyr gofal iechyd proffesiynol, cawn ein hariannu'n gyfan gwbl drwy ffioedd ein cofrestreion. Nid ydym yn derbyn unrhyw arian trethdalwyr ac mae'n rhaid i unrhyw wasanaethau ychwanegol a ddarparwn gael eu hariannu drwy godi ffioedd

cofrestru ar gyfer ein holl gyflogeion, neu drwy wario llai o arian ar ein swyddogaethau statudol i amddiffyn y cyhoedd.

- Yn y blynyddoedd diwethaf, mae rheoleiddwyr gweithwyr gofal iechyd proffesiynol wedi dod o dan bwysau oddi wrth Lywodraethau'r DU a'r Alban, ein corff goruchwyllo sef yr Awdurdod Safonau Proffesiynol (PSA), cyrff proffesiynol a chofrestreion i gadw'n ffioedd yn isel ac i weithredu'n effeithlon.
- Yn ogystal, byddai'n rhaid i gostau unrhyw Safonau mae'r PSA yn dod odanynt gael eu talu'n uniongyrchol gan y rheoleiddwyr gweithwyr proffesiynol ac yn anuniongyrchol gan ein cofrestreion, gan mai'r rheoleiddwyr sy'n cyllido'r PSA drwy ardoll flynyddol.

Gan hynny, croesawn yr ymagwedd gytbwys a chymesur a bennir yn y Papur Gwyn. Hefyd, yn arbennig yng ngoleuni'n trefniadau ariannu, croesawn y ffaith bod Llywodraeth Cymru yn ailystyried ein cynnwys ni a'n cyd-reoleiddwyr gweithwyr proffesiynol ymhlith y cyrff sy'n dod o dan Reoliadau Iechyd Rhif 4. Croesawn hefyd ymgysylltiad Llywodraeth Cymru â ni a rheoleiddwyr eraill drwy gydol y broses o lunio Safonau newydd.

O ran y manylion, croesawn y cam priodol i wahanu Llywodraeth Cymru sy'n pennu polisi ac yn gosod safonau, a chorff amgen sy'n gorfodi cydymffurfiaeth. Nid oes gennym farn ai Comisiynydd y Gymraeg neu Gomisiwn y Gymraeg newydd fyddai'n fwyaf priodol fel y corff hwnnw.

Tybiwn, fodd bynnag, a oes gwrthdrawiad buddiannau wrth i'r un corff sy'n monitro ac yn gorfodi safonau hyrwyddo defnydd y Gymraeg yn ogystal. Fel y cyfryw, credwn y byddai'r gwaith hyrwyddo yn fwy addas yn nwylo Llywodraeth Cymru neu gorff ar wahân (opsiynau 2 neu 3 am drydydd cwestiwn yr ymgynghoriad yn hytrach na'r opsiwn 4 arfaethedig).

Cytunwn y dylid cadw'r cysyniad o Safonau'r Gymraeg ond ei ddiwygio (opsiwn 2 i gwestiwn 17) ac iddynt gael eu cymhwyso i wasanaethau yn unig. Credwn mai darparu gwasanaethau i'r cyhoedd a ddylai fod ffocws y Safonau, nid gweithrediadau mewnol sefydliadau, a chytunwn y dylai Safonau nad ydynt yn cyfrannu'n uniongyrchol at wella gwasanaethau gael eu dileu neu eu haddasu.

Cytunwn hefyd y dylai cyrff delio â chwynion yn y lle cyntaf ac na ddylai'r Comisiwn (neu Gomisiynydd) wneud hynny ond mewn achosion difrifol. Serch hynny, nid ydym o'r farn ei bod yn gymesur o reidrwydd cyhoeddi'r cwynion hyn a'u canlyniadau ar-lein, gan nad ydym ni'n gwneud hyn gyda chwynion corfforaethol o unrhyw natur arall.

Byddem yn croesawu rhoi rôl fwy cefnogol i'r Comisiwn wrth helpu cyrff i gyflawni arfer da o ran eu darpariaethau iaith (cwestiwn 23), yn hytrach na rôl

sy'n gorfodi cydymffurfiaeth yn bennaf. Mae'r dull ataliol mwy rhagweithiol hwn yn cynrychioli rheoleiddio effeithiol ac rydym yn ei argymhell yn gryf yn ein rôl ein hunain – nod ein ffocws ar hyrwyddo'n Safonau Ymarfer a'n Hadolygiad Strategol o Addysg sy'n mynd rhagddo yw helpu optegwyr i ymarfer yn ddiogel ac yn effeithiol, gan leihau cwynion felly. Mae'r dull rhagweithiol hwn hefyd yn cael ei arddel gan reoleiddwyr eraill yn ein sector ni a chan y PSA yn eu cyhoeddiadau *Rethinking Regulation a Regulation Rethought*.

Ailadroddwn ein galwad i weithredu Safonau yn gymesur ar gyfer ein hunain a chyrff tebyg yng ngoleuni'n trefniadau ariannu, ein lleoliad corfforol tu allan i Gymru a'r defnydd isel ar ein gwasanaethau Cymraeg presennol. Mae'r ffactorau hyn, yn arbennig ein lleoliad, hefyd yn peri pryder i ni o ran dod o dan 'egwyddor gydgyfeirio' o bosibl ymhen amser, yn hytrach na chael Safonau pwrpasol sy'n adlewyrchu ein nodweddion ni fel sefydliad.

Byddem yn ei groesawu petai Llywodraeth Cymru a/neu'r Comisiwn yn cyddrefnu â'r PSA er mwyn sicrhau nad ydym ni a'r cyrff eraill mae'r PSA yn eu goruchwyllo yn dioddef dyblygu o ran monitro. Ymgynghorodd y PSA yn ddiweddar ar newidiadau i'r broses adolygu perfformiad, a gallai ei safonau a safonau arfaethedig o ran hygyrchedd gwybodaeth, llywodraethu a chydarddoldeb i gyd ymdrin yn rhesymol â darpariaeth yn y Gymraeg. Byddai'n llawer gwell gennym gael un corff yn unig yn goruchwyllo'n darpariaeth Gymraeg, yn hytrach na chyrff lluosog, a hynny er mwyn osgoi baich rheoleiddio diangen arnom ni ac osgoi drysu'n rhanddeiliaid petai'r cyrff gwahanol yn dod i gasgliadau gwahanol am ein perfformiad.

Yn olaf, nid yw'r asesiad effaith yn y ddogfen yn ôl pob golwg yn ystyried yr effaith ar ein cofrestreion na chofrestreion rheoleiddwyr eraill. Gan mai eu ffioedd nhw a fyddai'n gorfod talu am unrhyw ddarpariaeth ychwanegol yn y Gymraeg, ac yn arbennig gan nad yw'r mwyafrif llethol ohonynt yn byw nac yn gweithio yng Nghymru, dylai'r effaith ar gofrestreion gael ei hystyried yn ofalus.

Gobeithiwn fod yr ymateb hwn yn ddefnyddiol wrth greu ymagwedd at y Gymraeg sy'n galluogi'r cyhoedd i gyrchu'n gwasanaethau ni'n well ar yr un pryd ag aros yn gymesur. Byddem yn hapus i gwrdd i drafod unrhyw agwedd arno.

Yn gywir



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**STRIKING THE RIGHT BALANCE: PROPOSALS FOR A WELSH LANGUAGE BILL –
BRON AFON COMMUNITY HOUSING’S RESPONSE**

Consultation Questions	Supporting Comments
<p>1 In paragraphs 49-54 (<i>page 18</i>), we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?</p> <p>Agree/Disagree/Neither agree nor disagree. Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.</p>	<p>Agree – We welcome the proposals where the Welsh Government would take the lead role in promoting the Welsh language and the delivery of the activities would be undertaken by others. This would lend itself to creating closer relationships – it is our hope that this would provide better practical support, supporting the creation of networks to share learning and good practice. We would welcome any additional resource and access to support. We would want any promotional expectations of us as an organisation to be proportionate and reasonable.</p>
<p>2 In Table 1 (<i>page 21</i>) we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with standards. Do you agree with our proposal?</p> <p>Agree/Disagree/Neither agree nor disagree. Supporting comments.</p>	<p>Agree – We would welcome the:</p> <ul style="list-style-type: none"> • Examples of the work outlined i.e. establishing a helpline service to ensure there is access to information on using the Welsh Language. • Resources outlined and well publicised i.e. offering more guidance/advice i.e. such as that provided by the then Welsh Language Board which would be communicated to organisations, sometimes where needed with a follow-up workshop to look at the practicalities/implementation of guidance, identify what support is needed by whom.
<p>3 Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?</p> <p>Agree/Disagree/Neither agree nor disagree. If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider. Supporting comments</p>	<p>Agree. Option 4 would offer more support than that currently provided in existing arrangements i.e. we would welcome the opportunity to work together if it would provide us with support to help with compliance, provision of training, workshop based learning. Working with one body would help streamline, simplify, and clarify responsibilities. We would want to see clarity about the relationship between this single body and our Housing Regulator.</p>

Consultation Questions		Supporting Comments
4	<p>We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?</p> <p>Agree/Disagree/Neither agree nor disagree. Supporting comments.</p>	<p>Agree – Clarity: We would welcome one single body to undertake the promotional, monitoring and enforcement of standards. This would provide clarity by having one point of contact and reduce any confusion, making it clearer where to go for advice and support.</p> <p>Synergy: The creation of one single body would appear to offer a suitable option to achieve the ambitions of Cymraeg 2050 and the support so needed by organisations, which will be greatly helped by the blend of functions this new body would possess – including monitoring compliance, giving advice and guidance.</p> <p>Value for money: In the current financial climate that organisations are operating in, this option appears to be the better of the options, creating a lesser financial impact, making use of existing systems and resources.</p> <p>As above, for the Housing Sector, we would value clarity re: the relationship between this body and our Regulator.</p>
5	<p>What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?</p> <p>Supporting comments.</p>	<p>The Commissioner sets out in her Regulatory Framework that a written response will no longer be provided to annual monitoring reports published.</p> <p>We would like written responses from the single body introduced again as part of the proposals surrounding the monitoring of standards or a format that allows feedback and learning from others. This would complement the objective (relating option 4 – the creation of single body would offer a blend of functions) of continuous improvement in the delivery of Welsh services to the public.</p> <p>Again, as above, clarity in the relationship between this body and the Housing Regulator would be welcomed.</p>
6	<p>Do you have any further comments on Part 1 of the White Paper?</p>	None.
7	<p>In paragraphs 93-95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?</p> <p>Supporting comments.</p>	<p>We of course want to do what we can to help the Welsh Government to achieve the ambition that 1 million people in Wales will speak Welsh by 2050. We welcome the steps set out in these paragraphs which focus on the body's extensive engagement with its stakeholders on its key decisions, policies. We also welcome the provision of a policy in relation to the body's functions for monitoring and enforcement of compliance with the Standards, to ensure we know what to expect of the regulator. See our comments above re housing sector regulation and as covered in our</p>

Consultation Questions		Supporting Comments
		answer to consultation question no. 41 - which raise questions for us operating in the housing sector.
8	Do you agree with our preferred option (Option 3) to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards? Agree/Disagree/Neither agree nor disagree. Supporting comments.	Agree – the establishment of one single body (a Commission) – as per Question 3 - would create better awareness and understanding of who is responsible for these functions. We hope that this would offer an opportunity to build closer working relationships with the Commission and help them to better understand the local issues within our communities.
9	What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?	The preference for option 3 allows for a clearer separation of responsibilities, providing clarity for those using the standards.
10	Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards? Yes/No/Unsure Supporting comments	Yes – option 3 appears to be the better option providing a clear separations of responsibilities – between a Commission and a Chief Executive who would be accountable to the Commission which would include reporting on all aspects of the body's performance.
11	Are there any additional matters to those listed in paragraphs 121-122 that we should consider regarding arrangements to establish the proposed Commission? Yes/No/Unsure Supporting comments	No.
12	Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill? Agree/Disagree/Neither agree nor disagree Supporting comments	Agree – it would appear logical to align matters relating to the Welsh language to one place i.e. new Welsh Language Bill, retaining a reference within the Government of Wales Act 2006 to where this requirement can be found.
13	Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?	Agree – on the basis that if there is little progress to be reported annually, and it should be evident at the 5-year point. Paragraph 126 mentions that “in practice, the incoming Welsh Government at the beginning of each Assembly term <i>is likely</i> to review

Consultation Questions		Supporting Comments
	Agree/Disagree/Neither agree nor disagree Supporting comments	the strategy and implementation plan, and refresh them in light of progress and circumstances at the time”. This could be interpreted as this does not always happen – could the proposal build this practice into the new Bill to ensure this takes place?
14	Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually? Agree/Disagree/Neither agree nor disagree Supporting comments	Agree – as this aligns with the proposal we agreed with in consultation question 13.
15	Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission? Agree/Disagree/Neither agree nor disagree Supporting comments	Agree – given the proposals to establish one single body which would reduce confusion by having a single point of contact and source of expertise.
16	Do you have any further comments on Part 2 of the White Paper?	None.
17	We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people’s rights to receive Welsh language services. Do you agree with this proposal? Agree/Disagree/Neither agree nor disagree Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider	Agree – option 2 would allow us to incorporate service improvements as the service develops, similar to our existing Welsh Language Scheme. It also removes the difficulties/burdens that the existing standards would have imposed; with these proposals allowing the removal of standards that would be unreasonable or disproportionate.
18	We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163-165). Do you agree with our analysis? Agree/Disagree/Neither agree nor disagree	Agree – it’s welcoming to see that the variations in customer profile and, therefore, demand for the Welsh Language within the Housing Sector across Wales is acknowledged. In an environment of financial constraints and welfare reform, we would hope to see that these proposals create a lesser impact financially and operationally than previously estimated by us.

Consultation Questions		Supporting Comments
	Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.	
19	<p>Do you agree with the proposal to abolish the current classes of Standards and differentiate between 'Standards' (which would relate to services) and 'language planning duties' (which would relate to corporate duties)?</p> <p>Agree/Disagree/Neither agree nor disagree</p> <p>Supporting comments</p>	<p>Agree - We would welcome the changes to the classes of standards, where the corporate duties (called language planning duties), would not be part of the Standards but would become part of the Welsh Language Bill. We would welcome the proposal of area based language planning which recognises the variations in demand creating standards that are reasonable and proportionate and availability of practical support. This change, so long as it remains reasonable and proportionate, would enable us to respond to our demographic and change over time through planning.</p>
20	<p>Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?</p> <p>Yes/No/Unsure</p> <p>Supporting comments</p>	<p>Unsure - as this is one for the local authority and we would not see this applying to ourselves as a housing sector body.</p> <p>As we are located in the Torfaen County Borough Council area, we are aware of the Council's Draft Welsh in Education Strategic Plan 2017-2020 which is intended to demonstrate alignment with the Welsh Language Strategy 2017-2022 for Torfaen County Borough Council and at the same time recognise and address the Welsh Government ambition to reach a million Welsh speakers by 2050.</p>
21	<p>Are there any other matters which you believe should be included in the new legislation as language planning duties?</p> <p>Yes/No/Unsure</p> <p>Supporting comments</p>	<p>None.</p>
22	<p>Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?</p> <p>Agree/Disagree/Neither agree nor disagree</p> <p>Supporting comments</p>	<p>Disagree – We note the Commission's monitoring and enforcing role relating to how organisations are exercising their duties and welcome the practical support to help develop language planning skills. If the standards are reasonable and proportionate and organisations are supported to implement standards and develop language planning duties, there should be no need for examinations to be conducted. It would be sufficient in our view, to require, as now, reporting on progress which can be monitored.</p>

Consultation Questions		Supporting Comments
23	<p>Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?</p> <p>Agree/Disagree/Neither agree nor disagree Supporting comments</p>	<p>Agree – See above comments in our answer to consultation question 22.</p>
24	<p>Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?</p> <p>Agree/Disagree/Neither agree nor disagree Supporting comments</p>	<p>Agree – The use of a single body such as the Welsh Government to impose Standards, with the Commission monitoring compliance, will reduce confusion and time. This appears to be a positive sign that in time will provide a better experience for service providers and their customers. Again, same point as before would appreciate clarity over the relationship and role of the Housing Regulator regarding compliance.</p>
25	<p>Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?</p> <p>Agree/Disagree/Neither agree nor disagree Supporting comments</p>	<p>Agree – it's vital that the views of users are sought where services change, with a view to identifying how the public's understanding of the standards has changed.</p>
26	<p>Do you agree with our proposal to abolish Standards Investigations?</p> <p>Agree/Disagree/Neither agree nor disagree Supporting comments</p>	<p>Agree – the removal of the Welsh Language Commissioner's powers to conduct Standards investigations would appear to make the system less bureaucratic, leading to better use of finances and in turn provide clarity over the stages involved in the process.</p>
27	<p>Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?</p> <p>Agree/Disagree/Neither agree nor disagree Supporting comments</p>	<p>Agree – the creation of codes of practice/guidance is something we feel has been missing from the current system. The provision of this, would we hope, lead to a better understanding and support with the practical application of the standards. These need to be capable of applying across sectors.</p>
28	<p>Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?</p> <p>Agree/Disagree/Neither agree nor disagree</p>	<p>Agree – the introduction of regulation (replacing compliance notices) would align with the existing regulatory framework for housing associations. It needs to be acknowledged that demand for Welsh differs for each housing association due to their geographical location and, therefore, there needs to be a challenge process built into the proposal that allows for any unreasonableness and/or disproportionality to be challenged.</p>

Consultation Questions		Supporting Comments
	Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.	
29	What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent? Supporting comments	We would welcome a protocol governing the process for imposing Standards on the Welsh Government, given that it would be holding itself to account, through, for example, a transparent self-assessment process that would be open to scrutiny by a government scrutiny panel.
30	Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure? Agree/Disagree/Neither agree nor disagree Supporting comments	Agree – The relevant bodies should have an opportunity to put things right before the Welsh Language Commission get involved. The relevant body should aim to resolve the complaint by dealing with outstanding issue quickly, giving an apology when one is due and ensuring that they learn from the complaint.
31	Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy? Agree/Disagree/Neither agree nor disagree Supporting comments	Agree as above.
32	Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious? Agree/Disagree/Neither agree nor disagree Supporting comments, including any comments on our definition of a 'serious breach' in paragraph 219	Agree – The Welsh Language Commission should only take further action should an alleged breach occur. The Commission should only get involved if the relevant body hasn't put things right. Then there would be a need to intervene to ensure standards are met.
33	Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?	Agree – The Commission should conduct an investigation if there was a breach. The Commission should hold the relevant body to account and ensure that relevant body learns lessons from the investigation.

Consultation Questions		Supporting Comments
34	<p>Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?</p> <p>Agree/Disagree/Neither agree nor disagree</p> <p>Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper</p>	<p>Agree – The actions set out in paragraph 225 seem to provide an effective range of enforcement actions. However, the enforcement action needs to be appropriate and proportionate in relation to the breach committed.</p>
35	<p>Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?</p> <p>Agree/Disagree/Neither agree nor disagree</p> <p>Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).</p>	<p>Agree - Any fine needs to be proportionate and imposing a fine of up to £5,000 gives scope for proportion to the breach and sends a clear signal of magnitude.</p>
36	<p>Do you agree with our proposal to retain the Tribunal's role in relation to the proposed Commission's decisions regarding enforcing bodies' compliance with Standards?</p> <p>Agree/Disagree/Neither agree nor disagree</p> <p>Supporting comments</p>	<p>Agree.</p>
37	<p>Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?</p> <p>Agree/Disagree/Neither agree nor disagree</p> <p>Supporting comments</p>	<p>Agree – in the event of wanting to challenge a decision, it would appear that this right of recourse via a tribunal provides a more accessible options than judicial review.</p>
38	<p>We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission's decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?</p>	<p>Agree.</p>

Consultation Questions		Supporting Comments
	Agree/Disagree/Neither agree nor disagree Supporting comments	
39	Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body? Yes/No/Unsure Supporting comments:	Yes.
40	Do you have any further comments on Part 3 of the White Paper?	None.
41	Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly's legislative competence? Agree/Disagree/Neither agree nor disagree Supporting comments	The consultation is proposing that whatever is legislated is then applicable to " <i>any body</i> " and will apply to " <i>public services</i> ". As Welsh Government will know, the housing sector is not in the public sector, albeit it has been recently re-classified as such by the Office of National Statistics; we await de-classification. This poses 2 questions 1) how will the new Bill apply to the housing sector compared to the public sector, those providing public services? 2) Should the housing sector, which is a very different sector, with its own regulation framework, be included with this legislation at all?
42	Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers? Agree/Disagree/Neither agree nor disagree Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.	Neither agree nor disagree. If this means only service delivery and not language planning duties, then yes BUT this question is really for that sector to respond to. Small businesses may find it hard to comply due to cost and time.
43	Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives? Agree/Disagree/Neither agree nor disagree Supporting comments	Neither agree nor disagree. As per the answer to consultation question 42.
44	If the Welsh Government is given powers to impose Standards on any body within the Assembly's competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?	Unsure. Not sure which bodies wouldn't be in scope of the proposed legislation. If this means voluntary sector, then the point made in the answer to consultation question 42 may well apply – cost and time.

Consultation Questions		Supporting Comments
	Yes/No/Unsure Supporting comments	
45	Do you have any further comments on Part 4 of the White Paper?	<p>We are happy to promote the Welsh language but as we've said previously as part of the roundtable discussions with the Welsh Government, any Standards need to be reasonable and proportionate - a small number of tenants have told us that their preferred language is Welsh.</p> <p>As explained in point 41 above, the Welsh Government will know, the housing sector is not in the public sector, albeit it has been recently re-classified as such by the Office of National Statistics; we await de-classification. This poses 2 questions 1) how will the new Bill apply to the housing sector compared to the public sector, those providing public services? 2) Should the housing sector, which is a very different sector, with its own regulation framework, be included with this legislation at all?</p> <p>We have 0.4% of staff who speak Welsh in the organisation and 0.12% of our tenants have told us that their preferred language is Welsh. We feel that Standards will need to be reasonable and proportionate to ensure services provided reflect the communities we work with.</p>
46	We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?	None.
47	<p>We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:</p> <p>i) opportunities for people to use Welsh; ii) treating the Welsh language no less favourably than the English language.</p> <p>What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?</p>	<p>We of course want to do what we can to help the WG achieve the ambition that a million people in Wales will speak Welsh by 2050, and we were pleased that the Government committed to reviewing and changing the Welsh language legislation. We are supportive of proposals and hope the promotion and facilitation in the use of the Welsh language is carried out in a proportionate and reasonable way.</p> <p>We have 0.4% of staff who speak Welsh in the organisation and 0.12% of our tenants have told us that their preferred language is Welsh. We feel that Standards will need to be reasonable and proportionate to ensure services provided reflect the communities we work with.</p>

Consultation Questions		Supporting Comments
		We will ensure that these Welsh speaking tenants have the opportunity to communicate in their preferred language in line with our existing Welsh Language Scheme and going forward.
48	<p>Please explain how you believe the proposed options could be formulated or changed so as to have:</p> <ul style="list-style-type: none"> i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language; ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language. 	We can't see any additional changes that could be made.



INTERNATIONAL ASSOCIATION OF LANGUAGE COMMISSIONERS

François Boileau
French Language Services
Commissioner of Ontario
Ontario, Canada

Katherine d'Entremont
Commissioner of Official
Languages for New Brunswick
New Brunswick, Canada

Shannon Gullberg
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Basque Country, Spain

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Rónán Ó Domhnaill
An Coimisinéir Teanga
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Rafael Ribó
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18 October 2017

Dear Sir/Madam,

It was with great interest that we learned of the publication of “Striking the right balance: proposals for a Welsh Language Bill.” Your government has set an ambitious agenda for the promotion and protection of the Welsh language. Members of the International Association of Language Commissioners (IALC) were impressed, for instance, by your government’s bold target of having one million Welsh language speakers in Wales by 2050. Advocates of linguistic pluralism the world over wish you every success in achieving that goal.

In the six years since its adoption, the Welsh Language Measure has already achieved admiration in the international community, including amongst the members of the IALC. We have been particularly impressed with the promotional work that has been conducted by the Office of the Welsh Language Commissioner. As Chair of the IALC, the Welsh Language Commissioner has also provided strong leadership for promoting the benefits of linguistic pluralism and in sharing best practices in language rights protection.

The IALC has taken a particular interest in innovations that the Welsh Language Commissioner has introduced in Wales, including in the areas of policy-influencing within government and outreach to the non-profit and private sectors. The Welsh Language Commissioner’s work has been of particular interest to Inuit language advocates from Canada, who visited the Commissioner’s office in December 2016. The same can be said throughout our membership, with expertise from the Welsh Language Commissioner being supportive all over, including in Kosovo and Ireland. More recently, the vast majority of our members had the pleasure of attending this year’s annual IALC conference, in Cardiff. It was a great success, thanks in no small part to its host, the Welsh Language Commissioner. The international community of language ombudsman has truly benefited from the opportunity to learn from the Welsh example, and we hope that we will continue to learn, and to share in our experiences.

It is in that spirit that we have decided to make a submission to the consultation process on “Striking the right balance: proposals for a Welsh Language Bill.” Please note that our current Chair, the Welsh Language Commissioner, has not taken part in any discussion in regards to our decision to participate in your consultation process. But first, a few words about us.

The **mission** of the IALC is to support and advance language rights, equality and diversity throughout the world and to support language commissioners, so they may work to the highest professional standards. Our **vision** is to assist the language commissioner’s role by promoting best practices and standards of excellence and by advancing language equality and diversity. One of our **values** is to promote the principle of independence of language commissioners. Finally, one of the IALC’s **objectives** is to increase awareness and understanding of the role and value of Language Commissioners among Governments, state agencies, academia, media and the public.

While different linguistic contexts require different linguistic regimes, we believe that some principles and best practices are universal to the promotion of minority languages and the protection of language rights.

Specifically:

- First, minority language promotion is crucial to achieving the goal of minority language rights protection, because language promotion helps to make rights protection politically possible – it helps to ensure ‘buy-in’ from a broader public that may or may not speak the language.
- Second, minority language promotion and rights protection are most effective when those who are promoting and protecting the language can speak from a position of respect, authority, and independence.

We would like to elaborate by responding directly to two of the consultation questions that have been put forward in the white paper.

Consultation Question 7:

“In paragraphs 93-95 we have set out some general requirements regarding the body’s governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?”

Among other things, the above-mentioned paragraphs require that the proposed body’s overall strategic direction and policy orientation be approved by the Welsh government. This is problematic as it could significantly undermine the independence of the proposed body and thus inhibit its ability to promote the language and to fully monitor and ensure compliance with the standards.

In the Canadian context, for example, nearly fifty years of experience has shown that promoting the minority language and ensuring compliance with linguistic rights are not always considered

politically expedient from the perspective of the government of the day. Whilst a government in power may prove sympathetic or even enthusiastic toward minority language promotion and rights protection, there is no guarantee that succeeding governments would be equally sympathetic to the need for a bold strategic vision and a robust policy position.

In some cases, it may be necessary to comment, adversely at times, on the actions (or the inaction) of government. The proposed body, as outlined in the white paper, may not be very well positioned to highlight such shortcomings when needed. For the IALC and its members, the very credibility of our linguistic regime in the eyes of stakeholders, parliamentarians, language rights advocates, scholars, the media and the general public lies in the knowledge that there is an independent office with the freedom necessary to hold government to account.

Consultation Question 8:

“Do you agree with our preferred option (Option 3) to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies’ compliance with Standards?”

For some IALC members, the work of promotion and protection can go hand-in-hand. The position of an independent language commissioner can provide a means for promotional work. Specifically, the visibility and independence that are concentrated in the office of a single commissioner create the kind of public profile that is necessary to speak as a recognised and respected authority on the benefits of learning and speaking the language and on the importance of upholding language rights. However, we would see the independence of such a commissioner as being key in any area, especially in regard to the protection of language rights.

A board, commission, or other organization with shared leadership and divided responsibilities, where differing priorities and messaging may occur, may also hinder the necessary accountability to Parliament that is crucial if one language regime is to work. One Commissioner with one voice can be effectively accountable to parliament, not a commission or another body with multiple voices. In this day and age, accountability to Parliament, and therefore the public, cannot be diminished or put aside. The public trust the Government of the day to play by the rules and to observe and respect the letter and spirit of the law. Who could act as an ombudsman if there is a Commission? Where could the public turn to in case of wrongdoing by the State? To establish a Commission is to set up a (hopefully) independent quasi-tribunal with its own set of rules, similar to those of a tribunal. An effective Language Commissioner is also one that can mediate, offer alternatives and give voice to people who have been wronged. A commission may not be able to do that and as a result could lose flexibility and effectiveness.

In some jurisdictions the public look to language commissioners to promote, educate, liaise, and act as an authoritative voice on official languages. This is in part because, of the independence enshrined in the role of language commissioners and our ability, and the ability of some of our predecessors, to promote the minority language unhindered by the problem of political ‘inconvenience’. In the event that the government of the day might not be inclined to conduct or to support promotional efforts, or uphold the protection of language rights, the Commissioner

maintains the freedom to do so, and enjoys the kind of visibility and public profile necessary to make those efforts effective.

Again, the Canadian example is interesting, not only because it is one of the oldest language regimes in the World, but because of results achieved. At a time when the country's linguistic regime was relatively new and frequently misunderstood, Official Languages Commissioner Keith Spicer (1970-1977) was able to provide frank criticism of the government where necessary and, at the same time, to leverage his public profile and operational independence to promote understanding and acceptance of Canada's linguistic regime. Among other things, he successfully promoted the benefits of French immersion education to the English-speaking majority. Today, roughly 400,000 school children from across Canada are enrolled in this popular bilingual education programme – many of them children of parents who were, themselves, enrolled in the programme a generation ago.

Still, work needs to be done in Canada as well as within all of our jurisdictions, but we can see no better body than an independent single Language Commissioner to hold to account the Government in its bold and ambitious proposition to increase the number of Welsh Language speakers, by 2050. Future governments may not share the same inclination nor the same priorities. Luckily, **an independent single Language Commissioner** would undoubtedly be well suited to remind the Government of the day of its responsibilities and duties. As a conclusion, we would like to emphasise that our experience indicates that this option is better.

Thank you for this opportunity to share in our experiences. We would be happy to answer further questions as far as possible, and we look forward to the results of the consultation process.

On behalf of members of the International Association of Language Commissioners,

Sincerely,

Rónán Ó Domhnaill
Vice Chair
International Association of Language Commissioners

c/o Oifig an Choimisinéara Teanga
An Spidéal
Gaillimh H91 VK23
Éire



Welsh Government White Paper consultation

Striking the right balance: proposals for a Welsh Language Bill

General Osteopathic Council response to the consultation

1. The General Osteopathic Council

The General Osteopathic Council (GOsC) regulates the practice of osteopathy in the four countries of the United Kingdom. We have one office, in London, and 24 FTE staff.

By law osteopaths must be registered with the GOsC in order to practise in the UK and we keep the Register of all those permitted to practise osteopathy in the UK.

We work with the public and osteopathic profession to promote patient safety by:

- registering qualified professionals
- helping patients with any concerns or complaints about an osteopath – we can and do remove from the Register any osteopaths who are unfit to practise
- setting, maintaining and developing standards of osteopathic practice and conduct
- assuring the quality of osteopathic education and ensuring that osteopaths undertake continuing professional development.

The GOsC is funded solely by registrants' fees; as of 2 October 2017 there were 5,300 osteopaths on the Register, of whom 143 had a registered address in Wales.

2. Response to White Paper consultation

The GOsC is committed to promoting equality in our operations and services and we will do everything reasonable to provide the best possible service in Wales. We have tried to do this through the services we provide under our Welsh Language Scheme and will continue to do so in the future when new Welsh Language Standards are applied to us.

With a view to reducing the financial burden on our registrants, in recent years the UK Government has required all health and care professional regulators to reduce costs and related registration fees. We therefore welcome in general the proposals set out in the White Paper and the Welsh Government's aim of simplifying the process of making

and imposing standards, and adopting a proportionate approach so that scarce resources can be focused on providing services to the public in Wales.

The GOsC's response to the specific consultation questions is below. Our responses focus on those areas of direct relevance to us as a UK-wide service provider supporting the public in Wales, rather than as a body with a specific interest in the promotion of the Welsh language.

Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

While we have not taken a view on what are the most appropriate arrangements for

monitoring and enforcing compliance, and promoting the Welsh language, it is important to recognise the potential tensions in this area.

Regulatory decisions must be based on established principles, including proportionality, which can at times conflict with the desire to promote an activity to the fullest extent possible. Therefore, we think it is important that it is recognised at the outset within the new body that there may be an inherent conflict that needs to be managed appropriately for the benefit of all stakeholders.

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

Question 6 – Do you have any further comments on Part 1 of the White Paper?

Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

We agree with the general requirements as proposed. In particular we believe that it is important that the new body should have the widest possible stakeholder base and bring a wide range of views and perspectives to bear on its key decisions and policies in order to benefit the public in Wales who wish to use the Welsh language.
Please also note the comments on Question 4 (above) which will require the governance arrangements to acknowledge and manage the inherent tensions between promotion and compliance responsibilities

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

We agree with the analysis supporting a preference for Option 3.

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

We agree this appears to be a function that can be exercised by the proposed new Commission.
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Question 16 – Do you have any further comments on Part 2 of the White Paper?

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Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people’s rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

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Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

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Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

One of the problems identified previously has been in defining whether bodies fit appropriately within a particular sector. In the case of healthcare professional regulators, they operate within the health sector and also as statutory tribunals. However, that does not mean that an organisation such as the GOsC shares the same characteristics as an NHS hospital or the Wales Employment Tribunal, nor can it be expected that the same standards would be appropriate. Therefore it is essential that individual bodies retain the right to challenge the imposition of a Standard.

An important test of any standard must be proportionality which must reflect the size of organisations, their physical location and how they are funded. For example, the GOsC, is a small organisation with a UK-wide mandate, which like the other healthcare professional regulators, is funded solely from our registrants' fees. Any disproportionate burden on our finite resources resulting from the imposition of standards would potentially have a negative impact on our ability to deliver our core function of public protection.

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

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Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

We agree that this is an appropriate use of the principle of subsidiarity and reflects arrangements in most aspects of public service.
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Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

As a public body we operate a corporate complaints policy under which we would anticipate handling any initial complaints about how our services are provided in Welsh. We do not operate under a model complaints procedure such as that of the Welsh Ombudsman. We do not operate under the auspices of an ombudsman, although our performance is monitored by the independent Professional Standards Authority for Health and Social Care.

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a 'serious breach' in paragraph 219.

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Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission’s decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 40 – Do you have any further comments on Part 3 of the White Paper?

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Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly’s legislative competence?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly’s competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

Question 45 – Do you have any further comments on Part 4 of the White Paper?

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

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Velindre NHS Trust

Response to: Striking the Right Balance: Proposals for a Welsh Language Bill

Consultation question	Trust Response
PART 1 – PROMOTING THE WELSH LANGUAGE	
<p>1. In paragraphs 49-54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?</p> <p>Agree/Disagree/Neither agree nor disagree Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53</p>	<p>Agree</p> <p>Welsh Government has a central role and a responsibility in providing direction through the setting of National strategy and policy. Alongside this the promotional aspects sit comfortably in ensuring the correct financial support is given to strategic organisations such as those detailed in table 1.</p> <p>National policy direction is delivered locally and has an important part to play in encouraging and supporting the vitality of the Welsh Language across Wales.</p>
<p>2. In Table 1 We have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with standards. Do you agree with our proposal?</p> <p>Agree/Disagree/Neither agree nor disagree</p>	<p>Agree</p> <p>However, it is crucial to ring fence financial support in order to protect organisations that have proved to be leaders in the field of providing opportunities for the use of the Welsh Language.</p> <p>Organisations such as the Urdd and the Mentrau Iaith provide a solid platform for opportunities to ‘normalise’ the language and demonstrate that the use of the language can be integrated and celebrated across Wales.</p> <p>The strategy for a million Welsh speakers by 2050 encourages a community development and support aspects and these organisations are crucial in taking this forward.</p>

<p>3. Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?</p> <p>Agree/Disagree/Neither agree nor disagree If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.</p>	<p>No</p> <p>The Trust believes that a preferred option would be:</p> <ol style="list-style-type: none"> 1. A Welsh Language Commissioner in order to ensure the delivery and enforcement of the Welsh Language standards 2. A central role for Welsh Government in providing legislative, policy and strategy direction at a National level 3. An independent 'arm', as part of the Welsh Language Commissioner's office for all other National promotional activities. <p>Keeping the Welsh Language Commissioner and duties of enforcement would be our chosen option. The position of the WL Commissioner gives the Welsh Language agenda a higher priority across the Trust and supports compliance which in turn enables us to provide greater support to our patients and donors.</p> <p>The Ambassadorial elements of a Welsh Language Commissioner role can be extremely successful and this is evident if we compare other Commissioner's such as the Older people's Commissioner.</p> <p>We agree with the need to clarify and give further support to the separation of greater promotional activities as this would enable the commissioner's office to concentrate on enforcement duties and provide guidance and support in relation to the WL Standards.</p>
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	<p>The Welsh Language Board previously was successful in the promotion of the language and was known and respected in terms of guidance and support.</p> <p>We would agree that this is less successful and possibly more confusing to the public and this the current structure but do not believe that establishing a new entity would solve this.</p> <p>Ensuring a greater understanding between 'enforcement' and promotion / encouragement is what's needed but to create a new entity would in our opinion be detrimental to the work already undertaken by the Welsh Language Commissioner.</p>
<p>4. We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?</p> <p>Agree/Disagree/Neither agree nor disagree</p>	<p>Agree</p> <p>And for this to be consolidated into the Commissioner's office.</p> <p>Re: Value for money, this would seem to be the least bureaucratic and most cost effective option.</p>
<p>5. What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?</p>	<p>The Trust would question why this proposal has been issued and the rationale behind the post of the WL Commissioner being seen as less of a success than the establishment of a Commission.</p> <p>The paper provides options but behind these options we would question why should the role of this Commissioner be seen as less of a political requirement against the role of other Commissioners?</p> <p>Losing the Welsh Language Commissioner's role and the strength this brings would be detrimental to the work</p>

	<p>already achieved in changing the hearts and minds within public organisations.</p> <p>Welsh Language Schemes do not have the strength that the Commissioner possesses and it is crucial in order to achieve the goals set out in the proposed standards and other Welsh Government policies, such as More than Just words, that this strength is built upon and not diminished.</p>
6. Do you have any further comments on Part 1 of the White Paper?	<p>It is unclear why Welsh Government feels the Commissioner model isn't effective. The role of the Commissioner provides a figure-head and plays a key Ambassadorial role in the promotion and holding to account in relation to delivering the Welsh Language across Wales. By abolishing this figure-head, the impetus is diluted and morphs into a 'corporate body'. Are there any lessons we can take from the other Commissioners in Wales (Children's, Older Persons, WFG etc) who's status isn't in question, to build on for the Welsh Language? By retaining Commissioner models/status for other key areas of work, and abolishing the Welsh Language Commissioner, this may de-value the importance and commitment Wales is willing to afford to the Welsh Language.</p> <p>We as an organisation have found the Welsh Language Commissioner (and her office) to be extremely helpful and supportive, whilst retaining independence.</p>
PART 2 – GOVERNANCE AND ACCOUNTABILITY	
7. In paragraphs 93-95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these	In line with comments on Part 1 of the White Paper, we support option 1, to transfer additional resources for promotion to the Commissioner within existing governance

<p>general requirements, and are there other checks and balances you believe should apply to the proposed body?</p>	<p>arrangements.</p> <p>We feel the role of the Commissioner has worked well over recent years, and the inclusion of promotion into the remit of the Commissioner will strengthen the role and importance of Welsh in Wales.</p> <p>Welsh Government preferred option (3) would result in an additional Board to be established in Wales, which brings additional bureaucracy in decision-making and public expense. By aligning the promotional activity and support with the monitoring and implementation of the WL in the role of the Commissioner, resourced by the Commissioner's Office, a re-directing of existing resources should be sufficient to see significant progress in due course.</p> <p>Welsh Government appears to have concerns around performance management of the Commissioner. Para 117 states that the WG would have powers to direct the Commissioner, but it's unclear why that would not also be the case for option 1? Directions can be issued by Ministers to set out expectations on performance which would overcome the risks outlined in option 1.</p>
<p>8. Do you agree with our preferred option (Option 3 to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?</p>	<p>Yes</p> <p>By having a single figure head, retaining the role of the Commissioner, we can still have clear expectations and retain independence. By introducing a Commission it becomes a corporate body, and this loses the Ambassadorial role acting on behalf of the Welsh citizen.</p> <p>The Commissioner, whilst retaining their role in 'holding to</p>

	account' would also be able to direct support and promotion into areas where performance against standards is concerning, clearly setting expectation, after which time, if performance doesn't improve, will sanction the relevant organisation.
9. What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?	No However details under paragraph 120 re the clear separation of functions don't seem to be any clearer than what would be detailed should the Commissioner be kept in her/his role and the expansion of a promotional 'arm' to that role.
10. Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards? Yes / No / Unsure	No The Trust's concern here would be that a collective approach to decision making could lead to great difficulty. It isn't clear in the document what the issues are now with current safeguarding issues under the Welsh Language Commissioner...why make the change?
11. Are there any additional matters to those listed in paragraphs 121-122 that we should consider regarding arrangements to establish the proposed Commission?	No
12. Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?	Yes The inter-relationship between the Welsh Government's strategy and the delivery of priorities by a 'commission' or a 'commissioner' needs to be clear.
13. Do you agree with our proposal that the Welsh	No

Government should report to the Assembly on the Welsh language strategy every five years instead of annually?	An annual reporting mechanism keeps a focus greater than the proposed five year reporting structure. However there needs to be an agreement as to the exact nature of this reporting in order to take into account the longevity of the 2050 strategy.
14. Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?	No As noted above
15. Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?	In Part... Welsh Government should have the right to request advice from the Commissioner What is the evidence that the current WL partnership council is not fit for purpose? We would imagine that the partnership members have a range of expertise. How would this differ to a range of expertise proposed for the suggested Commission? It is unclear as to how it would be different and why there is a need for change...
16. Do you have any further comments on Part 2 of the White Paper?	No
PART 3: Welsh Language Standards	
17. We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?	Agree Current Standards are complex and difficult for individuals to understand what is relevant to them / the organisation
Agree/Disagree/Neither agree nor disagree Supporting comments, including (if relevant) any further	There needs to be Standards set but they need to be achievable and realistic with an aim to improve services

<p>reforms you would like to see made to the current system, or any alternative approaches you think we should consider</p>	<p>and rights to individuals and not set a standard for its sake alone.</p> <p>There may be something to be learned from the reform of the sensory loss standards.</p>
<p>18. We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163-165). Do you agree with our analysis?</p> <p>Agree/Disagree/Neither agree nor disagree</p> <p>Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals</p>	<p>Agree</p>
<p>19. Do you agree with the proposal to abolish the current classes of Standards and differentiate between 'Standards' (which would relate to services) and 'language planning duties' (which would relate to corporate duties)?</p> <p>Agree/Disagree/Neither agree nor disagree</p>	<p>Yes</p>
<p>20. Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?</p> <p>Yes/No/Unsure</p>	<p>Yes</p>
<p>21. Are there any other matters which you believe should be included in the new legislation as language planning duties?</p> <p>Yes/No/Unsure</p>	<p>No</p>

<p>22. Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?</p> <p>Agree/Disagree/Neither agree nor disagree</p>	<p>Yes as would the WL Commissioner.</p> <p>Point 183 seems achievable but in practice only enforcement actually achieves delivery to the point of making a real change for the individual.</p> <p>Past Welsh Language Schemes have proved this. There needs to be a consistent approach to 'support' and 'enforcement'.</p>
<p>23. Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?</p> <p>Agree/Disagree/Neither agree nor disagree</p>	<p>As point 22</p>
<p>24. Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?</p> <p>Agree/Disagree/Neither agree nor disagree</p>	<p>Yes</p>
<p>25. Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?</p> <p>Agree/Disagree/Neither agree nor disagree</p>	<p>Yes</p>
<p>26. Do you agree with our proposal to abolish Standards Investigations?</p>	<p>No</p> <p>The Commissioner should be responsible for monitoring</p>

Agree/Disagree/Neither agree nor disagree	and enforcing standards and therefore the enforcement of an investigation is needed. The 'power' of the Commissioner to conduct an investigation is one of the reasons that an organisation will comply with a standard...unfortunately the 'soft' approach doesn't always work in practice.
<p>27. Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?</p> <p>Agree/Disagree/Neither agree nor disagree</p>	Yes
<p>28. Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?</p> <p>Agree/Disagree/Neither agree nor disagree</p> <p>Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process</p>	<p>No</p> <p>However, the current time scales for compliance notices may need to be addressed. The approach to this system means the notice periods are very long but an organisation should have the opportunity to use this time to address a possible response to the notice.</p> <p>Yes, a body should have the ability to challenge a standard and provide evidence to the need for change.</p>
29. What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?	Standards set would need to be written by an external body (possibly the Assembly) and would need to be monitored externally in order to ensure a fair monitoring and compliance process.
30. Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh	<p>Yes</p> <p>It seems impractical / time consuming to use another</p>

Language Commission can investigate an alleged failure? Agree/Disagree/Neither agree nor disagree	method of complaint investigation for WL issues.
31. Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy? Agree/Disagree/Neither agree nor disagree	Yes
32. Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious? Agree/Disagree/Neither agree nor disagree Supporting comments, including any comments on our definition of a 'serious breach' in paragraph 219	Yes – as would the WL Commissioner
33. Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative? Agree/Disagree/Neither agree nor disagree	Yes – as does the Commissioner
34. Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action? Agree/Disagree/Neither agree nor disagree Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper	Yes
35. Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you	Yes However costs must be kept at a realistic level as

<p>agree with our proposal that these powers should be retained?</p> <p>Agree/Disagree/Neither agree nor disagree Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all)</p>	<p>increasing it would not be viewed as practical under the current financial climate and could create negativity towards the language.</p>
<p>36. Do you agree with our proposal to retain the Tribunal's role in relation to the proposed Commission's decisions regarding enforcing bodies' compliance with Standards? Yes /No Agree/Disagree/Neither agree nor disagree</p>	<p>Yes</p>
<p>37. Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body? Agree/Disagree/Neither agree nor disagree</p>	<p>Yes</p> <p>There would need to be an 'outside' eye on this process in order to ensure fairness and accountability</p>
<p>38. We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission's decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal? Agree/Disagree/Neither agree nor disagree</p>	<p>Yes</p> <p>Currently not all appeals go through the first stage but it could mean that a minor appeal that could be dealt with individually has to go through this long and costly process</p>
<p>39. Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?</p>	<p>All appeals should be subject to a mandatory first stage – even those against Welsh Government in order to make the process fair and accountable and to assess the validity of</p>

Yes/No/Unsure	an appeal.
40. Do you have any further comments on Part 3 of the White Paper?	No
Part 4: The scope of bodies covered by Welsh language legislation	
<p>41. Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly's legislative competence?</p> <p>Agree/Disagree/Neither agree nor disagree</p>	<p>No</p> <p>Possibly enforcing standards on a body that is unable to meet the standard (e.g. a small business) would not be beneficial to the need to increase the use of the Welsh Language. A standard needs to be something achievable or have the ability to be achievable over a period of time.</p>
<p>42. Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?</p> <p>Agree/Disagree/Neither agree nor disagree</p> <p>Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses:</p>	<p>Yes</p> <p>This seems reasonable and proportionate subject to the current constraints.</p>
<p>43. Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?</p> <p>Agree/Disagree/Neither agree nor disagree</p>	<p>Yes, under the current constraints</p> <p>In order to achieve a standard the private business may need assistance and this should be encouraged and support given by Welsh Government to achieve this.</p>
44. If the Welsh Government is given powers to impose Standards on any body within the Assembly's competence,	No

do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation? Yes / No / Unsure	
45. Do you have any further comments on Part 4 of the White Paper?	No
Part 5: Assessing the impact of our proposals	
46. We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?	No
<p>47. We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:</p> <p>i) opportunities for people to use Welsh; ii) treating the Welsh language no less favorably than the English language.</p> <p>What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?</p>	<p>The Trust would like to reiterate the importance of a figure head for the Welsh Language.</p> <p>The Welsh Language commissioner has in her term created a greater understanding of the needs of Welsh speakers. The Standards however difficult do attempt to provide guidance and provide opportunities for Welsh speakers.</p> <p>The aim of not treating the Welsh Language less favourably than the English Language is engrained in the ethos of the standards and everything that the Welsh Language commissioner does. Some form of enforcement will always be needed if this legal and fundamental right is to be realised.</p> <p>Promotion and a encouragement is also needed if Welsh Government are going to reach their target by 2050, the Trust believes that by retaining the Welsh Language Commissioner and the values that are embedded within that post will assist and not hinder this strategy.</p>

	<p>This agenda must sit alongside and be embedded in the importance of other areas such as Education etc and the Welsh Language commissioner role is crucial in order to lead this.</p>
<p>48. Please explain how you believe the proposed options could be formulated or changed so as to have:</p> <p>i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favorably than the English language;</p> <p>ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favorably than the English language.</p>	<p>Please see comments throughout the document relating to the Welsh Language commissioner role.</p>
<p>49. We have asked a number of specific questions in this White Paper. If you have any related issues which we have not specifically addressed, please use this space to report them</p>	<p>If the proposals are reviewed in line with our comments and the suggestions we have made in this response, we would question the need for primary legislation.</p>

Dogfen Ymgynghorol ar y Papur Gwyn Awst 9 2017 **Sylwadau Pellach gan Dyfodol i'r Iaith.**

Rydych chi wedi derbyn ein hymateb cychwynnol i'r Ddogfen Ymgynghorol a bydded-ni'n ddiolchgar pe baech yn ystyried hwnnw yn gefndir i'r sylwadau pellach hyn sydd wedi'u seilio yn bennaf ar eich cwestiynau ymgynghori.

Fe ddadleuon ni yn ein dogfen *Asiantaeth y Gymraeg*, a gyflwynwyd i chi yn Nhachwedd 2016, y dylai'r Asiantaeth yr oedden ni'n argymhell ei chreu 'arwain polisi [a bod] yn gyfrifol am orolwg strategol' (para 2.1). Eich dewis chi yw cadw'r swyddogaeth yna o fewn Llywodraeth Cymru (LIC).

Cwestiwn 1: Rol Llywodraeth Cymru

Yng ngoleuni'ch penderfyniad bydd yn hanfodol i'r Adran Gymraeg o fewn LIC feddu ar

- arweinyddiaeth gref na fydd yn ddarostyngedig i newidiadau gwleidyddol gan fod llwyddo ym maes adfywiad ieithyddol yn dibynnu ar ddilyn polisiâu cyson dros gyfnod estynedig o amser
- arbenigedd o safon uchel ym meysydd Dwyieitheg a Chynllunio Ieithyddol

Bydd angen i Adran y Gymraeg (is-adran ar hyn o bryd) feddu ar statws uchel a'r gallu i ddylanwadu ar benderfyniadau ar draws LIC a chyrff cyhoeddus eraill fel bod y bwriad i ddyrchafu'r Gymraeg yn hydreiddio pob agwedd ar bolisi cyhoeddus.

Mae hyn yn arbennig o wir am Addysg, sy'n gwbl sylfaenol i lwyddiant Strategaeth y Gymraeg. Nid mynd ar ofyn Adran Addysg ddylai Adran y Gymraeg ei wneud ond cyd-drafod ar delerau cyfartal yr hyn sy'i angen er mwyn cynyddu'r nifer o siaradwyr Cymraeg hyfedr yn ôl strategaeth LIC o gael miliwn o siaradwyr erbyn 2050.

Bydd angen sefydlu perthynas agos a chydweithredgar rhwng Adran y Gymraeg a'r Comisiwn arfaethedig er mwyn

- rhannu ffrwyth ymchwil (para 53, bwled 4)
- defnyddio cysylltiadau rhyngwladol i ddatblygu polisiâu a syniadau (para 49, bwled 7)
- ystyried penderfyniadau ar gyllido sefydliadau cyhoeddus er mwyn eu cysoni â gwahanol flaengareddau'r Comisiwn (para 53 bwled 3)

Cwestiwn 2 Adnoddau Ariannol

3.1 Cyfyngedig iawn yw'r wybodaeth am adnoddau sy i'w gael yn Nhabl 1 (t18), ac mae'r symiau a grybwyllir yn ymddangos yn dra annigonol gan fod rhai meysydd gweithredu wedi'u hepgor o'r tabl. Yn absennol ee mae cefnogaeth i sefydlu rhwydwaith o Ganolfannau Cymraeg, ymdrechion i greu tirwedd ieithyddol addas mewn ardaloedd o arwyddocâd ieithyddol a gweddill y wlad,

darparu gweithlu ieithyddol addas ar gyfer y cyfnod sylfaen. Os yw'r bwriad i adfywchau'r Gymraeg, gan greu miliwn o siaradwyr erbyn 2050 i'w gymryd o ddifrif, bydd rhaid wrth adnoddau ariannol sylweddol ee i ddatblygu'r gweithlu ym maes addysg statudol, addysg bellach ac uwch, mewn gwasanaethau cyhoeddus a phreifat ac yn ehangach ac i ddatblygu rhaglenni hyrwyddo effeithiol. Mae angen eglurder ar sut mae'r gwariant a ragwelir yn cyd-gysylltu â gwariant adrannau eraill y Llywodraeth. Mae'n bwysig bod ymrwymïadau i wariant ar wahanol agweddau'r Strategaeth yn cael eu gwneud yn ystod trafodaethau'r misoedd nesaf.

Cwestiynau 3-6 Swyddogaethau'r Corff hyd-braich

Rydyn-ni'n anghymeradwyo'r bwriad i gyfuno hybu a rheoleiddio (monitro a gorfodi cydymffurfiaeth) o fewn yr un corff. Er bod lle i gymorth ac anogaeth wrth sicrhau gweithredu'r Safonau, bydd angen dynesiad llymach ar adegau. O gadw rheoleiddio ar wahân i hybu, byddai modd serch hynny i rannu gwybodaeth â'r corff hybu i alluogi hwnnw i estyn cymorth er galluogi sefydliadau i gydymffurfio â gofynion statudol. O ran cost byddai modd rhannu llawer o orbenion (isadeiledd ffisegol ee).

Os gweithredir eich bwriad i gael un corff cyfunol (Comisiwn y Gymraeg), bydd angen mesurau arbennig i ofalu na fydd y gallu i orfodi cyrff i gydymffurfio â Safonau yn cael ei lastwreiddio mewn unrhyw fodd. Bydd angen i LLC ddangos yn glir sut y sicrhewr hyn wrth i broses deddfu fynd yn ei blaen. Bydd angen eglurder hefyd ar rôl y Rheoleiddiwr a'r Comisiwn wrth ymwneud â busnesau mawr a bach a datblygu'r defnydd o'r Gymraeg yn y sector preifat.

Rydyn-ni hefyd yn anghymeradwyo'r argymhelliad (para 40 vi) mai 'LLC fydd yn gyfrifol am greu a gosod Safonau ar gyrff, ac am gyhoeddi canllawiau a chodau ymarfer. Mae hyn yn gam yn ôl sy'n peri i'r Gymraeg golli llais cynrychioliadol annibynnol cryf. Gan y Rheoleiddiwr a'r Comisiwn y bydd y wybodaeth a'r arbenigedd yn y meysydd hyn, mae'n debyg, a dylid nodi bod angen perthynas agos rhwng eu rôl hwy â'u dyletswydd i roi cyngor penodol i'r Llywodraeth ar osod Safonau ac am gyhoeddi canllawiau a chodau ymarfer.

Bydd angen i'r Comisiwn, yn ogystal ag Adran y Gymraeg LLC, feddu ar arbenigedd o safon uchel mewn Cynllunio Ieithyddol ac i benderfyniadau am brosiectau hybu adlewyrchu hynny. O gofio hynny, dylai swyddogaethau'r Comisiwn gynnwys cynghori LLC wrth i honno ddatblygu a manylu ar ei Strategaeth.

Yn benodol bydd angen i'r Comisiwn ofalu bod gwahanol brosiectau yn atgyfnerthu'i gilydd ac felly gyfrannu at lwyddiant Strategaeth y Gymraeg yn ei chyfanrwydd. Er enghraifft dylai wneud gwaith trwyadl ar arferion da ym maes yr iaith yn y cartref, creu marchnad lafur Gymraeg, sut i ddatblygu'r Gymraeg yn iaith y stryd, ac amodau llwyddiant y Canolfannau Gymraeg a'r Mentrau Iaith.

Tasg allweddol i'r Comisiwn fydd comisiynu gwaith ysgolheigaidd ar Ymwybyddiaeth Ieithyddol a fydd yn sail wedyn i ymgyrchoedd hysbysebu a

gwybodaeth. Mae'n hanfodol bod dealltwriaeth yn cael ei lledaenu o fewn gwahanol sectorau a sefydliadau ynghylch (i) pwysigrwydd datblygu'r Gymraeg yn iaith genedlaethol o bwys a (ii) beth yw'r camau y mae angen eu cymryd er mwyn llwyddo.

Mae effaith penderfyniadau ym maes Cynllunio Gwlad a Thref yn fater tra dadleuol ond mae'n sicr y gall fod penderfyniadau felly yn fawr eu dylanwad ar safle gymunedol y Gymraeg. Mae trefniadau cyfredol yn ein barn ni yn gwbl anfoddhaol. Mae cyfle drwy'r Ddeddf Iaith newydd arfaethedig i greu strwythur mwy boddhaol. Ein hargymhelliad ni yw y dylid rhoi i Reoleiddiwr y Gymraeg (naill ai adran o fewn y Comisiwn neu i'r Comisiynydd ar wahân) y pŵer i ddyfarnu ar effaith ieithyddol penderfyniadau Cynllunio, megis datblygiadau diwydiannol a chodi tai. Byddai'r pŵer yma yn gyffelyb i adran reoleiddiol Cyfoeth Naturiol Cymru ym maes yr amgylchedd naturiol.

Cwestiwn 7

Dim sylwadau

Cwestiynau 8-10 Llywodraethiant

Rydyn-ni'n cefnogi'n frwd y bwriad i sefydlu corff hyd-braich, sef Comisiwn y Gymraeg, ond wedi nodi ein pryderon a'n hawgrymiadau uchod. Mae angen i'r Comisiwn fod â gorolwg cyffredinol a bod yn bartner cydradd yn yr holl agweddau sy'n ymwneud â pholisïau'r Gymraeg.

I hwyluso'r newid i drefn Comisiwn, o'r drefn bresennol, byddai'n llesol cadw at y Safonau sydd wedi'u derbyn gan awdurdodau lleol ac eraill, fel na fydd angen adolygu'r rhain yn y tymor byr.

Rydyn-ni'n cefnogi Opsiwn 3

Cwestiwn 11

Dim sylwadau

Cwestiwn 12 Bil y Gymaeg

Cytuno

Cwestiwn 13 Adrodd i'r Cynulliad

Er ein bod yn gweld synnwyr mewn cyhoeddi adroddiad pum-mlynnyddol ar gynnydd Strategaeth y Gymraeg, bydd angen adrodd ar yr hyn a wnaed i roi'r strategaeth ar waith bob blwyddyn yn ogystal. Fel gyda phob cynllun gweithredu manwl, mae angen adroddiadau blynnyddol a fydd yn gallu esgor ar gynlluniau gwella, amrywio pwyslais a materion eraill y bydd angen rhoi sylw iddynt o fewn y pum mlynedd. Bydd aros am bum mlynedd cyn cael adroddiad yn rhoi bwlch gormodol rhwng adrodd a gweithredu.

Cwestiwn 14 Cynllun Pum Mlynedd

Cytunwn â'r angen am gynllun pum mlynedd, ond mae angen gwybod sut bydd adroddiadau blynyddol y Llywodraeth a'r Comisiwn yn bwydo i'r cynllun pum mlynedd. Gall hyn olygu y bydd angen hyblygrwydd o fewn y cynllun pum mlynedd, fel bod modd adweithio i ddatblygiadau, boed yn dueddiadau poblogaeth, yn ddatblygiadau technegol ac ati.

Cwestiynau 15-16 Cyngor Partneriaeth y Gymraeg

Os yw Cyngor Partneriaeth y Gymraeg i gael ei ddiddymu, dylai fod **gofyn** ar LLC i gael cyngor gan y Comisiwn, nid dim ond **pŵer** i wneud hynny.

Cwestiynau 17-18 Diwygio'r Safonau

Ar y cyfan rydyn-ni'n gefnogol i'r model diwygiedig o'r Safonau. Fodd bynnag, nid ydym am weld oedi cyn bod set newydd o Safonau'n cael eu datblygu yn y system newydd. Gan fod nifer helaeth o gyrff wedi derbyn y Safonau presennol, dylid cadw at y rhain rhag peri dryswch ac amheuaeth.

Cwestiwn 19 'Safonau' a 'dyletswyddau cynllunio ieithyddol'

Rydyn-ni cytuno bod gwahaniaethu yn y modd yma yn synhwyrol. Y cwestiwn sy'n codi fodd bynnag yw beth fydd grym cyfreithiol y dyletswyddau statudol. Maen-nhw'n gwbl allweddol i'r math o newid diwylliant mewn cyrff cyhoeddus, gwirfoddol a phreifat y mae'n rhaid wrtho er mwyn dyrchafu safle'r Gymraeg. Bydd angen egluro hyn yn nhrefnadaethau'r misoedd nesaf.

Cwestiwn 20 Addysg

Cytuno yn bendant iawn ond mae ein sylw dan Gwestiwn 19 yn berthnasol

Cwestiwn 21 Dyletswydd Ychwanegol

Dylai fod yn ddyletswydd ar gyrff i greu yr hyn sy'n cael ei alw'n 'dirwedd ieithyddol' sy'n ffafrio'r Gymraeg. Mae hyn yn arbennig o berthnasol i'r sector adwerthol - o ran arwyddion, hysbysiadau a gwasanaeth llafar dros-y-cownter. Mewn ardaoledd lle mae'r Gymraeg yn iaith gymunedol amlwg, dylid rhoi blaenoriaeth i'r Gymraeg

Cwestiwn 22 Ymchwiliadau

Cytuno

Cwestiwn 23 Monitro a chefnogi yn lle gorfodi

Anghytuno. Gw y sylwadau uchod. Rhaid bod o leiaf bwysau os nad gorfodaeth i weithredu'r dyletswyddau cynllunio ieithyddol.

Cwestiwn 24 LLC yn gosod Safonau

Rydyn-ni'n cytuno'n bendant â'r angen i leihau nifer y camau a symleiddio'r broses o wneud a gosod Safonau. Ein barn ni serch hynny yw mai'r Comisiynydd/ Adran reoleiddio'r Comisiwn ddylai arwain ar hyn. Byddai hyn yn gwarchod annibyniaeth y broses ac yn manteisio ar arbenigedd y Comisiwn. Gellid gwneud fel a ganlyn

- y Comisiwn i lunio Safonau ac yn ymgynghori
- LLC yn rhoi'r Safonau ar ffurf rheoliadau deddfwriaethol ac
- yn eu cyflwyno i'r Cynulliad i'w trafod a'u pasio

Cwestiwn 25 Ymgynghoriad Cyhoeddus

Gall ymgynghoriad cyhoeddus olygu proses hir a chymhleth, a allai gael ei gamddefnyddio. Dylai sylw pwyllgor craffu'r Cynulliad fod yn ddigonol.

Cwestiwn 26 Ymchwiliadau Safonau

Cytuno

Cwestiwn 27 Codau Ymarfer

Anghytuno. Gw ateb i Gwestiwn 24

Cwestiwn 28 Sectorau cyfain

Cytuno

Cwestiwn 29 Gosod Safonau ar Lywodraeth Cymru

Ein hawgrym ni yw i'r Comisiwn lunio a gosod y Safonau a bod Pwyllgor perthnasol o'r Cynulliad yn eu trafod a'u cymeradwyo. Byddai hyn yn lleihau'r perygl (i) bod y Comisiwn yn ofn brathu'r llaw sy'n ei fwydo (ii) bod plaid y Llywodraeth yn dylanwadu ar ei haelodau etholedig i wanhau'r gofynion.

Cwestiynau 30-31 Cwyno i'r Comisiwn

Mae'n briodol bod person yn cwyno'n uniongyrchol i gorff perthnasol, a mynd wedyn at y Comisiwn os na chaiff ei fodloni. Fodd bynnag, dylai hi hefyd fod yn bosibl cwyno at y Comisiwn, a dylai fod gan y Comisiwn y dewis o ddelio â'r gwyn trwy system gyflym, neu os na cheir bodlonrwydd, a bod y mater o arwyddocâd cyffredinol, dylai fod gan y Comisiwn hawl i gynnal ymchwiliad trylwyr. Yn yr achos olaf mae arbenigedd ynghylch hawliau a materion perthnasol yn fwy tebyg o fod i'w cael yn y Comisiwn nag mewn corff cyhoeddus neu breifat

Cwestiwn 32 Difrifoldeb Cwynion

Cytuno, ond bydd angen diffinio'n gadarn ystyr 'difrifol' ar linellau tebyg i'r hyn sydd ym mhara 219

Cwestiwn 33 Y Comisiwn yn cynnal ymchwiliad

Cytuno. Mae hwn yn bŵer allweddol yn wyneb y ffaith fod cwyno gan ddinesydd yn broses drafferthus a chymhleth. Rhaid i'r Comisiwn fod yn rhagweithredol wrth fynnu bod Safonau yn cael eu parchu

Cwestiwn 34 Camau gweithredu

Cytuno

Cwestiwn 35 Dirwyon

Mae dirwy o £5000 yn chwerthinllyd o isel yng nghyd-destun cyllidebau cyrff cyhoeddus. Fyddai mwyafswm o £50,000, gan ystyried yr hyn sy'n gymesur a rhesymol, ddim tamaid yn ormod.

Cwestiynau 36-37 Y Tribiwnllys

Cytuno, yng ngoleuni'r angen i osgoi adolygiad barnwrol

Cwestiynau 38-39 Rheswm dros wneud cais

Cytuno

Cwestiwn 40 Rhan 3

Dim sylwadau ychwanegol

Cwestiynau 41-43 Dileu'r cyfyngiadau

Rydyn-ni croesawu'r bwriad i alluogi LLC i estyn ei phŵer statudol i'r sector preifat. Rhaid cofio bod y sector breifat yn rhan amlycach o brofiad dyddiol pobl nag yw hyd yn oed gyrff cyhoeddus. Dylai dyrchafu'r Gymraeg ee yn y sector adwerthol, gan gynnwys gwasanaeth dros-y-cownter fod yn uchel ymysg blaenoriaethau'r Comisiwn. Adran y Gymraeg LLC. Bydd angen cyfuniad o gymorth, cyngor, pwysau a gorfodaeth, yn ôl yr amgylchiadau, i newid diwylliant y sector a chreu 'tirwedd ieithyddol' sy'n ffafrio'r Gymraeg

Cwestiynau 46-48 Asesu effaith y cynigion

Yr hyn sy'i angen yw creu cylch rhinweddol o ffactorau a fydd yn hyrwyddo defnydd cynyddol o'r Gymraeg, gan gynnwys twf mewn addysg Gymraeg, cyfloedd i'w defnyddio yn y gymdeithas a'r gweithle, amlygrwydd yr iaith yn yr amgylchedd, anogaeth i'w defnyddio o fewn y teulu normaleiddio gwasanaeth Cymraeg yn y sectorau cyhoeddus, gwirfoddol a phreifat a chyfleodd gyrfaol

Cymraeg. Cydgordio'r holl ffactorau hyn fydd camp y trefniadau sefydliadol a'r fframwaith gyfreithiol y mae'r Papur Gwyn hwn yn eu hamlinellu.

Serch bod amgylchiadau cyllidol yn anodd bydd rhaid wrth adnoddau ariannol sylweddol yn gefn i fwriadau da Llywodraeth Cymru.

Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

Wales Pre-school Providers Association (Wales PPA) agrees that Welsh Government should play a role in the promotion of the Welsh language. With regards to the promotion of the Welsh language, paragraph 51 states that continued support for bodies such as Mudiad Meithrin is essential for delivering Welsh Governments ambition for the Welsh language, however, many Early Years providers not members of Mudiad Meithrin could be neglected. It is essential that the Welsh language is promoted in English medium and bilingual provisions, allowing the language to develop in areas that have traditionally less Welsh speakers. With this said Wales PPA recognises the role Mudiad Meithrin has with maintaining the level of Welsh speaking children but would urge that the status quo be broken and support and funding be provided for bilingual and English medium childcare providers to increase the standard of Welsh language and number of Welsh speakers in the Early Years.

In areas of deprivation, high migration and low use of the Welsh language, it is unlikely that English speaking parents, or even those where English is their second language would choose to access a Welsh childcare provider such as Cylch Meithrin. Welsh Government should be encouraged to recognise the role that all Early Years providers, including childminders, day nurseries and playgroups have in promoting the Welsh language to service users, allowing for an increased number of people to become aware, engaged and immersed in the Welsh language.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Wales Pre school Providers' Association, Wales PPA, agrees with the outlined resources but feels that the support should be given to businesses of all sizes, especially those that are exempt from the standards but are adhering to them on a voluntary basis. From an Early Years perspective, there is an abundance of childcare providers that are enthused by the Welsh language and would benefit from practical and online support on various issues concerning promoting the Welsh language in their communities i.e bilingual signage and recruitment. It would benefit the Early Years sector to see a Welsh language development worker similar to the current Promotion and Facilitation Officers providing support with the remit of visiting childcare providers wishing to adhere to the Standards.

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

While Wales Preschool Providers' Association, Wales PPA, agrees with the preferred option, it would be beneficial to see a costing and long term projection of each of the 4 options.

A single body would allow for current time scales to be shortened with regards to the compliance and monitoring of the Standards. It would ensure that all messages regarding the promotion of the Welsh language and Standards themselves were consistent, clear and concise.

On a promotional level, option 4 would allow for consistent branding of the Welsh language, much like the current Welsh Language Commissioner's documentation, giving the language an increased identity within the communities of Wales. Increased identity within Wales' communities could lead to increased positive attitude towards the Welsh language from non-Welsh speakers and as such lead to higher numbers of Welsh speakers.

English medium Early Years providers have long complained of not knowing where to find relevant and up to date information, support, guidance and resources regarding promotion and development of the Welsh language. Having one body acting as a hub for all things Welsh would lead to increased use of bilingualism from childcare practitioners.

Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Wales Preschool Providers' Association, Wales PPA, agrees with the consultations rationale and a single body seems the most attractive option. A single body would allow for a streamlined staffing structure, better resources and better value for money. There is already a feeling among many non-Welsh speakers that public monies should not be spent on the Welsh language, therefore, making best use of public money through clear, cohesive and careful joined up planning should be of utmost importance and highly essential.

The Early Years, as well as organisations such as Wales PPA would benefit from a single body approach as a lot of feedback received from childcare providers concerning the Welsh language relates to the lack of knowledge and availability of resources, including where to source them. This would allow Wales PPA staff to signpost to relevant and up to date guidance and documentation, aiding in the implementation of the Welsh language.

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

The public, private and third sector all differ with their service users having different needs and requirements. Wales Preschool Providers' Association, Wales PPA, would therefore suggest that within the main body, support mechanisms for each different sector are considered.

It would be advantageous for third sector organisations to receive guidance and support specific to their sector. For instance, Wales PPA could receive support guidance regarding the third sector and the early years.

The needs of Early Years providers are massively different from other service providers such as libraries or utility companies and the promotion of the Welsh language, Standards and support provided should reflect this and be specific. As the next generation, those in the Early Years now, are the generation that will be realising Welsh Government's aim of a million Welsh speakers by 2050 it is essential that the Early Years sector is supported and catered for.

Question 6 – Do you have any further comments on Part 1 of the White Paper?

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Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

Wales Preschool Providers' Association, Wales PPA, fully supports the requirements regarding governance and accountability as set out in the above, mentioned paragraphs. Public engagement is essential for transparency and good feeling towards the Welsh language and its development. The Welsh language holds many challenges and poses many questions within the Early Years and third sector and the views of those working in these sectors should be heard and considered. Wales PPA feels that the Early Years Sector is key to growing the language to realise the aim of a million Welsh speakers by 2050 and any process that considers the needs of the sector is welcomed.

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Wales Preschool Providers' Association, Wales PPA, agrees that option 3 is the most suitable. The 'Commission' should be made up of individuals with experience and expertise from different sectors to ensure that each sector's needs and interest are understood and taken in to account/met. Option 3 allows the experiences and expertise of a greater number of people to shape policies, Standards and the role of the body. However, individuals making up the commission should be required to have real world experience of a sector.

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

Wales Preschool Providers' Association, Wales PPA, agrees with the analysis given and fully supports.

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

Correct legal transfer procedures will need to be followed, with expert advice sought so as to ensure a smooth transition.

Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Whilst reporting every five years sounds advantageous on the surface, Wales Preschool Providers' Association, Wales PPA, disagrees with the proposal. In real terms, reporting every 5 years would only allow for a maximum of 6 reports before 2050. This could lead to performance issues being missed and an increased time to address those issues. There may also be an issue regarding funding of projects to promote the language. Annual reporting allows for a review of funding terms for Welsh Governments stakeholders where and when required. It may be difficult and time consuming with little progress to report on annually, however 5 years is too long, we would suggest a brief, qualitative report annually and full report every 3 years.

Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Wales Preschool Providers' Association, Wales PPA, disagrees with this proposal due to the length of time proposed. Please see question 13.

Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input checked="checked" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Wales Preschool Providers' Association , Wales PPA, agrees with the proposal to abolish the Welsh Language Partnership Council as it recognises that the proposed 'Commission' would be best placed to provide advice to Welsh Government. This would also allow the 'Commission' to scrutinise where needed.

Question 16 – Do you have any further comments on Part 2 of the White Paper?

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Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

Wales Preschool Providers' Association, Wales PPA, agrees that Option 2 is the most attractive option. Removing much of the bureaucracy surrounding the Standards should be welcomed. From a third sector and Early Years point of view, costs need to be kept to a minimum as translation of documents that receive little attention from service users is money that could be spend elsewhere to improve the service. It does however, allow for Standards to be imposed gradually as requirements and Welsh language need changes. This type of adaptable approach is much needed to ensure that Standards are not only met to tick a box but met and upheld without the need of enforcement.

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

Wales Preschool Providers' Association, Wales PPA, fully support and agree with the analysis. Costs and gradual long-term improvement should be the main consideration in any reform.

Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between 'Standards' (which would relate to services) and 'language planning duties' (which would relate to corporate duties)?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Wales Preschool Providers' Association, Wales PPA, would welcome this reform and supports the differentiation of the Standards and Language Planning Duties. The differentiation would be beneficial to the third sector and Early Years providers as they are service user focused and would aim to provide a Welsh language service.

Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Wales Preschool Providers' Association, Wales PPA, agree that the proposed Commission should hold powers that would allow them to inspect how bodies meet their duties. Wales PPA suggest that this is done through unannounced visits or communications to get a true picture of the service or services that are, or should be provided. This will however have its downfalls in that it could be seen to be pollicising the language and the Standards. (ESTYN / CSSIW already inspect Early Years registered providers, another inspection would be time consuming and expensive therefore, consideration should be given in adding this to form part of the current inspection processes of the Early Years sector)

Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

The language currently used within the Welsh Language Measure and Standards can be off-putting and lead to bad feeling towards the Welsh language and its users. Monitoring, addressing and supporting bodies in relation to their language planning duties will help alleviate this.

For many bodies, especially those that are UK companies with Head Offices outside of Wales, the Standards may be of little interest to them, or they may not be aware of them and their impact and importance to Welsh speakers. Supporting such bodies will ensure that a high-quality Welsh language service is provided and the correct information is shared. Support will also allow for organisations to plan their services and workforce correctly and efficiently.

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Cutting the waiting time of setting Standards should be a main priority. The current length of setting Standards is high and whilst the Standards are being set, in many bodies no Welsh service is being offered to the Welsh speaker. The imposing of Standards by Welsh Government would also allow for a decrease in the steps taken and the contact a body has with numerous organisations, reducing confusion. It would also keep the Implementation of Standards separate from the promotion and support.

Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Whilst we appreciate it is important to seek the opinion of a wide variety of stakeholders, this can be time consuming and burdensome for all regulations to be treated the same, perhaps they should be categorised by level of importance as to how wide a consultation is needed.

Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Wales Preschool Providers' Association , Wales PPA, agrees with the proposal to abolish the Standards Investigation as it will no longer be needed. As previously mentioned, the value for money, overall cost and quality of service should be seen as paramount. The removal of any unnecessary and confusing processes is welcomed and encouraged.

Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Wales Preschool Providers' Association, Wales PPA, recognises the practical challenges related to delivering the Standards and a Welsh language service, especially when considering the varying numbers of Welsh speakers in counties across Wales. Codes of practice would allow for these challenges to be addressed practically and exhibit standardisation of Standards.

It would allow third sector organisations, such as those supporting the Early Years, and childcare provisions themselves to adopt the Standards on a voluntary basis, alongside the flagship framework 'More than Just Words'.

Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

Wales Preschool Providers' Association, Wales PPA, see the compliance notice as a required part of the process, one which without could be detrimental to the future service an organisation can provide. A compliance notice on bodies within the third sector, which rely on planning of resources and finances, can be viewed as a warning and trigger to begin putting actions into place before they need to become compliant. High quality, qualified Welsh speaking workers can be hard to find, removing the compliance notice would decrease the time a body must become compliant and could lead to resources (time, money etc) being spent in employing a Welsh speaker to fill a gap even though they may not be the best candidate.

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

Welsh Government should be treated the same as all other bodies so as to be fair and transparent.

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Wales Preschool Providers' Association ,Wales PPA, agree that a complaint of non-compliance with the Standards should be resolved under the body's complaints procedure and this process should be exhausted before investigation by Welsh Language Commission can take place. Financially resources can be better used in supporting said bodies to develop mechanisms to adhere with the Standards however, bodies should be required to report all complaints of non-compliance to Welsh Language Commission when resolved, or on a 6 month basis.

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Having an approved complaints procedure may be too onerous for the smaller organisations, so long as they have a concerns and complaints policy in place that covers all complaints not just Welsh language and they investigate the complaint thoroughly thus providing a remedy that is suitable to all concerned then that should suffice. However, if the complaint was to escalate then it should progress to the approved model. A complaint is a complaint and one policy should cover all.

Wales PPA agree that bodies must adhere to an approved complaints procedure. This would allow the service user to have clarity in the process they must follow in making a complaint, allowing the concerned body the chance to act in accordance to clarity and transparency. Non- compliance should be treated as any other complaint..

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a 'serious breach' in paragraph 219.

If a body were to receive a complaint regarding its compliance that was later resolved the Commissioner should have the power to investigate and offer guidance and support to ensure non-compliance doesn't happen again. This would decrease the number of bodies repeatedly breaching the same standard.
If after guidance, support and/or training the body continues to breach the Standard(s) then the Commission should seek to take things further.

Wales PPA agree with the definition of what constitutes a 'serious breach'.

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Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

Wales Preschool Providers' Association, Wales PPA, agrees with the actions set out in paragraph 225 however feel that an opportunity for support and training should be considered for first time non-compliance when needed. This is to ensure that non-compliance is dealt with and the Standards won't be breached in future.
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Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

Wales Preschool Providers' Association, Wales PPA, feels that financial penalties should be relative to the size of the body in breach. Large organisations will not be deterred by £5000 and smaller organisation could face financial ruin, this should be a last resort or for persistent breaches.
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Question 36 – Do you agree with our proposal to retain the Tribunal's role in relation to the proposed Commission's decisions regarding enforcing bodies' compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

The Tribunal and its role should be retained. It should adhere to the England and Wales

judicial system and should only be used when the applicant has a chance of winning or a compelling reason as to why they should be heard.

Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

The Tribunal should deal with appeals against imposed Standards by Welsh Government as it does with complaints. This would mean complaints and appeals being dealt with by one body, keeping the process clear and streamlined.

Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission's decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 40 – Do you have any further comments on Part 3 of the White Paper?

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Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly's legislative competence?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Wales Preschool Providers' Association ,Wales PPA, fully support the proposal to remove the constraints in the Measure and feels the process needs streamlining to ensure that all relevant bodies can keep up with the demand of Welsh language services. As the demand for Welsh language services increases so should the services available. To support and aid Welsh Governments aim of a million Welsh speakers by 2050, in the coming years Wales PPA would hope to see all public bodies, third sector bodies and entities receiving Welsh Government funding compliant with the Standards.

Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

Wales Preschool Providers' Association , Wales PPA, would be concerned if the Early Years sector need comply with the Measure in the short term. Childcare providers are very welcoming and enthusiastic with regards to the Welsh language, however due to lack of financial incentives and the costs of providing a bilingual service, along with other practicalities they find it difficult to implement.

Rather than enforcing the Standards on childcare providers, Wales PPA would urge for long term development and would prefer to see a solid network of support available to childcare practitioners who wish to adhere to the Standards on a voluntary basis, with financial benefits or recognition for doing so.

In the medium and long term, with the increase in the number of Welsh speakers, Wales PPA would hope to see an increase in bilingual and Welsh medium childcare providers providing a service to families.

Private businesses (not in the Early Years sector) should not be treated any different, the Standards should apply in some part to every business in Wales but taking in to account the size of the business allowing for time and support in adhering.

Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

As previously mentioned, Wales Preschool Providers' Association, Wales PPA, would urge caution with regards to imposing the Standards on the Early Years sector at this given time. With the correct guidance, support, training opportunities and networking facilities, a growing number of childcare practitioners could deliver a bilingual service. Wales PPA would encourage the use of promotion and awareness raising initiatives to engage with the sector.

Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly's competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

As mentioned, Wales Preschool Providers' Association, Wales PPA, feel that the Standards should be imposed on all bodies receiving public monies. However, a recognition that different Standards would be more relevant to some sectors would be required, as well as a strong support service and codes of practice.

Question 45 – Do you have any further comments on Part 4 of the White Paper?

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Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

The proposals will benefit Welsh speakers by increasing the availability of Welsh language services by decreasing the time spent on imposing Standards and more time and resources spent on supporting bodies to deliver of high quality service for Welsh speakers.

The appointment of one body to promote and facilitate the Welsh language is also welcomed to allow third sector organisations and the Early Years sector with support and guidance.

Increasing Welsh services and ensuring public bodies adhere to the Measure and Standards will give Welsh speakers more opportunity to engage with the language and use it throughout their life, be that personal and working.

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

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Rhan 1: Hybu'r Gymraeg

Cwestiwn 1 – Ym mharagraffau 49–54, rydym wedi amlinellu'r rôl yr ydym yn cynnig y dylai Llywodraeth Cymru ei chwarae i hybu'r Gymraeg, h.y. swyddogaethau'r Llywodraeth i hybu'r Gymraeg. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys p'un a oes meysydd y dylid eu hychwanegu neu eu tynnu o'r rhestr ym mharagraff 53.

Nid yw'r sefyllfa bresennol yn y cyswllt hwn yn dderbyniol. Mae angen sicrhau fod Adran Gymraeg y Llywodraeth yn ehangu ei phortffolio sgiliau presennol yn ddifawr – mae angen arbenigedd ym meysydd Dwyieitheg a Chynllunio laith ac ati. Mae hefyd yn hanfodol bwysig fod gan yr Adran yr hawl a'r cyfle i lywio datblygiadau ar draws holl adrannau gweinyddol a gweithredol y Llywodraeth. Nid oes modd ynysu strategaeth datblygu'r laith o feysydd allweddol megis Addysg, yr Economi ac yn y blaen.

Cwestiwn 2 – Yn Nhabl 1, rydym wedi amlinellu'r adnoddau mewn perthynas â'r swyddogaethau cyffredinol i hybu'r Gymraeg yr ydym o'r farn y dylent fod ar gael i unrhyw gorff neu gyrff sy'n helpu yn y gwaith o hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cytuno â'r egwyddor ond nid â'r symiau sydd mewn golwg. Ni fydd gobaith cyrraedd y nodau a osodwyd eisoes gan y Llywodraeth, na sicrhau twf sylweddol cynaliadwy oni bai fod arian digonol gogyfer â'r sialensiau lu sy'n bod. Bydd angen adnoddau sylweddol i sicrhau gwelliant ym meysydd megis Addysg, Addysg Uwch, gwasanaethau cyhoeddus a busnesau preifat. Mae hefyd angen ymrwymiad clir i ariannu gwahanol agweddau'r Strategaeth yn go fuan.

Cwestiwn 3 – A ydych chi'n cytuno â'r opsiwn a ffeirir gennym (Opsiwn 4), sef un corff i fod yn gyfrifol am hybu'r Gymraeg ac am fonitro a gorfodi cydymffurfiaeth â'r Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Os ydych yn anghytuno, nodwch pa opsiwn (gan gynnwys opsiynau nad ydym wedi'u trafod yn y Papur Gwyn) y dylem ei ystyried yn eich barn chi.

Sylwadau ategol

Bydde cyfuno'r cyfrifoldeb am fonitro ac am hybu yn gamsyniad yn ein barn ni, gan nad yw'r un cywair yn briodol o gwbl ar gyfer plismona a hybu – fe fyddde'r naill yn siŵr o anfanteisio

effeithlonrwydd y llall.

Cwestiwn 4 – Rydym wedi seilio ein dewis, sef un corff, ar sail eglurder, cydnawsedd a gwerth am arian. A ydych chi'n cytuno â'n sail resymegol?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Gweler uchod. Os na all y corff weithredu'n wir effeithiol, yna ni all fod yn gydnaws â gwerth am arian 'chwaith.

Cwestiwn 5 – Pa faterion perthnasol eraill y dylem eu hystyried wrth wneud ein cynnig terfynol ynghylch pa gorff neu gyrff ddylai hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau?

Sylwadau ategol

Ni ellir gorbriso'r angen i sicrhau fod y corff/ cyrff a) yn ddigon grymus o ran adnoddau ariannol ac arbenigedd cyflawn b) yn ddigon pellgyrhaeddgar ei ddylanwad, o ran holl weithgarwch y Llywodraeth ym mhob maes a c) yn ymgynghori'n gyson ag arbenigwyr allanol ac yn manteisio ar y gwaith ymchwil diweddaraf yn y meysydd amrywiol dan sylw.

Cwestiwn 6 – A oes gennych unrhyw sylwadau pellach ar Ran 1 y Papur Gwyn?

Ymddengys i ni na ddylid anwybyddu anghenion yr iaith pan yn gweithredu ar gyfer Cynllunio Gwlad a Thref. Wrth reswm, fe fydd datblygiadau yn y maes hwn yn rhwym o ddylanwadu'n drwm ar gyfle'r iaith i oroesi. Felly, mae angen meddwch ymhellach am y dolennau cyswllt priodol yn y cyswllt allweddol hwn.

Rhan 2: Llywodraethiant ac atebolrwydd

Cwestiwn 7 – Ym mharagraffau 93–95, rydym wedi nodi rhai gofynion cyffredinol yn ymwneud â threfniadau llywodraethu ac atebolrwydd y corff. Beth yw eich barn chi am y gofynion cyffredinol hyn, ac a oes yna fesurau monitro a ffrwyno eraill a ddylai fod yn weithredol ar y corff arfaethedig?

Sylwadau ategol

Mae'r rhain yn ymddangos yn dderbyniol i ni.

Cwestiwn 8 – A ydych chi'n cytuno â'r opsiwn a ffeirir gennym (Opsiwn 3), sef i sefydlu Comisiwn y Gymraeg i hybu a hwyluso defnyddio'r Gymraeg a monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Fel y nodwyd eisoes mae'r datblygiad hwn i'w groesawu mewn egwyddor, er fod sawl lle i wella ar y meysydd a'r dulliau pur gyfyng o weithredu sydd mewn golwg ar hyn o bryd..

Cwestiwn 9 – Beth yw eich barn chi am y dadansoddiad rydym wedi'i ddarparu sy'n cefnogi ein dewis ni, sef Opsiwn 3? A oes unrhyw ystyriaethau eraill y dylem eu hystyried wrth wneud unrhyw gynnig terfynol?

Dim sylw.

Cwestiwn 10 – A ydych chi'n credu bod Opsiwn 3 yn diogelu annibyniaeth y Comisiwn arfaethedig yn ddigonol yng nghyd-destun arfer swyddogaethau ar gyfer monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 11 – A oes unrhyw faterion ychwanegol i'r rhai a restrir ym mharagraffau 121–122 y dylem eu hystyried wrth ystyried trefniadau i sefydlu'r Comisiwn arfaethedig?

Oes	<input type="checkbox"/>	Nac oes	<input checked="" type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Ond wrth reswm, mae'r pwyntiau a wnaed uchod ynghylch maes llafur/ dylanwad y Comisiwn yn berthnasol yn y cyswllt hwn.

Cwestiwn 12 – A ydych chi'n cytuno â'n cynnig i symud y gofyniad ar Lywodraeth Cymru i unio strategaeth ar gyfer y Gymraeg o Ddeddf Llywodraeth Cymru 2006 i'r Bil y Gymraeg newydd?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Dim gwrthwynebiad, tra bo'r gwelliannau a nodir uchod yn cael eu mabwysiadu a'u gweithredu'n drylwyr.

Cwestiwn 13 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru adrodd i'r Cynulliad ar strategaeth y Gymraeg bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae hwn yn dderbyniol tra bod y Llywodraeth hefyd yn sicrhau ei fod yn derbyn diweddariadau cyson (blynyddol) ar weithrediad y mesur newydd, ac felly'n cael cyfle priodol i'w addasu yn ô yr angen. Nid yw cyfnod o bum mlynedd heb orolwg cyson o'r fath yn dderbyniol o gwbl.

Cwestiwn 14 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gyhoeddi cynllun yn nodi sut y bydd yn gweithredu'r strategaeth bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Ond yma eto, mae'n amodol ar fod datblygiad y drefn newydd yn dderbyniol, a rhaid wrth adroddiadau byr cyson er mwyn sicrhau cynnydd dibynadwy.

Cwestiwn 15 – A ydych chi'n cytuno â'n cynnig i ddiddymu Cyngor Partneriaeth y Gymraeg a rhoi'r pŵer i Lywodraeth Cymru geisio cyngor gan y Comisiwn arfaethedig, sef Comisiwn y Gymraeg?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Ond nid yw 'pŵer' yn ddigon yn y cyswllt allweddol hwn. Rhaid wrth reidrwydd.

Cwestiwn 16 – A oes gennych unrhyw sylwadau eraill ar Ran 2 y Papur Gwyn?

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Rhan 3: Safonau'r Gymraeg

Cwestiwn 17 – Rydym yn cynnig y dylid mabwysiadu model diwygiedig o'r Safonau (Opsw 2) fel y ffordd orau o sicrhau hawliau pobl i dderbyn gwasanaethau Cymraeg. A ydych chi'n cytuno â'r cynnig hwn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ddiwygiadau pellach yr hoffech eu gweld i'r system bresennol, neu unrhyw ddulliau gweithredu eraill y dylem eu hystyried yn eich barn chi.

lawn. Ond tan i'r model diwygiedig ddod i rym, dylid cadw at y Safonau presennol, a hefyd sicrhau fod dilyniant cadarn rhwng y drefn newydd a'r drefn bresennol, gan fod cynifer o sefydliadau eisoes wedi eu mabwysiadu.

Cwestiwn 18 – Rydym wedi seilio'r cynnig rydym yn ei ffafrio i ddiwygio'r Safonau (Opsw 2) ar sail yr eglurder, y capasiti ar gyfer gwella a'r costau newid sy'n gysylltiedig â phob opsiwn (paragraffau 163–165). A ydych chi'n cytuno â'n dadansoddiad?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ffactorau eraill y dylem eu hystyried wrth lunio unrhyw gynigion terfynol.

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Cwestiwn 19 – A ydych chi'n cytuno â'r cynnig i ddiddymu'r dosbarthiadau presennol o Safonau, a gwahaniaethu rhwng 'Safonau' (a fyddai'n berthnasol i wasanaethau) a 'dyletswyddau cynllunio ieithyddol' (a fyddai'n berthnasol i ddyletswyddau corfforaethol)?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cytuno, tra bo gan y 'dyletswyddau' statws cyfreithiol grymus, a thra eu bod yn ofynnol yn achos cyrff cyhoeddus, gwirfoddol a phreifat fel ei gilydd.

Cwestiwn 20 – A ydych chi o'r farn y dylid cynnwys darpariaethau sy'n ymwneud â Chynlluniau Strategol y Gymraeg mewn Addysg yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Mae hyn yn allweddol – o bwys hanfodol.

Cwestiwn 21 – Oes yna unrhyw faterion eraill y dylid, yn eich barn chi, eu cynnwys yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Oes	<input checked="" type="checkbox"/>	Nac oes	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Nid yw'r ddeddfwriaeth yn ddigon eang ei gofal am ddyfodol yr iaith. Fel yr awgrymwyd uchod, mae angen iddi fedru meithrin cyd-destun cymdeithasol gwir gynhwysol fydd yn gosod yr iaith ar waith ym mhob agwedd o fywyd cymdeithas.

Cwestiwn 22 – A ydych chi'n cytuno y dylai fod gan y Comisiwn arfaethedig bwerau cyffredinol i gynnal ymchwiliadau i sut mae cyrff yn cyflawni eu dyletswyddau o ran y Gymraeg, a fyddai'n cynnwys y Safonau a'r dyletswyddau cynllunio ieithyddol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Eto, mae'n gwbl anhepgorol fod hyn yn digwydd.

Cwestiwn 23 – A ydych chi'n cytuno â'n cynnig y dylai'r Comisiwn arfaethedig fonitro a chefnogi cyrff mewn perthynas â'u dyletswyddau cynllunio ieithyddol, yn hytrach na'u gorfodi?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Gweler uchod y sylwau ynghylch gwahaniaethu rhwng monitro a chefnogi. Ond mae'n rhaid fod elfen o orfodaeth yn gysylltiedig â'r datblygiadau hyn, neu fe fyddant yn aneffeithiol ac yn ddi-rym.

Cwestiwn 24 – A ydych chi'n cytuno â'n cynnig i roi cyfrifoldeb am osod Safonau ar gyrff i Lywodraeth Cymru, p'un ai drwy hysbysiad cydymffurfio neu drefn arall?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Nid y Llywodraeth ond y Comisiwn a ddyle fod yn gyfrifol am osod y Safonau, gyda'r Llywodraeth/ Cynulliad wedyn yn sicrhau fod y camau cyfreithiol yn eu lle i sicrhau gweithredu.

Cwestiwn 25 – A ydych chi'n cytuno â'n cynnig y dylai pob un o'r rheoliadau i wneud Safonau fod yn destun ymgynghoriad cyhoeddus llawn cyn gofyn am gymeradwyaeth y Cynulliad?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Y peryg yw y galle'r broses hon fod yn hirwyntog, yn gostus ac yn wastraffus. Felly gorau oll fyddde ymgynghori dim ond ynghylch y gofynion pwysicaf.

Cwestiwn 26 – A ydych chi'n cytuno â'n cynnig i ddiddymu Ymchwiliadau Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 27 – A ydych chi'n cytuno â'n cynnig y dylid rhoi pwerau i gyhoeddi codau ymarfer neu ganllawiau mewn perthynas â'r Safonau i Lywodraeth Cymru?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Gweler yr ymateb i gwestiwn 24 uchod.

Cwestiwn 28 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gael pŵer i osod Safonau ar yr holl gyrff mewn sector yn uniongyrchol drwy reoliadau, heb fod angen hysbysiad cydymffurfio neu drefn arall gyffelyb?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ar y materion y dylem eu hystyried wrth lunio Safonau i'w gosod yn uniongyrchol ar gyrff o fewn sector, p'un a ddylai gyrff unigol barhau â'r hawl i herio Safon sydd wedi'i gosod arnynt, a ph'un a ddylid cael proses ymgynghori fwy trwyadl.

Cwestiwn 29 – Pa ffactorau y dylid eu cymryd i ystyriaeth neu pa weithdrefn y dylid ei dilyn er mwyn sicrhau bod y broses o osod Safonau ar Lywodraeth Cymru yn deg a thryloyw?

Sylwadau ategol

Mae angen Pwyllgor priodol o'r Cynulliad ymgymryd â'r gorchwyl hwn, er mwyn sicrhau tegwch hollol ddi-duedd.

Cwestiwn 30 – A ydych chi'n cytuno â'n cynnig y dylid gorfod delio â chwynion drwy weithdrefn gwyno'r corff perthnasol cyn y caiff y Comisiwn arfaethedig, sef Comisiwn y Gymraeg, ymchwilio i fethiant honedig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cytuno, tra bo modd symud o gam i gam yn fuan a rhwydd lle bo angen.

Cwestiwn 31 – A ydych chi'n cytuno â'n cynnig fod yn rhaid i gyrff gadw at weithdrefn gwyno sydd wedi'i chymeradwyo, fel y Polisi Pryderon a Chwynion Enghreifftiol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 32 – A ydych chi'n cytuno â'n cynnig mai dim ond os yw o'r farn fod yr achos honedig o dorri Safon neu weithdrefn gwyno yn un ddifrifol y dylai'r Comisiwn arfaethedig gael cymryd camau gweithredu pellach mewn perthynas â chwyn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ar ein diffiniad o 'achos difrifol' ym mharagraff 219.

Cwestiwn 33 – A ydych chi'n cytuno â'n cynnig i ganiatáu i'r Comisiwn arfaethedig gynnal ymchwiliad ar ei liwt ei hun?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Fe fydde hyn yn gam pwysig er sicrhau fod y Safonau yn cael eu parchu.

Cwestiwn 34 – A ydych chi'n cytuno fod y camau gweithredu a ddisgrifir ym mharagraff 225 yn darparu amrywiaeth effeithiol o gamau gorfodi?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw syniadau ynghylch camau gorfodi eraill a wrthodwyd neu nad ydynt wedi cael eu hystyried yn y Papur Gwyn.

Cwestiwn 35 – Ar hyn o bryd, mae gan y Comisiynydd bwerau i osod dirwy sifil o hyd at £5,000 ac, mewn rhai amgylchiadau, i ofyn am orchymyn llys i'w gwneud yn ofynnol i gorff gydymffurfio. A ydych chi'n cytuno â'n cynnig y dylid cadw'r pwerau hyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ynghylch y ddirwy sifil uchaf y dylai'r Comisiwn arfaethedig allu ei gosod (os o gwbl).

Mae'r dirwy o £5000 yn afresymol o isel, ac felly'n gwbl aneffeithiol o ran sicrhau parch ymarferol at y Safonau,

Cwestiwn 36 – A ydych chi'n cytuno â'n cynnig i gadw rôl y Tribiwnlys mewn perthynas â phenderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 37 – A ydych chi'n cytuno â'n cynnig y dylai'r Tribiwnlys hefyd ymdrin ag apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 38 – Rydyn ni'n cynnig cyflwyno cam cyntaf gorfodol ar gyfer y Tribiwnlys mewn perthynas ag apelau yn erbyn penderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi Safonau. Byddai'r cam cyntaf yn ei gwneud yn ofynnol i'r Tribiwnlys roi caniatâd ar y sail bod siawns rhesymol y bydd y cais yn llwyddo neu pan fo rheswm cryf arall pam y dylai'r cais gael ei glywed. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 39 – A ydych chi o'r farn y dylai'r cam cyntaf gorfodol arfaethedig fod yn gymwys i apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 40 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 3 y Papur Gwyn?

Nac oes.

Rhan 4: Cwmpas y cyrff sy'n ddarostyngedig i ddeddfwriaeth y Gymraeg

Cwestiwn 41 – A ydych chi'n cytuno â'n cynnig i ddileu'r cyfyngiadau yn y Mesur fel bod Llywodraeth Cymru'n meddu ar y pŵer i wneud Safonau'n gymwys i unrhyw gorff o fewn cymhwysedd deddfwriaethol y Cynulliad?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Yn sicr. Mae'n hen bryd bellach i wneud y sector preifat yn atebol i'r gofynion hyn.

Cwestiwn 42 – A ydych chi'n cytuno â'n cynnig mai dim ond mewn perthynas â'r gwasanaethau y maent yn eu cyflenwi i'w cwsmeriaid y dylai busnesau yn y sector preifat fod yn agored i orfod cydymffurfio â Safonau?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ynghylch unrhyw gyfyngiadau y dylid eu rhoi ar y pwerau i osod Safonau ar fusnesau preifat.

Cwestiwn 43 – A ydych chi'n cytuno â'n cynnig mai dim ond fel rhan o becyn ehangach o weithgarwch sy'n hybu'r Gymraeg ac yn cynyddu ymwybyddiaeth ohoni y dylid gosod Safonau ar fusnesau preifat?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 44 – Os rhoddir pwerau i Lywodraeth Cymru i osod Safonau ar unrhyw gorff o fewn cymhwysedd y Cynulliad, a ydych chi o'r farn y dylai Safonau gael eu gosod ar unrhyw gorff neu sector nad yw ar hyn o bryd o fewn cwmpas deddfwriaeth ynghylch y Gymraeg?

Ydw	✓	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 45 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 4 y Papur Gwyn?

Fel y nodwyd droeon eisoes uchod, mae'n rhaid bod y camau newydd yn ddigon hyblyg a chynhwysfawr i drawsnewid yr hinsawdd cymdeithasol yn llwyr. Ofer fydd unrhyw ymdrechion nad ydynt yn cwmpasu bywyd y Gymru gyfoes yn ei gyfanrwydd.

Rhan 5: Asesu effaith ein cynigion

Cwestiwn 46 – Rydym wedi asesu effaith ein cynigion ar gydraddoldeb, plant, pobl ifanc a'u teuluoedd, a'r Gymraeg. A oes gennych chi sylwadau ar unrhyw un o'r asesiadau hyn?

Cwestiwn 47 – Hoffem wybod eich barn ar yr effeithiau y byddai'r cynigion yn ein Papur Gwyn yn eu cael ar y Gymraeg, yn benodol ar:

- i) gyfleoedd i bobl ddefnyddio'r Gymraeg
- ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Pa effeithiau fyddai, yn eich barn chi? Sut mae cynyddu effeithiau cadarnhaol neu liniaru effeithiau negyddol?

Sylwadau ategol

Cwestiwn 48 – Eglurwch hefyd sut gellid ffurfio neu newid yr opsiynau arfaethedig:

- i) fel eu bod yn cael effeithiau cadarnhaol neu fwy o effeithiau cadarnhaol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg
- ii) fel nad ydynt yn cael effeithiau andwyol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Sylwadau ategol

Cwestiwn 49 – Rydym wedi gofyn nifer o gwestiynau penodol. Os oes gennych chi faterion perthnasol nad ydym wedi rhoi sylw penodol iddynt, defnyddiwch y blwch isod i roi gwybod i ni amdanynt.

Mae ymatebion i ymgynghoriadau yn debygol o gael eu gwneud yn gyhoeddus, ar y rhynggrwyd neu mewn adroddiad. Os byddai'n well gennych i'ch ymateb aros yn ddienw, ticiwch yma:



**ARIENNIR GAN Y
LOTERI GENEDLAETHOL
NATIONAL
LOTTERY FUNDED**

Taro'r cydbwysedd iawn: cynigion ar gyfer Bil y Gymraeg

Ymateb gan y Gronfa Loteri Fawr: Hydref 2017

1. Ynglŷn â'r Gronfa Loteri Fawr a'n hymateb

- 1.1 Mae'r Gronfa Loteri Fawr yn dosbarthu 40 y cant o'r holl arian a godir ar gyfer Achosion Da gan y Loteri Genedlaethol. Y llynedd, dosbarthom £670 miliwn ar draws y Deyrnas Unedig ac rydym yn dosbarthu tua £35 miliwn - £40 miliwn y flwyddyn yng Nghymru. Er bod gennym rai mentrau sy'n ymdrin â'r Deyrnas Unedig gyfan, mae'r mwyafrif o'n rhaglenni wedi'u teilwra i ddiwallu anghenion penodol cymunedau yng Nghymru, Lloegr, Yr Alban a Gogledd Iwerddon.
- 1.2 Ein cenhadaeth yw dod â gwir welliannau i gymunedau a bywydau'r bobl fwyaf anghenus. Mae ein dull o wneud hwn wedi'i siapio gan ein gweledigaeth o 'Alluogi Pobl i Arwain'; rydym yn credu y dylai pobl arwain ar wella'u bywydau a chymunedau. Rydym yn dechrau gyda'r sgiliau, asedau ac egni y gall pobl alw arnynt a'r potensial yn eu syniadau. Ein cred yw y gall cymunedau cryf a bywiog gael eu hadeiladu a'u hadnewyddu gan y bobl sy'n byw ynddynt - gan eu paratoi ar gyfer unrhyw beth yn wyneb cyfleoedd a heriau'r dyfodol. Gallwch ddarllen mwy am ein dull trwy ddarllen ein [Fframwaith Strategol](#) ar gyfer 2015-21.
- 1.3 Yng Nghymru, rydym yn cyflwyni 'galluogi pobl i arwain' trwy bortffolio cytbwys o raglenni sy'n cynnwys tair elfen unigryw:
 - **Grantiau bach** - arian sy'n mynd i gymunedau ar draws Cymru, gan ddarparu grantiau er mwyn i bobl a mudiadau bach wneud pethau gwych yn eu hardaloedd. Maent ar gyfer mudiadau llawr gwlad cymunedol a mudiadau mwy sydd wedi'u gwerthfawrogi gan eu cymunedau
 - **Grantiau safonol** - grantiau a chefnogaeth tymor hwy i fudiadau sy'n gysylltiedig â chymunedau ac yn cydweithio â hwy i gymryd camau ar y materion sydd fwyaf pwysig iddynt, trwy ddod â phobl ynghyd i adeiladu cysylltiadau llawn ymddiriedaeth a darparu cyfleoedd cydweithio a dysgu. Maent ar gyfer mudiadau y mae eu huchelgais a chynlluniau wedi'u siapio gan y bobl a'r cymunedau y maent yn eu gwasanaethu
 - **Grantiau ar y cyd** - grantiau mwy cymhleth sy'n ceisio ysbrydoli gweithredu ar y cyd sy'n mynd y tu hwnt i'r hyn y gall unrhyw fudiad unigol ei gyflawni ar ei ben ei hun trwy gefnogi syniadau sy'n ymdrin â materion hir dymor. Maent ar gyfer mudiadau a chymunedau sydd â dyhead i gydweithio ar heriau mawr.
- 1.4 Gallwch gael gwybod mwy am y Gronfa Loteri Fawr yng Nghymru ar ein [gwefan](#).
- 1.5 Rydym yn falch o gael ein hystyried yn fudiad 'arfer da' mewn perthynas â darparu gwasanaeth dwyieithog i'n cwsmeriaid a budd-ddeiliaid yng Nghymru. Rydym yn mwynhau perthynas waith dda gyda Swyddfa Comisiynydd y Gymraeg.
- 1.6 Cyn gweithredu'r ddeddfwriaeth Gymraeg gyfredol, gweithredom Gynllun Iaith Gymraeg ac wedi hynny rydym wedi gweithredu'n unol â'n Safonau Gymraeg. Rydym wedi cwrdd â dau derfyn amser ac ar y trywydd iawn tuag at gwrdd â'n terfyn amser terfynol o 25 Gorffennaf, 2018. Mae ein hymateb i Fil y Gymraeg yn galw ar ein profiad o gyflwyno gwasanaeth dwyieithog i'n cwsmeriaid yng Nghymru a'r broses o weithio gyda Chomisiynydd y Gymraeg mewn perthynas â'n Safonau Gymraeg ein hunain.

2. Crynodeb Gweithredol

2.1 Cefnogaeth Gymraeg

Rydym yn teimlo ei fod yn hollbwysig bod gan fudiadau yng Nghymru sy'n ddarostyngedig i'r Safonau, neu'r rhai sydd eisiau cynnig gwasanaeth dwyieithog i'w cwsmeriaid, fynediad i gefnogaeth a chynghor digonol i'w galluogi i wneud hwn. Ers diddymu Bwrdd yr Iaith Gymraeg mae llawer llai o gefnogaeth a chynghor wedi bod ar gael i ni o ran Safonau'r Gymraeg a hyrwyddo'r Gymraeg. Er hynny, rydym wedi cydweithio'n agos ag adran Cynllun Hybu'r Gymraeg Comisiynydd y Gymraeg dros y misoedd diwethaf ac mae eu cefnogaeth wedi bod o gymorth mawr i ni.

2.2 Byddem yn croesawu eglurder ar wybod ble i droi am gyngor, ac rydym yn cefnogi'r cysyniad o un corff sy'n monitro cydymffurfio ac yn cynnig cyngor cyfeillgar pan fydd ei angen. Rydym wedi'i chael yn anodd adnabod i ble y gallwn gyfeirio'r prosiectau rydym yn ei ariannu am gyngor ers dileu'r Llinell Gyswllt Advice Line.

2.3 Yn sgil gwaith caled dros y blynyddoedd diwethaf i baratoi ar gyfer Safonau'r Gymraeg, eu rhoi ar waith a chynyddu ymwybyddiaeth ohonynt ar draws ein mudiad, byddem yn gwerthfawrogi cyfnod o sefydlogrwydd i alluogi'r newidiadau i 'ymwreiddio' a dangos eu heffaith.

2.3 Llywodraethu

Mae ein profiad fel mudiad yn dod â ni at y casgliad mai ymagwedd golegol at lywodraethu'r Comisiwn arfaethedig yw'r model mwyaf priodol. Yng Nghymru mae gennym Bwyllgor sy'n cynnwys cadeirydd ac aelodau bwrdd unigol sydd ag ystod eang o brofiadau a chefnidiroedd. Mae hyn yn sicrhau ein bod yn ystyried amrywiaeth eang o safbwyntiau wrth bennu ein cyfeiriad strategol. O ystyried y profiadau ac anghenion helaeth sy'n gysylltiedig â'r Gymraeg, rydym yn teimlo ei fod yn bwysig ystyried yr amrediad cyfan o safbwyntiau wrth wneud penderfyniadau mewn perthynas â'r Gymraeg.

2.4 Staffio

Rydym yn teimlo y bydd yn hanfodol bod gan unrhyw staff a drosglwyddir i neu a gyflogir gan Gomisiwn y Gymraeg newydd y gallu i sicrhau cydymffurfiaid â Safonau'r Gymraeg a hefyd cefnogi mudiadau'n effeithiol i wneud hyn, efallai gyda strwythur sy'n debyg i'r hen Fwrdd yr Iaith Gymraeg. Byddem yn rhybuddio yn erbyn rhannu swyddogaethau cydymffurfio a chefnogi'r Comisiwn a byddem yn ffafrio cael un pwynt cyswllt a allai reoleiddio a rhoi cyngor fel y bo angen.

2.5 Safonau'r Gymraeg

Rydym yn credu y bu Safonau'r Gymraeg yn ddatblygiad cadarnhaol mewn deddfwriaeth ar y Gymraeg a'u bod wedi sicrhau cysondeb yn y gwasanaethau a gynigir yn ddwyieithog gan fudiadau ar draws Cymru. Mae'r Safonau wedi cael effaith gadarnhaol ar draws ein mudiad, gan greu ymwybyddiaeth ac amlygu ei phwysigrwydd gyda chydweithwyr mewn rhannau eraill o'r Deyrnas Unedig. Rydym

yn cytuno bod y Safonau'n hanfodol o bwysig wrth bennu'r meincnodau y disgwylir i fudiadau gwrdd â nhw, ond rydym yn credu y dylai'r monitro a gorfodi fod yn gymesur.

2.6 Tribiwnlys y Gymraeg

Rydym yn cefnogi'r syniad o gadw Tribiwnlys y Gymraeg fel cam terfynol ar gyfer datrys anghydfod.

2.7 Mudiadau Deyrnas Unedig gyfan

Rydym yn fudiad Deyrnas Unedig gyfan ac mae llawer o'n swyddogaethau corfforaethol yn cael eu cyflawni y tu allan i Gymru. Byddai'n ddefnyddiol i ni i unrhyw ddeddfwriaeth newydd ystyried y cymhlethdod ychwanegol a ddaw gyda gweithredu ar draws y Deyrnas Unedig. Ar hyn o bryd nid oes unrhyw sôn am sut y byddai'r cynigion newydd yn effeithio ar fudiadau Deyrnas Unedig gyfan a byddem yn croesawu eglurder ar y goblygiadau ar gyfer mudiadau Deyrnas Unedig gyfan.

3. Cefnogaeth Gymraeg

- 3.1 Rydym yn cytuno â honiad y Papur Gwyn y ceir diffyg eglurder i unigolion a mudiadau ar draws Cymru sy'n chwilio am gymorth a chefnogaeth. Yn hanesyddol, roedd gennym gyswllt dynodedig ym Mwrdd yr Iaith Gymraeg a allai roi cyngor i ni ynglŷn â chyflwyno ein Cynllun Iaith Gymraeg, neu roi cyngor ar ymholiadau mwy cyffredin sy'n codi o fewn y mudiad. Fodd bynnag, nid yw wedi bod yn hawdd cael mynediad at y gefnogaeth honno ers diddymu'r Bwrdd. Pan gysylltom â Swyddfa Comisiynydd y Gymraeg am gyngor cyffredinol y llynedd, dywedwyd wrthym y byddem yn derbyn llythyr o fewn 5 niwrnod gwaith. Roedd hyn yn teimlo'n amhrydlon ac yn or-ffurfiol. Yn y pen draw tynnem ein hymholiad yn ôl, gan ddelio â'r mater heb dderbyn cyngor mewn ffordd brydlon. Gan hynny, rydym yn croesawu'r cynnig i ddod â'r gefnogaeth sydd ar gael i fudiadau'n ôl.
- 3.2 Ers diddymu'r hen linell gyngor, rydym wedi'i chael hi'n anodd cyfeirio'r prosiectau rydym yn eu hariannu at wybodaeth, cyngor ac arweiniad pellach sy'n gysylltiedig â'r Gymraeg. Gan hynny, rydym yn croesawu cynnig y Papur Gwyn i adfer gwasanaeth tebyg yn y dyfodol.
- 3.3 Dymunwn amlygu y bu'r adran Cynllun Hybu'r Gymraeg yn Swyddfa Comisiynydd y Gymraeg yn ffynhonnell gymorth wych i ni, a byddwn yn gweithio mewn partneriaeth â nhw dros y misoedd i ddod i gyflwyno hyfforddiant i'r prosiectau rydym yn eu hariannu. Byddai unrhyw wasanaeth ymgynghorol a ddarperir yn gweithio'n dda ochr yn ochr â'r gefnogaeth maent yn ei darparu i fudiadau ar hyn o bryd.
- 3.3 Ers diddymu Bwrdd yr Iaith Gymraeg, rydym yn teimlo y bu diffyg cyfleoedd i rannu ymwybyddiaeth a gwybodaeth, yn benodol y cyfle i rwydweithio â mudiadau eraill, a oedd yn ddefnyddiol iawn i ni. Pan fu Bwrdd yr Iaith Gymraeg mewn bodolaeth roedd gennym brif gyswllt y byddem yn derbyn diweddariadau rheolaidd ganddo ar gyrsiau hyfforddi a meddalwedd Gymraeg newydd. Byddem hefyd yn cwrdd wyneb wrth wyneb dwywaith y flwyddyn i drafod ein Cynllun Iaith Gymraeg a datblygiadau Gymraeg yn fwy cyffredinol. Byddai'r digwyddiadau rhwydweithio a gynigir yn cynnwys ystod eang o bynciau defnyddiol gan gynnwys T.G., caffael ac ariannu, a oedd yn arbennig o ddefnyddiol. Ar adeg pan fydd y Safonau'n gofyn am lawer mwy gan fudiadau, mae angen mwy o'r cyfleoedd hyn, nid llai.

4. Llywodraethu a staffio

4.1 Llywodraethu

Yng Nghymru mae gennym Bwyllgor sy'n cynnwys cadeirydd ac aelodau bwrdd unigol. Mae ein haelodau yn dod o amrywiaeth o gefndiroedd proffesiynol a chymunedau gydag ystod eang o safbwyntiau a phrofiadau bywyd. Rydym yn mabwysiadu'r un dull wrth recriwtio is-bwyllgorau i wneud penderfyniadau ar y grantiau a ariannwn. Mae'r dull colegol hwn yn helpu ni i ystyried amrywiaeth eang o safbwyntiau a barn wrth bennu ein cyfeiriad strategol a gwneud penderfyniadau ariannu.

4.2 Mae'r Gymraeg yn fater emosiynol iawn am amrywiaeth o resymau amrywiol a chymhleth, ac mae llawer o safbwyntiau gwahanol ar sut y dylid cefnogi'r Gymraeg a beth y dylai'r paramedrau rheoleiddio fod. Gan hynny, rydym yn teimlo y byddai'n fuddiol i'r Comisiwn gael ei lywodraethu hefyd gan ddefnyddio dull colegol fel y gellir lleisio ac ystyried yr ystod amrywiol o farn wrth bennu ei gyfeiriad strategol.

4.3 Staffio

O fewn y Gronfa rydym yn symud tuag at ffordd o weithio sy'n cymysgu'r hyn a oedd yn draddodiadol yn swyddogaethau mewn seilos i ddarparu gwasanaeth gwell i'n cwsmeriaid. Er enghraifft, mae ein swyddogion ariannu'n gwneud mwy o waith allgymorth hefyd, sef gwaith traddodiadol ein tîm cyfathrebu, fel y gallant ddefnyddio eu gwybodaeth asesu wrth roi cefnogaeth ac arweiniad i ddarpar ymgeiswyr a deiliaid grant.

4.4 Gan alw ar ein profiad ein hunain, teimlwn ei fod yn hanfodol i unrhyw staff a gaiff naill ai eu trosglwyddo i neu eu cyflogi gan Gomisiwn y Gymraeg newydd fod â rôl cydymffurfio a chefnogi, ac na ddylid rhoi'r ddwy rôl mewn dwy adran ar wahân. Byddai hyn yn hyrwyddo'r posibilrwydd o gael pwynt cyswllt unigol sy'n gyfarwydd â'r mudiad y mae'n ei gefnogi, â dealltwriaeth well o'r heriau a phroblemau y mae'n eu hwynebu mewn perthynas â gweithredu'r Safonau, ac a all deilwra'r anghenion cefnogi'n briodol.

5. Safonau'r Gymraeg

- 5.1 Rydym yn credu y bu Safonau'r Gymraeg yn ddatblygiad cadarnhaol mewn deddfwriaeth ar y Gymraeg a'u bod wedi sicrhau cysondeb yn y gwasanaethau a gynigir i'r cyhoedd yng Nghymru ar draws y sector cyhoeddus. Rydym yn teimlo hefyd eu bod wedi helpu 'codi'r bar' o ran y gwasanaethau y gall mudiadau eu cynnig i'w staff yn Gymraeg a Saesneg, gan sicrhau hefyd y gall siaradwyr Cymraeg gyfathrebu â'u cyflogwyr yn Gymraeg, pryd bynnag y bo'n bosib.
- 5.2 Fel mudiad rydym wedi croesawu Safonau'r Gymraeg. Er bod rhoi rhai o'r Safonau ar waith wedi cymryd peth amser, nid ydym wedi gweld anhawster wrth gwrdd ag unrhyw un ohonynt gan yr oedd gennym Gynllun Iaith Gymraeg cryf mewn lle yn barod ac mae gennym agwedd gadarnhaol iawn fel mudiad tuag at y Gymraeg. I gwrdd â'n Safonau bu'n rhaid i ni gydweithio'n agos â chydweithwyr yn HR, IT a Chaffael, y maent oll wedi'u lleoli y tu allan i Gymru, i ddatblygu strategaethau i gryfhau'r defnydd o'r Gymraeg o fewn y Gronfa Loteri Fawr yn ogystal ag yn allanol. Mae'r Safonau wedi cynnig cyfle i ni godi ymwybyddiaeth gyda'n staff ar draws y Deyrnas Unedig ynglŷn â phwysigrwydd ac arwyddocâd y Gymraeg.
- 5.2 Adleisiwn honiad y Papur Gwyn y gellir symleiddio'r broses o ddatblygu'r Safonau a'u rhoi ar waith. Trwy wneud hyn, rydym yn teimlo y dylai'r Safonau barhau'n arf pwysig a phwerus i gefnogi'r Gymraeg ac y dylai unrhyw newidiadau gadw eu credadwyedd. Gyda chynifer o newidiadau eraill yn cael eu cynnig yn y Papur Gwyn hefyd, nid lleiaf creu Comisiwn newydd, gobeithiwn na fydd y Safonau'n 'mynd ar goll' ymhlith y gwaith arall.
- 5.3 Mudiadau Deyrnas Unedig gyfan
Mae ein sefyllfa fel mudiad Deyrnas Unedig gyfan bob amser wedi ychwanegu elfen o gymhlethdod o ran bodloni gofynion deddfwriaeth ar y Gymraeg. Fel a nodwyd uchod, mae'r rhan fwyaf o'n timau corfforaethol fel T.G., Caffael a'n Tîm Cyfreithiol wedi'u lleoli mewn swyddfeydd y tu allan i Gymru. Er hynny, rydym wedi cynnal ein sefyllfa fel mudiad dwyieithog ynghyd â'n agwedd gadarnhaol tuag at weithio'n ddwyieithog. Mae ein Safonau Cymraeg yn dderbyniol i ni fel mudiad ariannu Deyrnas Unedig gyfan. Er ein bod yn awyddus i sicrhau y bodlonir ein Safonau, mae'n rhaid i'r ymdrech sy'n gysylltiedig â gwneud hwn fod yn gymesur i ofynion ehangach ein busnes a'n sefyllfa unigryw fel mudiad Deyrnas Unedig gyfan. Gan hynny, dim ond maint penodol o adnoddau dynol ac ariannol sydd gennym i'w cyflwyno, ac fe hoffem ofyn bod yr ymgynghoriad yn rhoi ystyriaeth lawn i allu mudiadau i'w rhoi ar waith.
- 5.4 Nid yw'r Papur Gwyn yn cyfeirio o gwbl at sefyllfa unigryw mudiadau Deyrnas Unedig gyfan, sut y byddai'r newidiadau arfaethedig yn y ddeddfwriaeth yn effeithio arnynt a pha gefnogaeth y gallent ei disgwyl o ganlyniad i hyn. Byddem yn croesawu eglurder ar sut y byddai'r cynigion a amlinellir yn y Papur Gwyn yn effeithio ar fudiadau Deyrnas Unedig gyfan fel ni.

Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

The area of 'the Welsh corpus' should be removed as a government should not seek influence upon the grammar and vocabulary of a language.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

Yes, but that body should have two completely separate departments for promotion and for monitoring.

Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

There should be one body but that body should have two completely separate departments for promotion and for monitoring.

Question 6 – Do you have any further comments on Part 1 of the White Paper?

The College is concerned that there is no timescale noted for this activity, which should feature in a document of this kind.

The paper recognises the “real risk that the language of ‘imposition’, ‘compliance’ and ‘enforcement’ undermines efforts to build consensus and goodwill towards the Welsh language”. However this contradicts the language used in the paper itself.

Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

The College agrees with these general requirements.

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

The different bodies should be clearly identified.

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

There should be an independent body at arm's length from the Government responsible for promoting the Welsh language. However, this should be the work of one strand of the Commission (the other being responsible for monitoring fulfilment of the standards). The body responsible for promotion should be given adequate budget to do this effectively.

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

This period is too long. An annual progress report of the strategy is essential to ensure assurance and accountability and so that adjustments to the strategy can be made during the year.

Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

This is practical.

Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

The College is unfamiliar with the work of the Welsh Language Partnership Council.
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Question 16 – Do you have any further comments on Part 2 of the White Paper?

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Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people’s rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

There needs to be reform regarding the Standards however there is a lack of detail in Option 2 and the repetition of phrases such as “could be” demonstrate a lack definitiveness.

The College feels it is essential that sector specific standards are based on consultation. One issue with the current Standards is that they have been developed without knowledge about the FE sector.

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

There is a lack of clarity in Option 2.

Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

The College is unsure of the definition of ‘duties’ with regard to language planning.

Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

The College is unsure of the definition of 'duties' with regard to language planning and what the Commission would be monitoring and examining in this respect.

Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

The College is unsure of the definition of 'duties' with regard to language planning and what the Commission would be monitoring and examining in this respect.

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

The College is unsure of the definition of 'duties' with regard to language planning and what the Commission would be monitoring and examining in this respect.

Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

The College is unsure of the definition of 'duties' with regard to language planning and what the Commission would be monitoring and examining in this respect.

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

This should be the responsibility of the Commission.

Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Some cycles are already in hand. Where would those bodies stand with regards to the consultation process?

Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

The College feels it is essential that sector specific standards are based on consultation. One issue with the current Standards is that they have been developed without knowledge about the FE sector. This would be a good way of building “consensus and goodwill”.

Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

There should be codes of practice but these should be the work of the Commission.

Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

Could these regulations be challenged in the same way as with the Standards?

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

A Commission would have a degree of independence and autonomy.

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

The current arrangements lack balance. The body should have the opportunity to deal with matters in the first instance. The Commission should only be involved if the matter is recurring or serious.

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

The College uses a complaints policy model devised in partnership with the sector, DfES and Estyn. It would be impractical to use a separate model for complaints related to the Welsh language.

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a 'serious breach' in paragraph 219.

The document appears to be conflating complaints and investigations. The wording used in paragraph 223 is vague.

Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

Question 36 – Do you agree with our proposal to retain the Tribunal's role in relation to the proposed Commission's decisions regarding enforcing bodies' compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission’s decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

A body’s right to have access to a Tribunal is important. This right should not be compromised.

Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

A body’s right to have access to a Tribunal is important. This right should not be compromised.

Question 40 – Do you have any further comments on Part 3 of the White Paper?

There needs to be reform regarding the Standards however there is a lack of detail in Option 2 and the repetition of phrases such as “could be” demonstrate a lack definitiveness.
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Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly’s legislative competence?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

The Standards should be limited to large private sector bodies.

Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly’s competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 45 – Do you have any further comments on Part 4 of the White Paper?

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

The potential positive impact on young people using the language needs to be strengthened, The College deals with many students who have doubts about using the language – they do not recognise sufficiently the value of Welsh language i.e. employment opportunities etc.

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

The College welcomes fewer Standards but those Standards should have a clearly defined focus that will impact positively upon Welsh speakers. A possible impact of the changes would be a dilution of the current Standards.

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Promotion along with implementation and monitoring should be the responsibilities of the Commission and not the Government.

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

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Annwyl Weinidog

Diolch am y cyfle hwn i rannu sylwadau ar Ddogfen Ymgynghori'r Papur Gwyn (Bil y Gymraeg).

Yn sicr, mae llawer i'w groesawu yn y ddogfen; yn benodol:

Yr ymrwymiad i roi hyrwyddo iaith yng nghalon yr agenda, a'r argymhelliad i greu corff hyd-braich gyda throsolwg strategol. Cam i'r cyfeiriad iawn yn ogystal fyddai ymestyn pwerau i'r sector breifat, a phennu dyletswyddau cynllunio ieithyddol.

Os yw'r camau a amlinellir yn y ddogfen am gyfrannu'n ystyrlon at y nod o greu miliwn o siaradwyr y Gymraeg erbyn 2050, byddwn yn pwysleisio ei bod yn hanfodol sicrhau cyllid digonol; ymrwymiad ar draws holl Adrannau'r Llywodraeth; cydlynu gofalus o safbwynt polisi, camau gweithredu a chynlluniau; yn ogystal â sicrhau arbenigedd o safon uchel o fewn Adran y Gymraeg a'r Comisiwn arfaethedig.

O fanylu ymhellach ar yr ymateb, byddwn yn ategu'r prif bwyntiau a godir gan y mudiad **Dyfodol i'r iaith**, sef:

- Nad yw sefydlu un corff (y 'Comisiwn'), fyddai'n uno'r gwaith o hyrwyddo a rheoleiddio, yn ymateb delfrydol i'r anghenion. Mae'r ddwy elfen yn gofyn am ymatebion tra gwahanol, ac o fwrw ymlaen â sefydlu un corff, rhaid sicrhau na fydd unrhyw lastwreiddio ar y gallu i orfodi cydymffurfiaeth.
- Er mwyn sicrhau llais annibynol cryf, byddwn yn dadlau'n gryf mai'r Rheolaethwyr, yn hytrach na'r Llywodraeth, ddylai fod â'r grym i osod safonau a chyhoeddi canllawiau a chodau ymarfer
- Bydd angen rôl gydlynol gryf i'r Comisiwn, a hynny er mwyn cynghori'r Llywodraeth, a sicrhau bod gwahanol brosiectau a mentrau'n atgyfnerthu ei gilydd
- Mae codi ymwybyddiaeth o werth y Gymraeg yn allweddol i lwyddiant y gwaith, a bydd angen ymchwil ysgolheigaidd manwl ar sut i ledaenu'r neges ymysg y gwahanol sectorau a'r cyhoedd
- Croesawn y bwriad i ddiwygio'r safonau, ond yn y cyfamser, rhaid sicrhau nad yw'r newid yn tanseilio gweithrediad y drefn ar ei ffurf bresennol

- Byddwn y ffafrio trefn gwyno fwy hyblyg, fyddai'n caniatáu ymateb cyflym, neu ymchwiliad trwyadl, pan fo'n addas. Teimlwn yn ogystal bod y ddirwy o £5,000 am ddiffyg cydymffurfiaeth yn chwerthinllyd o isel.
- Croesawn yn gynnes y dyletwyddau cynllunio ieithyddol, a chredwn fod dyletswyddau o'r math yn hanfodol er mwyn newid diwylliant. I sicrhau eu heffeithlonrwydd, bydd angen eglurhad manwl o'u grym cyfreithiol dros y misoedd i ddod. Byddwn hefyd yn pwysu am ddyletswydd ychwanegol i alw am greu tirwedd sy'n ffafrio'r Gymraeg; byddai hyn yn sicrhau'r hanfod o bresenoldeb amlwg a chymunedol i'r iaith

Yn Gywir Iawn

Meinir James

Annwyl Weinidog

Diolch am y cyfle hwn i rannu sylwadau ar Ddogfen Ymgynghori'r Papur Gwyn (Bil y Gymraeg).

Yn sicr, mae llawer i'w groesawu yn y ddogfen; yn benodol:

Yr ymrwymiad i roi hyrwyddo iaith yng nghalon yr agenda, a'r argymhelliad i greu corff hyd-braich gyda throsolwg strategol. Cam i'r cyfeiriad iawn yn ogystal fyddai ymestyn pwerau i'r sector breifat, a phennu dyletswyddau cynllunio ieithyddol.

Os yw'r camau a amlinellir yn y ddogfen am gyfrannu'n ystyrlon at y nod o greu miliwn o siaradwyr y Gymraeg erbyn 2050, byddwn yn pwysleisio ei bod yn hanfodol sicrhau cyllid digonol; ymrwymiad ar draws holl Adrannau'r Llywodraeth; cydlynu gofalus o safbwynt polisi, camau gweithredu a chynlluniau; yn ogystal â sicrhau arbenigedd o safon uchel o fewn Adran y Gymraeg a'r Comisiwn arfaethedig.

O fanylu ymhellach ar yr ymateb, byddwn yn ategu'r prif bwyntiau a godir gan y mudiad Dyfodol i'r iaith, sef:

- Nad yw sefydlu un corff (y 'Comisiwn'), fyddai'n uno'r gwaith o hyrwyddo a rheoleiddio, yn ymateb delfrydol i'r anghenion. Mae'r ddwy elfen yn gofyn am ymatebion tra gwahanol, ac o fwrw ymlaen â sefydlu un corff, rhaid sicrhau na fydd unrhyw lastwreiddio ar y gallu i orfodi cydymffurfiaeth.
- Er mwyn sicrhau llais annibynol cryf, byddwn yn dadlau'n gryf mai'r Rheolaethwyr, yn hytrach na'r Llywodraeth, ddylai fod â'r grym i osod safonau a chyhoeddi canllawiau a chodau ymarfer.
- Bydd angen rôl gydlynol gryf i'r Comisiwn, a hynny er mwyn cynghori'r Llywodraeth, a sicrhau bod gwahanol brosiectau a mentrau'n atgyfnerthu ei gilydd.
- Mae codi ymwybyddiaeth o werth y Gymraeg yn allweddol i lwyddiant y gwaith, a bydd angen ymchwil ysgolheigaidd manwl ar sut i ledaenu'r neges ymysg y gwahanol sectorau a'r cyhoedd.
- Croesawn y bwriad i ddiwygio'r safonau, ond yn y cyfamser, rhaid sicrhau nad yw'r newid yn tanseilio gweithrediad y drefn ar ei ffurf bresennol.
- Byddwn yn ffafrio trefn gwyno fwy hyblyg, fyddai'n caniatáu ymateb cyflym, neu ymchwiliad trwyadl, pan fo'n addas. Teimlwn yn ogystal bod y ddirwy o £5,000 am ddiffyg cydymffurfiaeth yn chwerthinllyd o isel.
- Croesawn yn gynnes y dyletswyddau cynllunio ieithyddol, a chredwn fod dyletswyddau o'r math yn hanfodol er mwyn newid diwylliant. I sicrhau eu heffeithlonrwydd, bydd angen eglurhad manwl o'u grym cyfreithiol dros y misoedd i ddod. Byddwn hefyd yn pwysu am ddyletswydd ychwanegol i alw

am greu tirwedd sy'n ffafrio'r Gymraeg; byddai hyn yn sicrhau'r hanfod o
bresenoldeb amlwg a chymunedol i'r iaith

Yn Gywir lawn,

Neil Shadrach

Annwyl Weinidog,

Diolch am y cyfle hwn i rannu sylwadau ar Ddogfen Ymgynghori'r Papur Gwyn (Bil y Gymraeg).

Yn sicr, mae llawer i'w groesawu yn y ddogfen; yn benodol:

Yr ymrwymiad i roi hyrwyddo iaith yng nghalon yr agenda, a'r argymhelliad i greu corff hyd-braich gyda throsolwg strategol. Cam i'r cyfeiriad iawn yn ogystal fyddai ymestyn pwerau i'r sector breifat, a phennu dyletswyddau cynllunio ieithyddol.

Os yw'r camau a amlinellir yn y ddogfen am gyfrannu'n ystyrlon at y nod o greu miliwn o siaradwyr y Gymraeg erbyn 2050, byddwn yn pwysleisio ei bod yn hanfodol sicrhau cyllid digonol; ymrwymiad ar draws holl Adrannau'r Llywodraeth; cydlynu gofalus o safbwynt polisi, camau gweithredu a chynlluniau; yn ogystal â sicrhau arbenigedd o safon uchel o fewn Adran y Gymraeg a'r Comisiwn arfaethedig.

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misoedd i ddod. Byddwn hefyd yn pwyso am ddyletswydd ychwanegol i alw
am greu tirwedd sy'n ffafrio'r Gymraeg; byddai hyn yn sicrhau'r hanfod o
bresenoldeb amlwg a chymunedol i'r iaith

Yn Gywir lawn,

A handwritten signature in dark ink, appearing to read 'G. Mapp'. The signature is written in a cursive, flowing style with a large initial 'G'.

Annwyl Weinidog,

Diolch am y cyfle hwn i rannu sylwadau ar Ddogfen Ymgynghori'r Papur Gwyn (Bil y Gymraeg).

Yn sicr, mae llawer i'w groesawu yn y ddogfen; yn benodol:

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Yn gywir iawn,

Eifion Wynne

Rhan 1: Hybu'r Gymraeg

Cwestiwn 1 – Ym mharagraffau 49–54, rydym wedi amlinellu'r rôl yr ydym yn cynnig y dylai Llywodraeth Cymru ei chwarae i hybu'r Gymraeg, h.y. swyddogaethau'r Llywodraeth i hybu'r Gymraeg. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input checked="" type="checkbox"/>
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Sylwadau ategol, gan gynnwys p'un a oes meysydd y dylid eu hychwanegu neu eu tynnu o'r rhestr ym mharagraff 53.

Rydym yn cymeradwyo yr angen am eglurder am gyfrifoldeb dros hyrwyddo'r Gymraeg. Mae nifer o broblemau wedi deillio o'r ffaith nad oes eglurder am bwy sy'n gyfrifol am hyrwyddo'r Gymraeg. Mae bwlch amlwg iawn wedi bodoli oddi ar cyflwyno'r Safonau yn y maes cynghori a helpu sefydliadau i weithredu gofynion y Safonau.

Er mwyn cynyddu defnydd o unrhyw iaith leiafrifol, mae angen cefnogaeth ac adnoddau gan Lywodraeth, ac rydym yn falch bod Llywodraeth Cymru yn ymarfer eu dyletswydd o ran hybu defnydd y Gymraeg. Rydym o'r farn bod gan Lywodraeth Cymru ddyletswydd o ran hybu'r Gymraeg, gan eu bod mewn sefyllfa fanteisiol i wneud hynny, ac yn medru dylanwadu ar draws sawl maes polisi. Rydym yn cymeradwyo bod y Gweinidog y Gymraeg Dysgu Gydol Oes wedi penodi Bwrdd Cynllunio er mwyn pennu blaenoriaethau rhaglen waith i hybu'r Gymraeg.

Yn ychwanegol at y rhestr, rydym hefyd yn teimlo fod gan Llywodraeth Cymru rôl i i gefnogi economi ddwyieithog gadarn drwy hyrwyddo gwerth y Gymraeg fel brand ynddo'i hun.

Cwestiwn 2 – Yn Nhabl 1, rydym wedi amlinellu'r adnoddau mewn perthynas â'r swyddogaethau cyffredinol i hybu'r Gymraeg yr ydym o'r farn y dylent fod ar gael i unrhyw gorff neu gyrff sy'n helpu yn y gwaith o hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae'r gyllideb ar gyfer swyddogaethau cyffredinol i hybu'r Gymraeg sef £7.751m (sy'n cynnwys dyletswyddau hybu a rheoleiddio) yn isel iawn, wrth gymharu cyllideb y sefydliad rhagflaenol, sef Bwrdd yr Iaith Gymraeg. Cwta bum mlynedd yn ôl, yn 2012 roedd Bwrdd yr Iaith Gymraeg yn derbyn £12m, er mwyn cyflawni'r un gwaith. O edrych ar gyllidebau ieithoedd lleiafrifol mewn gwledydd eraill mae'r gyllideb yn cymharu'n anffafriol iawn ee mae Gwlad y Basg wedi buddsoddi yn helaeth yn yr iaith Fasgeg, ac o ganlyniad maent wedi llwyddo i greu 300,000 o siaradwyr newydd mewn 30 mlynedd. Rydym o'r farn y dylai Llywodraeth Cymru edrych ar fodelau ieithoedd lleiafrifoedd eraill, ac yn benodol lle mae'r iaith wedi gweld llwyddiant.

Cwestiwn 3 – A ydych chi'n cytuno â'r opsiwn a ffeirir gennym (Opsiwn 4), sef un corff i fod yn gyfrifol am hybu'r Gymraeg ac am fonitro a gorfodi cydymffurfiaeth â'r Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Os ydych yn anghytuno, nodwch pa opsiwn (gan gynnwys opsiynau nad ydym wedi'u trafod yn y Papur Gwyn) y dylem ei ystyried yn eich barn chi.

Sylwadau ategol

Mae opsiwn 4 sefydlu Comisiwn y Gymraeg, yn ein barn mae hyn yn gam yn ôl, sef creu corff a fyddai'n debyg iawn o ran swyddogaethau i'r rhagflaenydd sef Bwrdd yr Iaith Gymraeg. Fe wnaeth Deddf Iaith 1993 sefydlu Bwrdd yr Iaith Gymraeg a chyfundrefn gweithredu Cynlluniau Iaith; ond wrth werthuso effeithiolrwydd a dylanwad Cynlluniau Iaith, ni chafodd y polisi i gefnogi a monitro defnydd sefydliadau cyhoeddus fawr o effaith ar argaeledd gwasanaethau cyfrwng Cymraeg

Rydym o'r farn bod dyletswyddau 'rheoleiddio' a dyletswyddau 'hybu' yn wahanol iawn i'w gilydd, ac oherwydd hyn y dylid eu cadw ar wahân. Wrth ystyried dyletswyddau penodol, mae angen i reoleiddiwr fod yn galed ac ymarfer gwydnedd, er mwyn gorfodi cyfeiriad yn ôl rheolau cyfreithiol. Mae 'hyrwyddwr' yn gallu bod yn fwy hyblyg, yn fwy o 'ffrind', ac yn gallu ymarfer dulliau fwy 'meddal' i annog a hybu.

Rydym felly o'r farn bod opsiwn 4, yn gam yn ôl, ac yn ail greu y syniad o Fwrdd yr Iaith Gymraeg. Sefydliad a gafodd gryn lwyddiant wrth hybu y Gymraeg, ond wedi methu wrth reoleiddio a gorfodi cydymffurfiaeth. Felly o ystyried y dystiolaeth, dylid edrych ar lwyddiannau y ddau gorff, Bwrdd yr Iaith wedi cael llwyddiant wrth hybu defnydd y Gymraeg, a Chomisiynydd y Gymraeg yn cael llwyddiant wrth reoleiddio – gweler tystiolaeth Adroddiad Sicrwydd Comisiynydd y Gymraeg 2016-17. Mae pwrpas eithaf gwahanol i'r ddau swyddogaeth, hynny yw hybu a rheoleiddio ac mae angen eu cadw ar wahân. Nid yw'n bosib cyflawni'r ddau swyddogaeth yn llwyddiannus o fewn un corff.

Rydym felly o'r farn taw opsiwn 3 y dylid ei gymeradwyo – Comisiynydd y Gymraeg yn parhau i fonitro a gorfodi cydymffurfiaeth â'r Safonau; a sefydlu corff newydd ar wahân i Lywodraeth Cymru i hybu'r Gymraeg. Dylai'r corff yma fod yn rhoi arweiniad o un man canolog ar gyfer yr holl gyrff sy'n ceisio cynyddu defnydd o'r Gymraeg, Y Ganolfan Dysgu Cymraeg, Mentrau Iaith Cymru, Yr Urdd, Y Coleg Cymraeg Cenedlaethol, Mudiad Meithrin a.y.b, hyn ymysg y dyletswyddau a nodir ym mharagraff 69. Dylid hefyd cynnwys dyletswydd benodol i ddarparu cymorth ac arweiniad i gyrff ar weithredu'r Safonau.

Dylid nodi y dylai'r asiantaeth newydd i hybu'r Gymraeg sefydlu perthynas agos iawn gyda Comisiynydd y Gymraeg, gan sefydlu'r arfer o gyd-weithio, rhannu gwybodaeth a thystiolaeth yn rheolaidd.

Cwestiwn 4 – Rydym wedi seilio ein dewis, sef un corff, ar sail eglurder, cydnawsedd a gwerth am arian. A ydych chi'n cytuno â'n sail resymegol?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Rydym yn anghytuno oherwydd y gwrthdaro rhwng swyddogaethau 'hybu' a 'rheoleiddio'. Gweler ateb i gwestiwn 1 + 3. Nid oes modd i un corff ymarfer polisi gorfodi a hyrwyddo ar yr un pryd.

Cwestiwn 5 – Pa faterion perthnasol eraill y dylem eu hystyried wrth wneud ein cynnig terfynol ynghylch pa gorff neu gyrff ddylai hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau?

Sylwadau ategol

Mae nifer o gryfderau i'r gyfundrefn bresennol o orfodi Safonau'r Gymraeg o gymharu a'r drefn Cynlluniau Iaith Gymraeg, ble'r oedd sefydliadau yn medru dewis sut oeddent am weithredu o safbwynt y Gymraeg.

Mae Adroddiad Sicrwydd 'Hawliau'n Gwreiddio' Comisiynydd y Gymraeg 2016-17 yn dangos bod llwyddiannau i'w gweld ers cyflwyno trefn gorfodi'r Safonau ar Awdurdodau Lleol ar draws Cymru. Mae'n allweddol diogelu gofynion Safonau'r Gymraeg, ac nid eu gwanhau wrth ddiwygio unrhyw gyfundrefn. Mae'n bwysig ystyried hawliau'r unigolion, a peidio â gwyro oddi wrth hynny wrth osod unrhyw gyfundrefn sy'n ymwneud â'r Gymraeg.

Cwestiwn 6 – A oes gennych unrhyw sylwadau pellach ar Ran 1 y Papur Gwyn?

Mae angen sicrhau nad yw unrhyw newid o ran creu a gosod y Safonau ar sefydliad yn peri arafwch ac oedi pellach o ran hawliau iaith ar gyfer unigolion. Mae angen cyflymu'r broses o osod y Safonau a'u gwneud yn haws eu deall a'u gweithredu.

Mae angen i Lywodraeth Cymru a Chomisiynydd y Gymraeg weithio ochr yn ochr er mwyn sicrhau'r canlyniadau sydd eu hangen. Yn hyn o beth, rydym yn cymeradwyo'r angen i ddarparu eglurder ynghylch swyddogaethau hybu a rheoleiddio.

Rhan 2: Llywodraethiant ac atebolrwydd

Cwestiwn 7 – Ym mharagraffau 93–95, rydym wedi nodi rhai gofynion cyffredinol yn ymwneud â threfniadau llywodraethu ac atebolrwydd y corff. Beth yw eich barn chi am y gofynion cyffredinol hyn, ac a oes yna fesurau monitro a ffrwyno eraill a ddylai fod yn weithredol ar y corff arfaethedig?

Sylwadau ategol

Nid ydym yn cytuno gyda'r farn i sefydlu un corff ar gyfer y ddau swyddogaeth, ac felly nid yw'r rhestr ym mharagraffau 93-95 yn briodol.

Dylid cadw swyddogaethau 'rheoleiddio' a 'hybu' ar wahân, a hynny oherwydd eu bod yn cyflawni swyddogaethau gwahanol iawn i'w gilydd. Mae 'swyddogaeth' rheoleiddio yn sicrhau bod gwasanaethau cyfrwng Cymraeg ar gael a bod modd eu defnyddio. Mae 'swyddogaeth hybu' yn medru cynyddu y defnydd o'r Gymraeg, a gwneir hynny drwy ddulliau megis perswadio, hysbysu, darbwyllo, darparu, magu hyder, meithrin gallu.

Mae swydd Comisiynydd y Gymraeg yn newydd, ac mae cyfundrefn creu a gosod y Safonau yn arloesol. Mae Adroddiadau Sicrwydd y Comisiynydd yn darparu tystiolaeth bod cynnydd ar draws Cymru wrth i Awdurdodau Lleol weithredu Safonau'r Gymraeg. Rydym o'r farn ei bod hi'n ddyddiau cynnar eto wrth fynd ati i werthuso effeithlonrwydd Comisiynydd y Gymraeg, ac y dylid canolbwyntio'r ymdrechion ar wella trefnwaith yn hytrach na newid yn gwbl gyfan.

Rydym o'r farn bod angen cadw Comisiynydd y Gymraeg yn ei swyddogaeth fel rheoleiddiwr, a sefydlu endid arall ar gyfer hybu'r Gymraeg. Dylid edrych ar fodelau Comisiynwyr eraill ee nid yw Comisiynwyr eraill megis Comisiynydd Plant a Phobl Ifanc neu Comisiynydd Pobl Hŷn yn arddel swyddogaethau 'rheoleiddio', eu gwaith hwy yw annog a hybu dyletswyddau.

Cwestiwn 8 – A ydych chi'n cytuno â'r opsiwn a ffefrir gennym (Opsiwn 3), sef i sefydlu Comisiwn y Gymraeg i hybu a hwyluso defnyddio'r Gymraeg a monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Gweler ateb cwestiwn 7.
Os yw'r Llywodraeth am ail-ddiffinio swyddogaethau rydym yn awgrymu y dylid edrych ar fodelau Comisiynwyr Iaith yng Ngwlad y Basg er enghraifft – swydd wedi cael llwyddiant o ran sicrhau defnydd iaith leiafrifol.

Cwestiwn 9 – Beth yw eich barn chi am y dadansoddiad rydym wedi'i ddarparu sy'n cefnogi ein dewis ni, sef Opsiwn 3? A oes unrhyw ystyriaethau eraill y dylem eu hystyried wrth wneud unrhyw gynnig terfynol?

Dim yn cytuno gyda Opsiwn 3.

Angen cadw materion rheoleiddio a hyrwyddo fel dau fater sy'n eistedd fel cyfrifoldeb dau gorff ar wahân. Mae angen i'r ffiniau cyfrifoldeb y gwahanol endidau hyn fod yn glir a diamwys, a dylid eu gosod yn rhan o'r Mesur diwygiedig. Byddai'n anodd iawn i un corff allu cyflawni dyletswyddau rheoleiddio ar un llaw, a hybu ar y llaw arall.

Cwestiwn 10 – A ydych chi'n credu bod Opsiwn 3 yn diogelu annibyniaeth y Comisiwn arfaethedig yn ddigonol yng nghyd-destun arfer swyddogaethau ar gyfer monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Ydw	<input type="checkbox"/>	Nac ydw	<input checked="" type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau at

Gweler ymateb i Gwestiwn 9.

Cwestiwn 11 – A oes unrhyw faterion ychwanegol i'r rhai a restrir ym mharagraffau 121–122 y dylem eu hystyried wrth ystyried trefniadau i sefydlu'r Comisiwn arfaethedig?

Oes	<input checked="" type="checkbox"/>	Nac oes	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Dylid edrych ar fodelau ieithoedd lleiafrifol mewn gwledydd eraill megis Gwlad y Basg a Chatalwnia . At hyn hefyd, fe ddylid edrych ar fodiwlau Comisiynwyr eraill, gan nad ydynt hwy yn arddel swyddogaeth gorfodi a hybu ar yr un pryd, ee Comisiynydd Plant a Phobl Ifanc neu Comisiynydd Pobl Hŷn.

Dylai'r corff sy'n hybu feddu ar arbenigedd mewn cynllunio ieithyddol, a dealltwriaeth fanwl o sefyllfa'r Gymraeg a'r ffactorau sy'n dylanwadu ar ei hynt. Dylai'r corff sy'n hybu ddarparu cyngor a chefnogaeth i sefydliadau ar allu gweithredu Safonau'r Gymraeg, yn ogystal â chefnogi maes polisi i hybu'r Gymraeg o fewn cymunedau.

Cwestiwn 12 – A ydych chi'n cytuno â'n cynnig i symud y gofyniad ar Lywodraeth Cymru i lunio strategaeth ar gyfer y Gymraeg o Ddeddf Llywodraeth Cymru 2006 i'r Bil y Gymraeg newydd?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Rydym o'r farn bod parhau i osod y gofyniad ar Lywodraeth Cymru i lunio strategaeth ar gyfer y Gymraeg yn Ndeddf Llywodraeth Cymru 2006 yn bwysig, mae'n rhoi statws i'r gwaith. Mae Deddf Llywodraeth Cymru 2006 yn offeryn allweddol sy'n galluogi Llywodraeth Cymru i roi polisiau ar waith, gan gynnwys y Gymraeg. Rydym yn awgrymu y dylid cynnwys y gofyniad yn Neddf Llywodraeth Cymru 2006 ac yn Bil y Gymraeg, a hynny er mwyn cryfhau'r gofyniad.

Cwestiwn 13 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru adrodd i'r Cynulliad ar strategaeth y Gymraeg bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Rydym o'r farn y dylai Llywodraeth Cymru adrodd i'r Cynulliad ar strategaeth y Gymraeg yn flynyddol. Dylai'r strategaeth fedru adnabod y pethau hynny y gellir mynd i'r afael â hwy yn y tymor byr, yn ogystal â'r tymor hir. Mae rhai gweithredoedd yn ddibynnol ar ei gilydd, ac mae'n allweddol deall ar lefel cenedlaethol ac yn lleol, beth sydd wedi'i roi ar waith er mwyn cyrraedd y targed. Rydym yn cytuno bod cynllunio ieithyddol yn digwydd dros amser, ac felly yn flynyddol mae'n anodd mesur canlyniadau, ond rydym o'r farn y byddai'n ddefnyddiol adrodd ar y cynnydd sydd wedi'i gyflawni er mwyn cyrraedd y nod yn flynyddol, ac yna adrodd bob 5 mlynedd ar y canlyniadau (yr allbynnau).

Cwestiwn 14 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gyhoeddi cynllun yn nodi sut y bydd yn gweithredu'r strategaeth bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae Strategaeth y Gymraeg Llywodraeth Cymru yn darparu arweiniad Cynllunio Ieithyddol pwysig ar lefel cenedlaethol, ac yn deillio o hynny mae'r egwyddorion sylfaenol yn cael eu hefelychu ar lefel lleol. Rydym felly o'r farn y dylai Llywodraeth Cymru, gyhoeddi cynllun gweithredu yn flynyddol.

Cwestiwn 15 – A ydych chi'n cytuno â'n cynnig i ddiddymu Cyngor Partneriaeth y Gymraeg a rhoi'r pŵer i Lywodraeth Cymru geisio cyngor gan y Comisiwn arfaethedig, sef Comisiwn y Gymraeg?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Rydym yn anghytuno gyda Opsiwn 4, ac yn ffafrio Opsiwn 3. Felly, dylai'r Llywodraeth fedru gofyn i'r 'corff hybu' newydd am gyngor ar unrhyw fater sy'n ymwneud â'r Gymraeg - ac felly bydd y 'corff newydd' yn medru cyflawni dyletswyddau cyfredol Cyngor Partneriaeth y Gymraeg. Dylai'r corff newydd gydlyn Grŵp Strategol y Gymraeg, a fydd yn cynnwys Llywodraeth Cymru, Comisiynydd y Gymraeg a sefydliadau eraill sy'n cyfrannu at hybu a hwyluso'r Gymraeg ar lefel cenedlaethol.

Cwestiwn 16 – A oes gennych unrhyw sylwadau eraill ar Ran 2 y Papur Gwyn?

Mae cwestiynau 9-15 yn seiliedig ar Opsiwn 4, sef sefydlu Comisiwn y Gymraeg – opsiwn

sy'n cael ei ffafrio gan Lywodraeth Cymru. Felly mae'r cwestiynau dilynol hyn, yn ceisio barn ynghylch sefydlu Comisiwn y Gymraeg – nid ydym yn cytuno gyda'r opsiwn i sefydlu un corff sy'n gyfrifol am hybu a rheoleiddio.

Rhan 3: Safonau'r Gymraeg

Cwestiwn 17 – Rydym yn cynnig y dylid mabwysiadu model diwygiedig o'r Safonau (Opsiwn 2) fel y ffordd orau o sicrhau hawliau pobl i dderbyn gwasanaethau Cymraeg. A ydych chi'n cytuno â'r cynnig hwn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ddiwygiadau pellach yr hoffech eu gweld i'r system bresennol, neu unrhyw ddulliau gweithredu eraill y dylem eu hystyried yn eich barn chi.

Mae'n allweddol gwarchod yr arfer da sydd wedi digwydd o dan drefn Safonau'r Gymraeg, a datblygu ymhellach ar yr arfer hwnnw. Peidio gosod strwythur hollol newydd, ond yn hytrach diwygio'r hyn sydd gyda ni, er mwyn ei gwneud yn haws i'w gweithredu. Ni ddylid ar unrhyw gyfrif, wanhau sefyllfa y Safonau, gan y byddai hyn yn amharu ar hawliau personau i fedru defnyddio'r Gymraeg ymhob sefyllfa yn eu bywydau bob dydd os ydynt yn dymuno gwneud hynny. Mae'n bwysig datblygu ar yr arfer da sydd eisoes wedi digwydd o ganlyniad i drefn y Safonau.

Mae system y Safonau yn newydd o hyd, ac felly mae'n gynnar yn y broses i geisio creu cyfundrefn newydd. Mae tystiolaeth yn dangos (adroddiad Sicrwydd Comisiynydd y Gymraeg a Tystiolaeth Llywodraeth Cymru wrth baratoi ar gyfer Bil y Gymraeg) bod y Safonau yn gwneud gwahaniaeth i ansawdd ac argaeledd gwasanaethau Cymraeg. Mae'n bwysig inni barchu a gwarchod hyn. At hyn byddai'n broses hir, cymhleth a chostus i newid trefn Safonau'r Gymraeg. Mae'n bwysig inni werthfawrogi y gwaith da sydd eisoes wedi ei gyflawni o dan drefn y Safonau, a gweithio i ddatblygu ar hynny, yn hytrach na gosod system o'r newydd.

Rydym felly yn cytuno gyda opsiwn 2 i ddiwygio'r Safonau, cyn belled nad yw hyn yn eu gwanhau. Eu diwygio er mwyn eu gwneud yn haws i'w dehongli a'u gweithredu, oherwydd yn gyfredol mae'r Safonau yn anodd i'w deall a'u dehongli. Hefyd, mae nifer y Safonau sy'n rhaid eu gweithredu, yn ei gwneud hi'n anodd i'w monitro. Mae rhai Safonau wedi eu hegluro'n fanwl o ran y disgwyliadau (ee ateb y ffôn a gohebu), ac eraill yn amwys iawn (cyrsiau addysg ar gyfer y cyhoedd). Byddai cael set o godau ymarfer yn cynorthwyo'n fawr er mwyn symleiddio'r broses, a chael cysondeb ar draws sefydliadau wrth eu gweithredu. Mae'n anodd gosod dulliau monitro soffistigedig yn eu lle, gan fod nifer fawr o Safonau ar gyfer eu gweithredu, sy'n ei gwneud yn anodd monitro os yw'r gwasanaeth wedi cydymffurfio gyda'r holl ofynion sy'n ddisgwyliedig ar unrhyw achlysur.

Cytuno y gellid cwtogi ar y Safonau cadw cofnodion a'r Safonau atodol – mae nifer o'r rhain yn ail adrodd. Fodd bynnag, dylid rhoi arweiniad clir i sefydliadau o ran beth yw'r disgwyliadau sydd i'w cynnwys yn yr Adroddiadau Monitro Safonau blyneddol.

Mae'r Safonau cyfieithu dogfennau (34, 40) wedi bod yn destun trafod sylweddol, am eu bod yn medru arwain at gost uchel wrth orfod cyfieithu dogfennau corfforaethol a thechnegol maith nad ydynt yn cael eu darllen yn aml gan y cyhoedd yn y naill iaith na'r llall. Rydym o'r farn bod angen dehongliad manwl o beth sy'n 'ddogfen dechnegol', er mwyn medru

gweithredu eithriadau yn synhwyrol, ond ar y naill law diogelu defnydd a gwelediad y Gymraeg a chysondeb ar draws Cymru.

Rydym o'r farn y dylid gosod cymhelliant i sefydliad weithredu Safonau'r Gymraeg – dylid gosod system lle gall y sefydliad gyrraedd achrediad Aur, Arian ac Efydd – byddai hyn hefyd yn rhoi gwell dealltwriaeth i'r cyhoedd ynghylch eu disgwyliadau.

Cwestiwn 18 – Rydym wedi seilio'r cynnig rydym yn ei ffafrio i ddiwygio'r Safonau (Opsiw 2) ar sail yr eglurder, y capasiti ar gyfer gwella a'r costau newid sy'n gysylltiedig â phob opsiwn (paragraffau 163–165). A ydych chi'n cytuno â'n dadansoddiad?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ffactorau eraill y dylem eu hystyried wrth lunio unrhyw gynigion terfynol.

Cytuno ar sail bod trefn Safonau'r Gymraeg – y polisi gorfodaeth gyfreithiol wedi gwneud gwahaniaeth. Byddai'n cymryd gormod o amser ac yn gostus iawn i newid trefn Safonau, ac byddai trefn newydd o bosib yn fwy cymhleth ond hefyd yn gwanhau hawliau cyfredol y cyhoedd i dderbyn eu gwasanaeth yn eu dewis iaith.

Mae angen eu diwygio er mwyn derbyn eglurder, eu gwneud yn haws i'w gweithredu ynghyd â gosod capasiti fel bod modd i sefydliadau unioni a gwella.

Cwestiwn 19 – A ydych chi'n cytuno â'r cynnig i ddiddymu'r dosbarthiadau presennol o Safonau, a gwahaniaethu rhwng 'Safonau' (a fyddai'n berthnasol i wasanaethau) a 'dyletswyddau cynllunio ieithyddol' (a fyddai'n berthnasol i ddyletswyddau corfforaethol)?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Nid ydym yn cytuno gyda'r cynnig i ail-ddosbarthu'r Safonau nad ydynt yn creu hawliau i unigolion, a'u galw yn ddyletswyddau 'cynllunio ieithyddol'. Rydym o'r farn y byddai'r cynnig yma, yn cymhlethu ac yn drysu'r holl broses o orfodi Safonau. Byddai'n amwys iawn i'r cyhoedd o ran eu disgwyliadau o wasanaeth cyfrwng Gymraeg.

Rydym o'r farn bod cynllunio'r gweithle (yr hyn sy'n cael ei ddisgrifio yn y Papur Ymgynghoriad fel dyletswyddau cynllunio ieithyddol) yn rhan annatod o ddarparu gwasanaethau. Mae angen i gyrff gynllunio'i weithlu, fel bod ganddo'r capasiti i gyflenwi gwasanaethau ac i sicrhau defnydd cynyddol o'r Gymraeg. Mae'r ddau swyddogaeth yn perthyn yn agos i'w gilydd, ni ellir darparu gwasanaethau cyfrwng Gymraeg, oni bai bod gan y sefydliad nifer ddigonol o staff sy'n medru gweithio drwy gyfrwng y Gymraeg. Mae'n bwysig bod y sefydliad yn gweithio tuag at gynyddu ei gapasiti ieithyddol i fedru cyflawni hyn.

Rydym hefyd o'r farn y byddai'n cymhlethu'r drefn yn sylweddol, pe byddai'r endid sydd â dyletswydd i hybu yn gorfod monitro cydymffurfiaeth cyrff gyda'u dyletswyddau 'cynllunio ieithyddol' (cynllunio'r gweithle a.y.b). Dylid glynu taw rôl Comisiynydd y Gymraeg yw monitro a rheoleiddio. Ni fyddai'n ymarferol bod y 2 sefydliad ar wahân, yn medru gofyn am

dystiolaeth cydymffurfiaeth. Fodd bynnag, rydym yn croesawu bod y sefydliad arfaethedig a fydd yn 'hybu'r Gymraeg', yn daprau rhaglen gymorth ymarferol ar gyfer sut mae corff yn hybu ac yn hwyluso defnydd o'r Gymraeg. Yn ein barn ni, Comisiynydd Y Gymraeg ddylai fonitro a chynnal ymchwiliadau i'r modd y mae corff yn cyflawni ei ddyletswyddau yn ymwneud â'r Gymraeg; a swyddogaeth y 'corff hybu' yw cynghori, meithrin ac annog.

Cwestiwn 20 – A ydych chi o'r farn y dylid cynnwys darpariaethau sy'n ymwneud â Chynlluniau Strategol y Gymraeg mewn Addysg yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Er mwyn cyrraedd targed Llywodraeth Cymru ar gyfer miliwn o siaradwyr Cymraeg erbyn 2050 – mae angen rhoi gryn sylw i ddatblygu addysg cyfrwng Cymraeg. Y dull cyflymaf o gynhyrchu siaradwyr Cymraeg yw'r system addysg, mae Gwlad y Basg er enghraifft wedi gwneud darn o waith ymchwil, ac wedi profi taw'r dull gorau a'r unig ddull o gynhyrchu siaradwyr Basgeg rhugl yw darparu gweithdrefn addysg yn yr iaith frodorol Basgeg. Byddwn felly yn cytuno y dylid gosod y ddarpariaeth ynghylch cynlluniau strategol y Gymraeg mewn Addysg yn Bil y Gymraeg newydd, hyn cyn belled a bod y Llywodraeth yn medru darparu adnoddau i gefnogi'r weledigaeth. Fel mae pethau ar hyn o bryd, nid oes digon o adnoddau nac athrawon cyfrwng Cymraeg ar gael i warantu addysg cyfrwng Cymraeg llawn ar draws Cymru.

Gweler Erthygl 15: Gwlad y Basg: Cydnabyddir hawl yr holl fyfyrwyr i gael eu haddysgu...yn y Fasgeg.. ar y lefelau addysgol gwahanol.

I'r perwyl hwn bydd y Llywodraeth yn gorfod mabwysiadu'r mesurau angenrheidiol hynny a fydd yn gogwyddo tuag at ehangu cynyddol mewn system addysg Cymraeg/ddwyieithog – hynny yw sicrhau bod mwy o athrawon yn cael eu hyfforddi, a bod adnoddau addysgu cyfrwng Cymraeg ar gael yr un mor hygyrch ac adnoddau Saesneg.

Cwestiwn 21 – Oes yna unrhyw faterion eraill y dylid, yn eich barn chi, eu cynnwys yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Oes	<input checked="" type="checkbox"/>	Nac oes	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Os bwriadir adolygu Mesur y Gymraeg, mae'n bwysig cryfhau hawliau nid eu gwanhau. Dylid ystyried llwyddiannau deddfwriaeth mewn gwledydd ieithoedd lleiafrifol eraill. Rydym o'r farn y dylid cydnabod pwysigrwydd cynllunio'r gweithle ar wyneb y ddeddf, er mwyn sicrhau y gofyniad bod sefydliadau yn cynyddu capasiti y gweithle i fedru darparu eu gwasanaethau yn Gymraeg.

Cwestiwn 22 – A ydych chi'n cytuno y dylai fod gan y Comisiwn arfaethedig bwerau cyffredinol i gynnal ymchwiliadau i sut mae cyrff yn cyflawni eu dyletswyddau o ran y Gymraeg, a fyddai'n cynnwys y Safonau a'r dyletswyddau cynllunio ieithyddol?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Nid ydym yn cytuno gyda'r drefn o sefydlu Comisiwn, sydd a swyddogaethau hybu a rheoleiddio.

Rydym o'r farn y byddai'n cymhlethu'r drefn yn sylweddol, pe byddai'r sefydliad sydd â dyletswydd i hybu y Gymraeg, hefyd yn monitro cydymffurfiaeth cyrff gyda'u dyletswyddau 'cynllunio ieithyddol' (cynllunio'r gweithle a.y.b). Dylid glynnu taw rôl Comisiynydd y Gymraeg yw monitro a rheoleiddio.

Yn ein barn ni, Comisiynydd Y Gymraeg ddylai fonitro a chynnal ymchwiliadau i'r modd y mae corff yn cyflawni ei ddyletswyddau yn ymwneud â'r Gymraeg. Ni fyddai'n ymarferol bod y 2 sefydliad ar wahân, yn medru gofyn am dystiolaeth cydymffurfiaeth

Cwestiwn 23 – A ydych chi'n cytuno â'n cynnig y dylai'r Comisiwn arfaethedig fonitro a chefnogi cyrff mewn perthynas â'u dyletswyddau cynllunio ieithyddol, yn hytrach na'u gorfodi?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Rydym o'r farn bod angen cynnal polisi hawliau gorfodol, er mwyn gwneud gwahaniaeth ac i sicrhau cynnydd gwirioneddol yn y defnydd o'r Gymraeg. Mae perygl y byddwn unwaith eto yn camu nol, os nad oes elfen o orfodaeth gyfreithiol.

Fe wnaeth Deddf Iaith 1993 sefydlu Bwrdd yr Iaith Gymraeg a chyfundrefn gweithredu Cynlluniau Iaith; ond wrth werthuso effeithiolrwydd a dylanwad Cynlluniau Iaith, ni chafodd y polisi i gefnogi a monitro defnydd sefydliadau cyhoeddus fawr o effaith ar argaeledd gwasanaethau cyfrwng Cymraeg .

Mae trefn Safonu wedi gwneud gwahaniaeth h.y mae Adroddiad Sicrwydd CYG 2016-17 yn profi hyn. Rydym felly yn gweld bod polisi gorfodi Comisiynydd y Gymraeg wedi cael dylanwad positif. Ond, rydym o'r farn bod angen gofal wrth gyflwyno'r testun, gan ddefnyddio ieithwedd briodol, ac nid ieithwedd fygythiol fel sydd yn y testun presennol.

Rydym hefyd o'r farn , er mwyn sicrhau gwell cydweithrediad wrth weithredu'r Safonau, y dylid symud y pwyslais lle nad yw corff yn cydymffurfio i 'unioni' a gwella o fewn amserlen sydd wedi'i gytuno, yn hytrach na'u gorfodi i wneud hynny'n o'r dyddiad gosod.

Gwella – cydnabod na all y corff ddarparu'r un lefel o wasanaethau ym mhob maes ar hyn o bryd, ond bod rhaid i ansawdd a chwmpas gwasanaethau yn y Gymraeg wella o fewn amser penodol, sydd wedi'i gytuno.

Unioni - dylid sicrhau mai'r nod yw unioni'r sefyllfa a chymryd camau i sicrhau nad yw'r methiant yn digwydd eto

Cwestiwn 24 – A ydych chi'n cytuno â'n cynnig i roi cyfrifoldeb am osod Safonau ar gyrff i Lywodraeth Cymru, p'un ai drwy hysbysiad cydymffurfio neu drefn arall?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Dyletswydd Llywodraeth yw deddfu, ac felly byddai'n briodol iddynt osod Safonau ar gyrff, ond at hyn cadw rôl Comisiynydd y Gymraeg fel y rheoleiddiwr, sy'n monitro cydymffurfiaeth. Byddai hyn yn efelychu trefn gosod Safonau eraill ee Safonau Masnach Bwyd neu Iechyd a Diogelwch.

Rhaid cofio bod trefn gosod Safonau'r Gymraeg yn arloesol ac yn newydd, dim ond yn 2016 y daeth Awdurdodau Lleol, Llywodraeth Cymru a Pharciau Cenedlaethol i weithredu'r drefn o fewn Cylch Gorchwyl cyntaf Comisiynydd y Gymraeg. Er bod nifer o wersi wedi'u dysgu wrth osod y drefn Safonau, mae angen cyflymu'r broses a'i wneud yn haws ei weithredu.

Wrth newid ni ddylid gwanhau gofyniad y Safonau, a dylid gwarchod y gwaith da sydd eisoes wedi ei greu o dan drefn y Safonau cyfredol.

Cwestiwn 25 – A ydych chi'n cytuno â'n cynnig y dylai pob un o'r rheoliadau i wneud Safonau fod yn destun ymgynghoriad cyhoeddus llawn cyn gofyn am gymeradwyaeth y Cynulliad?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae'r ddeddfwriaeth yn gosod y drefn o weithredu set o Safonau – bydd y ddeddfwriaeth yn destun ymgynghoriad cyhoeddus llawn. Rydym o'r farn na ddylid mynd drwy broses ymgynghori llawn gyda'r cyhoedd bob tro mae angen creu rheoliadau Safonau – mae hyn yn arafu'r broses ac yn anodd iawn i reoli disgwyliadau y cyhoedd. Rydym yn cytuno y dylid cael cymeradwyaeth y Cynulliad ar y rheoliadau, ac mae angen ymgynghori'n fanwl gyda'r sefydliadau, a fydd yn gorfod eu gweithredu.

Cwestiwn 26 – A ydych chi'n cytuno â'n cynnig i ddiddymu Ymchwiliadau Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae'r drefn Ymchwiliadau Safonau yn gyfle i sefydliad gyflawni hunan-asesiad ar y sefyllfa gyfredol gyferbyn a gofynion set o Safonau drafft.

Mae proses ymgynghori rhwng y sefydliad a'r Comisiynydd yn allweddol yn y broses, er mwyn medru cytuno ar set o Safonau rhesymol a chymesur. Dylid medru caniatáu digon o amser i sefydliad gyflawni'r hunan-asesiad manwl ar ei brosesau mewnol, ynghyd â chaniatáu amser i dderbyn cymeradwyaeth drwy broses llywodraethu mewnol y sefydliad ei hun. Mae'n rhesymol bod Comisiynydd, yn ystyried tystiolaeth y sefydliad, ac ar sail hynny

yn cynnal trafodaethau cyn dod i gytundeb ynghylch y Safonau i'w gosod yn derfynol, hyn er mwyn cwtdogi ar y broses apelio Safonau.

Cwestiwn 27 – A ydych chi'n cytuno â'n cynnig y dylid rhoi pwerau i gyhoeddi codau ymarfer neu ganllawiau mewn perthynas â'r Safonau i Lywodraeth Cymru?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Rydym o'r farn bod angen Codau Ymarfer er mwyn darparu eglurder a gosod beth yw'r gofynion/disgwyliadau o ran gweithredu y Safonau. Rydym o'r farn bod angen symleiddio'r Safonau, ac y dylai'r manylder fod yn y Codau Ymarfer. Ar hyn o bryd o fewn y Safonau, mae rhai dyletswyddau yn cael eu disgrifio'n fanwl, a'r lleill yn amwys ac yn agored i ddehongliad.

Cwestiwn 28 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gael pŵer i osod Safonau ar yr holl gyrff mewn sector yn uniongyrchol drwy reoliadau, heb fod angen hysbysiad cydymffurfio neu drefn arall gyffelyb?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ar y materion y dylem eu hystyried wrth lunio Safonau i'w gosod yn uniongyrchol ar gyrff o fewn sector, p'un a ddylai cyrff unigol barhau â'r hawl i herio Safon sydd wedi'i gosod arnynt, a ph'un a ddylid cael proses ymgynghori fwy trwyadl.

Dylid ymgynghori'n fanwl gyda'r sectorau er mwyn medru gosod Safonau rhesymol. Yn hyn o beth mae hysbysiadau cydymffurfio drafft yn cynorthwyo'r broses, ond mae angen derbyn tystiolaeth sefydliadau o safbwynt eu gallu i gydymffurfio gyda'r gofynion yn nhermau ymarferoldeb a chostau ychwanegol ar sefydliadau i allu gwneud hyn. Mae angen gosod trefn cynllun gweithredu ar rai o'r Safonau heriol, a fydd yn galluogi sefydliad i fedru gwella dros gyfnod o amser. Dylid anelu at drefn ble mae sefydliadau o fewn un corff mewn gwahanol leoliadau o Gymru, yn ymgynghori at weithredu yr un set o Safonau, a bod cynllun gweithredu yn ei le i sicrhau bod modd cyflawni hyn dros gyfnod penodol o amser; gan sicrhau bod mecanweithiau i rannu arfer da yn bodoli.

Cwestiwn 29 – Pa ffactorau y dylid eu cymryd i ystyriaeth neu pa weithdrefn y dylid ei dilyn er mwyn sicrhau bod y broses o osod Safonau ar Lywodraeth Cymru yn deg a thryloyw?

Sylwadau ategol

Er mwyn sicrhau bod y weithdrefn yn deg a thryloyw rydym o'r farn y dylai Cynulliad Cymru gymryd rôl wrth osod Safonau'r Gymraeg ar y Llywodraeth. Bydd gan Comisiynydd y Gymraeg, sef corff hyd braich, ddyletswyddau i fonitro cydymffurfiaeth a sicrhau bod Llywodraeth Cymru yn cyflawni gofynion Safonau'r Gymraeg.

Cwestiwn 30 – A ydych chi'n cytuno â'n cynnig y dylid gorfod delio â chwynion drwy weithdrefn gwyno'r corff perthnasol cyn y caiff y Comisiwn arfaethedig, sef Comisiwn y Gymraeg, ymchwilio i fethiant honedig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae'r system cwynion fel sydd wedi ei osod ar hyn o bryd yn ormod i swyddfa'r Comisiynydd ymdopi â hi, mae'n broses astrus a chymhleth, ac at hyn mae'n cymryd gormod o amser i'w chyflawni. Nid yw'r broses yn caniatáu i sefydliadau weithredu eu system fewnol yn gyntaf cyn creu sefyllfa ymchwiliad o dan y Safonau.

Gwerthfawrogwn felly'r newid arfaethedig a dylai'r Comisiynydd weithredu mwy fel yr Ombwdsmon o ran delio dim ond gydag achosion lle mae'r unigolyn sydd wedi cwyno wedi methu'n llwyr â chael ymateb boddhaol gan y sefydliad

Mae'n iawn caniatáu i aelodau o'r cyhoedd fynd at y Comisiynydd i gwyno, ond dylai'r Comisiynydd gyferio'r achwynydd i geisio datrysiaid boddhaol gyda'r sefydliad yn gyntaf, hyn cyn y gall Comisiynydd y Gymraeg gynnal unrhyw ymchwiliad.

Cwestiwn 31 – A ydych chi'n cytuno â'n cynnig fod yn rhaid i gyrff gadw at weithdrefn gwyno sydd wedi'i chymeradwyo, fel y Polisi Pryderon a Chwynion Enghreifftiol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae hon yn drefn sydd wedi ymsefydlu o fewn y sector gyhoeddus. Er mwyn normaleiddio y Gymraeg, mae'n bwysig delio gyda chwynion ynghylch y Gymraeg yn yr un modd â'r holl gwynion eraill.

Cwestiwn 32 – A ydych chi'n cytuno â'n cynnig mai dim ond os yw o'r farn fod yr achos honedig o dorri Safon neu weithdrefn gwyno yn un ddifrifol y dylai'r Comisiwn arfaethedig gael cymryd camau gweithredu pellach mewn perthynas â chwyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ar ein diffiniad o 'achos difrifol' ym mharagraff 219.

Nid yw'n glir beth yw'r diffiniad o 'ddifrifol' – mae ymgais i egluro hyn ym mharagraff 219, ond rydym yn teimlo bod hyn yn unol â dehongliad yr unigolyn. Mae'n anodd categoreiddio cwynion gyferbyn â'r Gymraeg, oherwydd gall fod yn ddifrifol i un person, ond yn amwys i un arall. Mae'r drefn cyfredol, lle gall unigolyn fynd yn unionsyth at y Comisiynydd i gwyno, yn creu problemau sefydliadol o fethu dilyn proses gwynion fewnol ac yn cymhlethu ac yn arafu'r broses, a hynny cyn medru ymateb yn llawn i'r achwynydd.

Er mwyn bod yn gyson, dylid dilyn trefn gwyno sy'n efelychu'r hyn sydd wedi ei osod gan yr Ombwdsman. Yn rhan o'r drefn honno mae'r sefydliad yn cael y cyfle i unioni y cam yn lleol yn gyntaf, o ddilyn y drefn hon o bosib y gellid lleihau ar y nifer o achosion 'bach'/'man' sy'n cyrraedd sylw y Comisiynydd ar hyn o bryd.

Mewn achos lle mae'r achwynydd yn anfodlon a chanlyniad gweithdrefn cwyno y sefydliad, dylid gallu atgyferio'r cwyn i'r Comisiynydd. Dylai'r Comisiynydd fedru cynnal ymchwiliad er mwyn dod i'r casgliad nad yw'r corff wedi delio a'r gwyn yn unol a'i weithdrefn gwyno, neu yn fater o dorri Safon. Os yw'n cyrraedd y casgliad yma, gall y Comisiynydd gymryd camau gweithredu fel a nodir ym mharagraff 220.

Cwestiwn 33 – A ydych chi'n cytuno â'n cynnig i ganiatáu i'r Comisiwn arfaethedig gynnal ymchwiliad ar ei liwt ei hun?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Nid ydym yn cytuno gyda'r Opsiwn sefydlu Comisiwn. Y Comisiynydd fel rheoleiddiwr ddylai gynnal unrhyw ymchwiliadau. Os yw'r ymchwiliad yn dod i gasgliad bod y sefydliad wedi gweithredu'n groes i ofyniad Safon, mae angen i'r rheoleiddiwr awgrymu camau gweithredu er mwyn gwella.

Cwestiwn 34 – A ydych chi'n cytuno fod y camau gweithredu a ddisgrifir ym mharagraff 225 yn darparu amrywiaeth effeithiol o gamau gorfodi?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw syniadau ynghylch camau gorfodi eraill a wrthodwyd neu nad ydynt wedi cael eu hystyried yn y Papur Gwyn.

Os yw'r Comisiynydd yn dod i gasgliad bod y corff wedi torri'r Safonau dylid cymryd camau gorfodi a, b, c neu d yn gyntaf (trefn Ombwdsman Cymru). Os nad yw'r mater yn gwella neu'n newid o fewn amser penodol, dylid wedyn ystyried camau gweithredu e- f, hyn oni bai bod gan y sefydliad dystiolaeth cadarn nad oes modd cyflawni'r camau gweithredu sydd wedi'u gosod.

Cwestiwn 35 – Ar hyn o bryd, mae gan y Comisiynydd bwerau i osod dirwy sifil o hyd at £5,000 ac, mewn rhai amgylchiadau, i ofyn am orchymyn llys i'w gwneud yn ofynnol i gorff gydymffurfio. A ydych chi'n cytuno â'n cynnig y dylid cadw'r pwerau hyn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ynghylch y ddirwy sifil uchaf y dylai'r Comisiwn arfaethedig allu ei gosod (os o gwbl).

Dylid cadw at osod dirwy sifil o hyd at £5,000 ac, mewn rhai amgylchiadau, i ofyn am orchymyn llys i'w gwneud yn ofynnol i gorff gydymffurfio. Mae'r pŵer yma yn gosod fwy o ddyletswydd ar sefydliadau i roi cynlluniau gweithredu ar waith. Yn yr hinsawdd ariannol sydd ohoni nid oes neb eisiau dirwy, na'r cyhoedduswydd anffafriol a ddaw yn ei sgîl.

Cwestiwn 36 – A ydych chi'n cytuno â'n cynnig i gadw rôl y Tribiwnlys mewn perthynas â phenderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae'r tribiwnlys yn darparu cyfiawnder i'r cyhoedd a chyrrff cyhoeddus mewn ffordd fwy hwylus a llai costus nag adolygiad barnwrol yn yr Uchel Lys.

Cwestiwn 37 – A ydych chi'n cytuno â'n cynnig y dylai'r Tribiwnlys hefyd ymdrin ag apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Rydym yn cytuno y dylai'r Tribiwnlys ymdrin ag apelau yn erbyn penderfyniad gosod y Safonau.

Cwestiwn 38 – Rydyn ni'n cynnig cyflwyno cam cyntaf gorfodol ar gyfer y Tribiwnlys mewn perthynas ag apelau yn erbyn penderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi Safonau. Byddai'r cam cyntaf yn ei gwneud yn ofynnol i'r Tribiwnlys roi caniatâd ar y sail bod siawns rhesymol y bydd y cais yn llwyddo neu pan fo rheswm cryf arall pam y dylai'r cais gael ei glywed. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Rydym yn cytuno y dylid cyflwyno cam cyntaf gorfodol. Ond yn anghytuno gyda'r opsiwn i sefydlu Comisiwn y Gymraeg – rydym o'r farn taw Swyddogaeth Comisiynydd y Gymraeg fel rheoleiddiwr fydd sicrhau cydymffurfiaeth y Safonau.

Cwestiwn 39 – A ydych chi o'r farn y dylai'r cam cyntaf gorfodol arfaethedig fod yn gymwys i apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Rydym yn cytuno y dylid cyflwyno cam cyntaf gorfodol ar gyfer apelau.

Cwestiwn 40 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 3 y Papur Gwyn?

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Rhan 4: Cwmpas y cyrff sy'n ddarostyngedig i ddeddfwriaeth y Gymraeg

Cwestiwn 41 – A ydych chi'n cytuno â'n cynnig i ddileu'r cyfyngiadau yn y Mesur fel bod Llywodraeth Cymru'n meddu ar y pŵer i wneud Safonau'n gymwys i unrhyw gorff o fewn cymhwysedd deddfwriaethol y Cynulliad?

Cytuno	✓	Anghytuno	☐	Ddim yn cytuno nac yn anghytuno	☐
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Sylwadau ategol

Dylai'r Mesur ddarparu pŵer i wneud Safonau'n gymwys i unrhyw gorff o fewn cymhwysedd deddfwriaethol y Cynulliad.

Fodd bynnag, rydym am wneud y pwynt, y bydd y Sector Preifat, trydydd sector a sectorau gwirfoddol yn dod at drefn Safonau'r Gymraeg mewn man gwahanol i sectorau cyhoeddus. Mae sectorau cyhoeddus wedi cael eu hannog i weithredu cynlluniau iaith, ac felly wedi dechrau ar y broses o gynllunio ar gyfer y Gymraeg cyn dyfodiad trefn Safonau'r Gymraeg. Bydd angen help ychwanegol ar fusnesau preifat i fedru cyflawni gofynion y Safonau – ac rydym yn gweld swyddogaeth y 'corff hybu' yn allweddol bwysig yn y maes yma, sef y rôl cefnogi, cynghori a rhannu arfer da.

Cwestiwn 42 – A ydych chi'n cytuno â'n cynnig mai dim ond mewn perthynas â'r gwasanaethau y maent yn eu cyflenwi i'w cwsmeriaid y dylai busnesau yn y sector preifat fod yn agored i orfod cydymffurfio â Safonau?

Cytuno	☐	Anghytuno	✓	Ddim yn cytuno nac yn anghytuno	☐
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Sylwadau ategol, gan gynnwys eich barn ynghylch unrhyw gyfyngiadau y dylid eu rhoi ar y pwerau i osod Safonau ar fusnesau preifat.

Rydym o'r farn bod cynllunio'r gweithle yn rhan annatod o ddarparu Gwasanaethau cyfrwng Cymraeg, ac felly dylid cynnwys rhain o fewn y Safonau ar fusnesau preifat. Mae gwelediad y Gymraeg ar y stryd fawr yn bwysig iawn ar gyfer hyfywedd yr iaith Gymraeg, rydym felly o'r farn y dylid medru mynnu bod busnesau preifat, a sefydliadau elusennol yn defnyddio arwyddion dwyieithog drwy drefn Safonau. Dylai busnesau fedru ymgysylltu gyda'r Corff Hybu, er mwyn derbyn cyngor ac arweiniad ynghylch sut i sicrhau bod arwyddion eu busnes yn ddwyieithog, bydd y cyngor yn cynnwys cymorth ymarferol ar gyfieithu. Byddai hyn yn atgyfnerthu brand y Gymraeg ar y stryd fawr.

Rydym o'r farn bod angen rhagor o gymorth ar y sector preifat i weithredu trefn Safonau, a bydd angen rhaglen waith ynghyd â chefnogaeth ar y sector i sicrhau ei fod yn barod ar gyfer y Safonau.

Dylid gosod cymhelliant i sefydliad weithredu Safonau'r Gymraeg – dylid gosod system lle gallai'r sefydliad gyrraedd achrediad Aur, Arian ac Efydd – byddai hyn hefyd yn rhoi gwell dealltwriaeth i'r cyhoedd ynghylch eu disgwyliadau.

Cwestiwn 43 – A ydych chi'n cytuno â'n cynnig mai dim ond fel rhan o becyn ehangach o weithgarwch sy'n hybu'r Gymraeg ac yn cynyddu ymwybyddiaeth ohoni y dylid gosod Safonau ar fusnesau preifat?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Er mwyn sicrhau bod siaradwr Cymraeg yn medru defnyddio'i fam-iaith wrth gyflawni ei weithgareddau o ddydd i ddydd, mae'n bwysig bod sefydliadau preifat hefyd yn medru darparu dewis iaith ar gyfer ei gwsmeriaid. Er enghraifft ar y stryd fawr, mae gwelediad y Gymraeg yn allweddol bwysig ar gyfer ei ffyniant, ac yn rhoi statws i'r iaith honno. Rydym fodd bynnag o'r farn bod angen rhaglen waith ynghyd â chefnogaeth ar y sector i sicrhau ei fod yn barod ar gyfer y Safonau – nid yw'r sector breifat wedi gweithredu y drefn flaenorol o weithredu Cynlluniau Iaith. Roedd y cynlluniau iaith (rhagflaenydd y Safonau) wedi darparu cyfle i'r Sector Gyhoeddus ddechrau ar y gwaith o gynllunio ieithyddol a chodi ymwybyddiaeth ymysg ei gyflogwyr.

Rhaid cofio nad yw pob sector wedi gweithredu trefn Cynlluniau Iaith, ac felly bydd yr egwyddor o gynllunio ieithyddol yn ddieithr iddynt. Bydd angen rhagor o gyngor a chefnogaeth ar y sefydliadau hyn wrth iddynt orfod gweithredu Safonau – byddant yn dechrau ar eu taith mewn man gwahanol iawn i'r Sector Gyhoeddus. Rydym yn gweld y maes gwaith yma yn cwmpo o fewn dyletswyddau y corff hybu a chefnogi defnydd y Gymraeg. Gellid ystyried opsiynau sy'n cyfateb i achrediad ee aur, arian ac efydd. Gyda cymhelliant os yw sefydliad yn gweithredu ar lefel aur.

Cwestiwn 44 – Os rhoddir pwerau i Lywodraeth Cymru i osod Safonau ar unrhyw gorff o fewn cymhwysedd y Cynulliad, a ydych chi o'r farn y dylai Safonau gael eu gosod ar unrhyw gorff neu sector nad yw ar hyn o bryd o fewn cwmpas deddfwriaeth ynghylch y Gymraeg?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Os yw Llywodraeth Cymru o ddifri ynghylch cyrraedd y targed o filiwn o siaradwyr Cymraeg erbyn 2050, mae'n rhaid bwrw ati yn fwriadol i gynyddu defnydd o'r Gymraeg, gan sicrhau mynediad hygrych at wasanaethau a busnesau cyfrwng Cymraeg. Cytuno y dylai Safonau gael eu gosod ar unrhyw gorff neu sector nad yw ar hyn o bryd o fewn cwmpas deddfwriaeth ynghylch y Gymraeg.

Cwestiwn 45 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 4 y Papur Gwyn?

Rhan 5: Asesu effaith ein cynigion

Cwestiwn 46 – Rydym wedi asesu effaith ein cynigion ar gydraddoldeb, plant, pobl ifanc a'u teuluoedd, a'r Gymraeg. A oes gennych chi sylwadau ar unrhyw un o'r asesiadau hyn?

Mae'r asesiad yn cyfeirio at Fesur y Gymraeg fel y brif ddeddfwriaeth, sydd wrth gwrs yn hollol gywir o ran gwarchod a chynnyddu defnydd yr iaith. Ond, mae nifer o ddeddfwriaethau eraill bellach sy'n bodoli ac yn creu sylfaen gref ar gyfer yr iaith – dylid fod wedi cyfeirio at yr rhain hefyd – Cynllun Strategol y Gymraeg mewn Addysg, Fframwaith Strategol 'Mwy na Geiriau' a'r Ddeddf Llesiant Cendlaethau'r Dyfodol.

Mae'r ddogfen yn cynnal asesiad ar nifer o'r nodweddion gwarchodedig, ac yn nodi effaith gadarnhaol. Byddai wedi bod yn fuddiol derbyn ystadegau neu gyfeiriad ymchwil sy'n cefnogi'r safbwyntiau.

Cwestiwn 47 – Hoffem wybod eich barn ar yr effeithiau y byddai'r cynigion yn ein Papur Gwyn yn eu cael ar y Gymraeg, yn benodol ar:

- i) gyfleoedd i bobl ddefnyddio'r Gymraeg
- ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Pa effeithiau fyddai, yn eich barn chi? Sut mae cynyddu effeithiau cadarnhaol neu liniaru effeithiau negyddol?

Sylwadau ategol

Mae'n allweddol gwarchod yr arfer da sydd wedi digwydd o dan drefn Safonau'r Gymraeg, a datblygu ymhellach ar yr arfer hwnnw. Peidio gosod strwythur hollol newydd, ond yn hytrach diwygio'r hyn sydd gyda ni, er mwyn ei gwneud yn haws i'w gweithredu. Ni ddylid ar unrhyw gyfrif, wanhau sefyllfa y Safonau, gan y byddai hyn yn amharu ar hawliau personau i fedru defnyddio'r Gymraeg ymhob sefyllfa yn eu bywydau bob dydd os ydynt yn dymuno gwneud hynny. Mae'n bwysig datblygu ar yr arfer da sydd eisoes wedi digwydd o ganlyniad i drefn y Safonau.

Mae angen polisi hawliau gorfodol, ond mae angen gofal wrth gyflwyno'r testun, gan ddefnyddio ieithwedd sy'n briodol, ac nid ieithwedd bygythiol. Mae angen codau ymarfer, er mwyn galluogi cyrrff i fedru dehongli a gweithredu Safonau'r Gymraeg, ac at hynny mae angen cyngor a chefnogaeth i wneud hynny.

Cwestiwn 48 – Eglurwch hefyd sut gellid ffurfio neu newid yr opsiynau arfaethedig:

- i) fel eu bod yn cael effeithiau cadarnhaol neu fwy o effeithiau cadarnhaol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg
- ii) fel nad ydynt yn cael effeithiau andwyol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Sylwadau ategol

Sylwadau wedi ei cynnwys wrth ateb rhai o'r cwestiynau eraill

Cwestiwn 49 – Rydym wedi gofyn nifer o gwestiynau penodol. Os oes gennych chi faterion perthnasol nad ydym wedi rhoi sylw penodol iddynt, defnyddiwch y blwch isod i roi gwybod i ni amdanynt.

Mae ymatebion i ymgynghoriadau yn debygol o gael eu gwneud yn gyhoeddus, ar y rhyngrwyd neu mewn adroddiad. Os byddai'n well gennych i'ch ymateb aros yn ddienw, ticiwch yma:

Opening remarks

The Special Educational Needs Tribunal for Wales is a small public body which deals with appeals against certain decisions about a child or young person and their education. We also deal with discrimination claims of unfair treatment in school to do with a disability.

The Tribunal has been subject to Welsh Language Standards since 30 March 2017 and has used the standards to review and improve the Welsh language services we already provided to our users.

Following earlier engagement with the Commissioner (through the various pre-Compliance Notice stages), the Tribunal made an Application to Challenge Future Duties on 29 March 2017. We await the Commissioner's determination but provided further information to the Commissioner in September 2017 further to receipt of the Commissioner's Initial Considerations on our challenges.

Having been through the experience of having standards imposed on us, and currently being engaged in a process of challenging selected standards on the grounds that they are unreasonable and disproportionate, we wish to make a response to the proposals set out in the White Paper.

This response is restricted to answering the questions where we feel that our experience allows us to add value to the debate.

Our response is very similar to those prepared by the Agricultural Land Tribunal for Wales, the Residential Property Tribunal Wales and the Mental Health Review Tribunal for Wales which have similar concerns to our own. However, some of the detail is different as it relates to the particular impacts of the Welsh Language Standards on the specific jurisdiction of this Tribunal.

Part 1: Promoting the Welsh language

We have no comments on Part 2.

Part 2: Governance and accountability

We have no comments on Part 2.

Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

We are broadly content with the proposal to reform the current standards as set out in option 2.

Certainly some of the record-keeping and supplementary standards appear to us to add administrative burden to small public bodies without providing actual benefit to members of the public (for example, because of the wide definition of ‘policy making’ used in relation to the standards, the Tribunal is required to keep records about its policy making when, on any normal definition of policy making, the Tribunal simply does not have the function to make policy, its function being purely to hear cases in accordance with its governing legislation). This appears to us to be bureaucracy without benefit.

We would welcome a greater opportunity to “exercise reasonable judgement” in relation to standards as a number of the standards (particularly when combined) produce an effect which is overly prescriptive (for example, the wording we have been obliged to add to letters to ensure compliance with the standards. We could have achieved the same effect in much less verbose language).

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

We are inclined to agree in relation to clarity and costs.

However, we have some concerns about capacity for improvement – including the numerous references throughout the document to removing exceptions (paragraph 48 vi), the quality and scope of Welsh language services increasing over time (paragraph 137), duties in future showing less variation (paragraph 139 i), all bodies operating to the same standards by 2030 (paragraph 154) and time-limited exemptions (paragraph 164).

The Tribunal has challenged a number of standards on the grounds that they are unreasonable and disproportionate. The standards are unreasonable and disproportionate in the context of our functions as a Tribunal (combined in some cases with the small scale of the Tribunal). We remain in debate with the Commissioner in relation to a number of standards but if we establish through the

challenge process (or indeed through ultimate appeal to the Welsh Language Tribunal) that a standard is not reasonable or proportionate in the context of our functions then that is not something that is likely to change over time.

We would like to underline the importance of the statement at paragraph 153 that “consideration would need to be given to how to balance the convergence principle against ensuring that the Standards imposed on the body are reasonable and proportionate”.

Trying to standardise standards imposed on a small specialised Tribunal (with very small staff numbers and particular functions) with those applicable to large public bodies with much broader functions, such as local authorities, would be fraught with difficulty.

Where exceptions relate to what is appropriate and proportionate in the context of a body’s functions (and sometimes also its scale), the chances of change over time are small. The reference at paragraph 170 to engaging with bodies subject to standards, to see what improvements could be made, should take account of this and be realistic and proportionate, and avoid causing the administrative burden of having to prove such exceptions all over again.

Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

This would appear to be a sensible change, although changing the name of certain ‘standards’ does not in itself make a big difference operationally.

Reducing some of the corporate standards would be welcome (for example we have had to produce annual reports for 2016-17 in spite of standards only being operational from 30 March 2017, and in general some of the requirements seem out of proportion with the small scale of our Tribunal .

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Our experience of working with the Commissioner's office is that her staff have found it hard to understand the highly specific remit of the Special Educational Needs Tribunal and the context in which we operate. This has resulted in standards being imposed on the Tribunal which we consider inappropriate.

The Commissioner's Initial Considerations indicate that the Commissioner wishes now to remove some of the standards we have challenged. In other cases, the Commissioner's Initial Considerations indicated that she did not intend to make the amendments we had requested. Having read the arguments carefully, we still believe that the Commissioner's office fail to appreciate our operational context or the unintentional impact of the standards we have challenged and we have provided further evidence in support of our previous challenges.

We tend to the view that the Welsh Government as a body has a much broader understanding of the public sector, and the roles and contexts of specific public sector bodies than the Commissioner who, by definition, has a remit which is concerned solely with the provision of services in Welsh. Therefore, in principle, we think that the Welsh Government may potentially be better able to understand context and impose appropriate standards.

However, it will remain the case that the staff of whichever body is responsible for imposing standards will be imposing standards on bodies without having a detailed knowledge of them.

In these circumstances, it would be helpful if the relevant staff would undertake more practical and informal discussion to seek to resolve disagreements about appropriateness of the standards before escalating into quite inflexible challenge procedures.

For example, the lack of response to issues we raised in our consultation on the Draft Compliance Notice, the imposition in some cases of standards which were not included in the Draft Compliance Notice - and the response to attempts the Tribunals collectively¹ made to have informal discussions with the Commissioner's office after receipt of our Compliance Notices - left us with no option other than to make formal challenges. Where such challenges relate to the imposition of standards which fall outside the functions of the Tribunal or which relate to services which we do not provide in any language (but which if imposed on us could lead to false user expectation), this seems highly unfortunate. Issues of this kind would be better resolved informally.

Whilst we can see some potential merits in imposition of standards being within the remit of the Welsh Government, whoever is responsible, the key factors are appropriateness and proportionality. As the responsible staff are unlikely to have a detailed knowledge of the sector themselves, they will need to listen to and work more effectively with the bodies concerned (and perhaps with Welsh Government staff who have more detailed knowledge of those sectors) to understand that context and get the standards right. If they don't then a laborious process with the Commissioner could simply turn into a laborious process with the Welsh Government.

¹ Agricultural Land Tribunal for Wales, Mental Health Review Tribunal for Wales, Residential Property Tribunal for Wales and Special Educational Needs Tribunal for Wales

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Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

Based on our experiences of having the standards imposed on the Tribunal, we believe that it will be essential for there to be a mechanism for individual bodies to retain the right to challenge the imposition of a standard.

Although we think the process could and should be improved, the method of issuing a compliance notice, and the ability to challenge it, provides a safeguard against the imposition of standards which are unreasonable and disproportionate.

The imposition of standards which are unreasonable and disproportionate, even with ability to challenge them, is wasteful of resources and distracts attention from using the standards for their proper purpose (ie to improve customer services).

The imposition of unreasonable and disproportionate standards without the ability to challenge them would represent waste of public money, be reputationally damaging to the system, turn Welsh language Standards into a burden of compliance, rather than a means to deliver high quality services and would, in some cases, frankly, set up a body to fail.

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Yes, in the interests of putting things right, if an error has been made, it makes much more sense for the complaint to come first to the body which could rapidly resolve it, both for the complainant and to ensure that the issue was resolved for the benefit of future users.

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Clearly complaints need to be dealt with in a fair and rigorous manner. However, we are not sure it is helpful – in the context of the White Paper talking about removing bureaucracy – for the White Paper to refer to mandatory publication of complaints and outcomes. We also have some reservations about publishing such complaints when we do not publish other complaints we receive.

Furthermore, we would welcome guidance on what constitutes a reasonable complaint and what constitutes a vexatious complaint and how the latter should be dealt with. We believe this would be essential if publication of complaints were made mandatory.

We assume that the purpose of publication would be to ensure transparency and responsiveness in dealing with complaints from which lessons can be learnt and practice improved. We would be concerned if the proposed publication of complaints and outcomes had to include vexatious complaints.

Publication of the details of vexatious complaints could give the impression that a public body is receiving very high volumes of complaints (when they may all originate from a single person and not amount to anything which could or should be changed). Publication of such information would possibly be welcomed by the complainant but would place administrative burden on the body without resulting in meaningful benefit to users.

Public bodies which take the kind of decisions taken in Tribunals may be particularly vulnerable to receiving vexatious complaints. In a Tribunal context, this may occur where a party in a case does not like the statutory tribunal process or is disappointed by a decision which results from independent scrutiny of the evidence placed before the panel but is not the decision they sought. In a situation where you have 2 opposed parties, it is inevitable that there will be a disappointed party in each case. There are limited circumstances where those unhappy with the outcome can seek a review of the decision or refer it to a higher tribunal but unless there is a legal basis for doing so, the Tribunal makes a binding decision which may be unpopular. Although rare, frustration can result in the Tribunal receiving repeated complaints which are bizarre, spurious or vexatious. Potentially, such spurious or vexatious complaints could also relate to provision of services through the medium of Welsh. Dealing with such complaints can be time consuming. We do not see what benefit would arise from publication of such complaints.

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a ‘serious breach’ in paragraph 219.

This seems to be a proportionate and sensible approach.

Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

We believe that a right of appeal to a Tribunal is important.

Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

We believe that a right of appeal to a Tribunal is essential to ensure that the imposition of standards is reasonable and proportionate.

As a body which is currently awaiting the Commissioner’s determination on our challenges, and having found it quite difficult to reach any common ground with the Commissioner on what is appropriate in a Special Educational Needs Tribunal context, we hope that we will not need to take an appeal to the Welsh Language Tribunal but may yet need to do so.

In principle, this would apply equally were the Welsh Government to be the body imposing standards in the future.

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

We would like to comment on the equality impact assessment.

Some of the standards which the Tribunal has challenged were challenged partly on the grounds that complying with the standard would reduce access to justice. This was the case for reception standards imposed in respect of legal proceedings. In our earlier, informal correspondence with the Commissioner's office, we explained that the Tribunal does not provide any reception services at hearings and that we hold hearings in venues close to the parties involved in a case to make them accessible; the Commissioner maintained that we would have to use venues which provide a bilingual reception.

In our challenge, we provided evidence that this was unreasonable and disproportionate and would have the effect (in some part of Wales at least) of meaning that we would not be able to hold the hearing in a venue close to the parties. This would reduce access to justice particularly when combined with the need to find accessible venues for disabled children involved in hearings. The Commissioners' Initial Considerations indicate that she will now remove these standards. However, the need for us to provide evidence on unintended consequences of imposition of standards, impacting on people's ability to easily access our services, indicates again the importance of there being a challenge mechanism.

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

As far as we can see, the intention and proposals will have much the same effect as the current system on ensuring that we provide effective Welsh language services to individual members of the public accessing Tribunal services.

If they can do so in a way which reduces administrative burden then that would be extremely welcome.

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

We welcome the focus in the consultation document on the provision of effective Welsh language services for members of the public and rights for individuals to use the Welsh language when accessing services.

A number of the challenges we are currently pursuing with the Commissioner relate to standards where the wording of the standard (which refers to a 'person', rather than an 'individual') would require us to comply with the standard in respect of persons who are not individual members of the public, in a way which we believe is both unreasonable and disproportionate. For example, the standards would require our extremely small public body (we have 4 staff supporting 2 tribunals, of which SENTW is one; none of the current staff are Welsh speakers) to expend its resources translating correspondence with staff of other public bodies who we engage with in our work (ie local authorities) and with legal representatives of parties.

We are absolutely committed to providing services in Welsh to individuals with whom we correspond but believe it is unreasonable and disproportionate to expect the Tribunal to do so in respect of persons who are not individuals (ie legal representatives and staff of other public authorities).

The Commissioner is relying on the wording of the standards (some say individual; others say person) and legal definitions of those terms to tell us that we must apply certain standards to all our correspondents. We argue that this is unreasonable and disproportionate and are seeking a variation of these standards, in accordance with section 44 of the Welsh Language Measure, to specify that these standards relate to individual members of the public with whom we correspond but not to persons who are not individuals (the Commissioner accepts that legal representatives and staff of public authorities are not individuals).

Therefore, we would be in favour of a clarification of the standards to provide clarity that the purpose of the standards is to ensure that individual members of the public can access services in Welsh, not that a small public body should spend public money translating correspondence for the benefit of persons who are not individuals such as staff of local authorities.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

☐

Welsh Language Bill Team
Welsh Language Division
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Dear Sir,

Re: Consultation response - Striking the right balance: proposals for a Welsh Language Bill

Neath Port Talbot County Borough Council's previous responses to the Welsh Government's and the Welsh Language Commissioner's various consultations and investigations in relation to the Welsh Language Standards have always had cross party support.

We have been careful not to politicise the topic but to have measured, level and frank discussions to explore and respond to the position the process and the imposition of the Welsh Language Standards has placed us in.

The Council welcomes and is supportive of the Welsh Government's vision Cymraeg 2050: a million Welsh speakers and is keen to play its part. We have always been clear in our commitment to the Welsh language and have worked to promote the language and meet any requirements to improve the delivery of our services in Welsh. We would consider it more helpful if these new mechanisms support rather than conflict with advice, support, promotion and encouragement in the use of the Welsh language within organisations and through the delivery of services.

We have been extremely conscious that from the beginning of the process in January 2014 that no additional funding has been made available to ensure full compliance with the Standards. This along with the harsh reality of the current and ongoing financial situation as well as the limitations on our ability to increase the organisation's linguistic capability due to a moratorium on external recruitment have been relayed to the Commissioner and Welsh Government through the various consultations.

Chief Executive's Office
Steven Phillips, Chief Executive
Civic Centre, Port Talbot SA13 1PJ
Tel 01639 763306 Fax 01639 763355

Swyddfa'r Prif Weithredwr
Steven Phillips, Prif Weithredwr
Y Ganolfan ddinesig, Port Talbot SA13 1PJ
Ffôn 01639 763306 Ffacs 01639 763355

At each stage of the process Members on the Policy and Resources Scrutiny Committee and Cabinet Board have discussed and agreed responses and this consultation is no different. We would welcome further engagement on these and any future proposals.

The Council's response to the consultation follows:

Part 1 – Promoting the Welsh Language

Members support the Welsh Government's preferred option of a single body responsible for the promotion of the Welsh language as well as monitoring and enforcing compliance with the Standards.

We agree that a single body will provide greater clarity for the public and organisations alike as to who is responsible for promotion and enforcement. However, it is essential that there is a balance between the two 'arms' of this body; something that hasn't been that evident with the current system.

We believe that Welsh Government continues to have a role in the promotion of the Welsh language not only as set out in the Government of Wales Act 2006 but also through policy making across all areas of responsibilities. It will be essential that a 'joined up' approach is taken to ensure that each department is singing the same song, in harmony rather than dissonance.

It is also essential for the new body to also provide a similar joined up mutually supportive approach. We have been faced with a strict enforcement regime for too long without a support mechanism to refer to.

We have previously advocated for the Commissioner to consider and help progress the development of a national Welsh language training programme and to enter into discussions with software providers to help bring about changes in the provision of appropriate technology in Welsh; both of which would help in the promotion of the language

Working at a strategic level to influence and bring about change in practices and the services purchased by local government, e.g. CAPITA, language training packages, could be an area where Welsh Government and the Commission would share responsibility to give such discussions greater weight.

Part 2 – Governance and Accountability

The preferred option, Option 3 Welsh Language Commission, is supported.

The proposal for a body with collective responsibility would provide greater reassurance for both organisations and the public. With the anticipated mix of

experience and skills of Commission members a balanced approach to strategic planning and enforcement is similarly anticipated.

It may be useful for a structure to be developed to demonstrate lines of accountability which would provide further clarity as to the strategic and operational functions of the Commission and its chief executive.

We would welcome a body that understands the practicalities of implementing standards and meeting language duties in the current and ongoing financial, linguistically limited and time constrained climate.

Part 3 – The Welsh Language Standards

We would support the option, Option 2, to reform the current system for similar reasons to those stated within the consultation document.

The simplification of Standards is welcomed. We anticipate this simplification would involve the reduction in the number of standards, especially the numbers relating to one particular area e.g. telephone calls, the flexibility within each standard and clarity of the drafting of the standards.

Based on our previous experience with the Commissioner and the difference in views of reasonable and proportionate we are keen that further discussion/consultation takes place prior to the drafting and implementation of the standards to fully explore and 'define' reasonable judgement. We do not want to find ourselves in the same position as currently where our view of what is reasonable, based on our circumstances and resources, is at the polar opposite to that of the Commissioner.

Going forward, we would welcome due consideration to be given to the definition/application of reasonableness. We have been mindful of our other duties e.g. to set a balanced budget, during the implementation of, and in the challenge to, the standards. These other duties do not appear to have been understood by the Commissioner not only in the imposition of the Standards but also during our discussions in relation to the challenge (the basis of which was in part the need to meet our other duties). To misquote John Donne, 'no duty is an island entire of itself'!

We would welcome the production of codes of practice or guidance which would support the implementation of the standards. It would be useful if these were developed in collaboration with organisations to help ensure there is a balance between reality and aspiration.

We have been advocates of incremental improvement since the inception of the standards. We have been clear in our responses to both the Commissioner and Welsh Government that there are difficulties in complying with the standards due to limitations in the linguistic capability of our current workforce, ongoing budgetary constraints, compliance with standards that would place us in a position of legal risk

and the short timescales imposed. In the various consultations we have been open about the fact we are unable to meet the standards as they stand but would be able to meet them in part, and work towards full compliance; which has been accepted in part only as a result of ongoing challenge.

We have always been supportive of the principle behind the Welsh Language Standards, however with our limited resources, the local context and our 'starting point' we have made the Commissioner aware that not all the Standards as applied to us have been reasonable or proportionate; something that has not always been positively received.

Given the Welsh Government's proposals we are hopeful that meaningful discussions with organisations take place throughout the process so that individual circumstances, concerns and assurances are fully taken into account. In addition we would welcome an ongoing dialogue to explore the position for those organisations already implementing the standards.

Classes of Welsh Language Standards

The redefining of standards clarifies the position between service delivery and corporate duties.

We consider that it is important to see the proposed language planning duties as a fundamental part of work to ensure equality, akin to the equalities duties set out in the Equality Act 2010. As such we would anticipate a similar approach to that of the Equality and Human Rights Commission in the support and monitoring arrangements for the Public Sector Equality Duty.

Whilst agreeing with the concept we would like to see further clarification of the proposed scope of language planning duties in due course.

Making, imposing, implementing and enforcing

We would welcome the clarity brought about by the defining the roles of Welsh Government and the 'Commission' in making and imposing Standards and monitoring and enforcing compliance. The Welsh Government's proposed responsibility to develop codes of practice is also welcomed as it is anticipated that these would help alleviate to some extent the difficulties face in the implementation of the standards as currently applied.

We would also welcome further engagement in relation to the making, imposing and enforcing of Standards in the context of collaboration, joint commissioning and partnership working.

Complaints

We fully support the principle that organisations should exhaust their internal complaints process before a new Commission would become involved on individual cases; a similar position to that currently in being with the Public Services Ombudsman for Wales.

Welsh Language Tribunal

It does not seem 'just' that a decision on whether a case has merit should be predetermined. This may not be what is intended and could be merely poor drafting of in the document.

We agree that the Tribunal should not be 'a place to resolve disputes which could reasonably be expected to be resolved' via alternative avenues. However we are concerned that of the Tribunal only hearing applications which stand a reasonable chance of success.

Further explanation and consultation would be required in order to understand the position more fully.

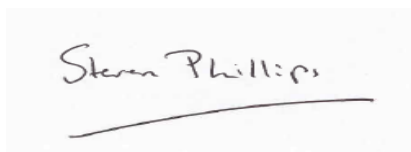
Part 4 - The Scope of Bodies Covered by Welsh Language Legislation

We are content with the proposals stated in this section.

We would consider it appropriate for amendments to be made to planning procedures to allow Welsh to be made a requirement for the private sector.

We look forward to the outcome of the consultation and the next stage of the proposed Welsh Language Bill.

Yours sincerely

A handwritten signature in dark ink, reading "Steven Phillips", with a horizontal line drawn underneath it.

Steven Phillips
Chief Executive

Rhan 1: Hybu'r Gymraeg

Cwestiwn 1 – Ym mharagraffau 49–54, rydym wedi amlinellu'r rôl yr ydym yn cynnig y dylai Llywodraeth Cymru ei chwarae i hybu'r Gymraeg, h.y. swyddogaethau'r Llywodraeth i hybu'r Gymraeg. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys p'un a oes meysydd y dylid eu hychwanegu neu eu tynnu o'r rhestr ym mharagraff 53.

Cwestiwn 2 – Yn Nhabl 1, rydym wedi amlinellu'r adnoddau mewn perthynas â'r swyddogaethau cyffredinol i hybu'r Gymraeg yr ydym o'r farn y dylent fod ar gael i unrhyw gorff neu gyrff sy'n helpu yn y gwaith o hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input checked="" type="checkbox"/>
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Sylwadau ategol

Cwestiwn 3 – A ydych chi'n cytuno â'r opsiwn a ffeirir gennym (Opsiwn 4), sef un corff i fod yn gyfrifol am hybu'r Gymraeg ac am fonitro a gorfodi cydymffurfiaeth â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Os ydych yn anghytuno, nodwch pa opsiwn (gan gynnwys opsiynau nad ydym wedi'u trafod yn y Papur Gwyn) y dylem ei ystyried yn eich barn chi.

Sylwadau ategol

Cwestiwn 4 – Rydym wedi seilio ein dewis, sef un corff, ar sail eglurder, cydnawsedd a gwerth am arian. A ydych chi'n cytuno â'n sail resymegol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

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Cwestiwn 5 – Pa faterion perthnasol eraill y dylem eu hystyried wrth wneud ein cynnig terfynol ynghylch pa gorff neu gyrff ddylai hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau?

Sylwadau ategol

Mae'r cyfrifoldeb am orfodi cydymffurfiaeth a'r cyfrifoldeb am gefnogi cyrff cyhoeddus angen bod yn amlwg ar wahan o fewn y corff newydd.

Cwestiwn 6 – A oes gennych unrhyw sylwadau pellach ar Ran 1 y Papur Gwyn?

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Rhan 2: Llywodraethiant ac atebolrwydd

Cwestiwn 7 – Ym mharagraffau 93–95, rydym wedi nodi rhai gofynion cyffredinol yn ymwneud â threfniadau llywodraethu ac atebolrwydd y corff. Beth yw eich barn chi am y gofynion cyffredinol hyn, ac a oes yna fesurau monitro a ffrwyno eraill a ddylai fod yn weithredol ar y corff arfaethedig?

Sylwadau ategol

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Cwestiwn 8 – A ydych chi'n cytuno â'r opsiwn a ffeirir gennym (Opsiwn 3), sef i sefydlu Comisiwn y Gymraeg i hybu a hwyluso defnyddio'r Gymraeg a monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

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Cwestiwn 9 – Beth yw eich barn chi am y dadansoddiad rydym wedi'i ddarparu sy'n cefnogi ein dewis ni, sef Opsiwn 3? A oes unrhyw ystyriaethau eraill y dylem eu hystyried wrth wneud unrhyw gynnig terfynol?

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Cwestiwn 10 – A ydych chi'n credu bod Opsiwn 3 yn diogelu annibyniaeth y Comisiwn arfaethedig yn ddigonol yng nghyd-destun arfer swyddogaethau ar gyfer monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Ydw	<input type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input checked="" type="checkbox"/>
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Sylwadau ategol

Bydd hyn yn ddibynnol ar y modd y gweithredir y swyddogaethau monitro a gorfodi

Cwestiwn 11 – A oes unrhyw faterion ychwanegol i'r rhai a restrir ym mharagraffau 121–122 y dylem eu hystyried wrth ystyried trefniadau i sefydlu'r Comisiwn arfaethedig?

Oes	<input type="checkbox"/>	Nac oes	<input checked="" type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

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Cwestiwn 12 – A ydych chi'n cytuno â'n cynnig i symud y gofyniad ar Lywodraeth Cymru i lunio strategaeth ar gyfer y Gymraeg o Ddeddf Llywodraeth Cymru 2006 i'r Bil y Gymraeg newydd?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 13 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru adrodd i'r Cynulliad ar strategaeth y Gymraeg bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Dylid paratoi adroddiadau yn flynyddol oherwydd bydd tystiolaeth yn cael ei chasglu yn barhaus.

Cwestiwn 14 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gyhoeddi cynllun yn nodi sut y bydd yn gweithredu'r strategaeth bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae pum mlynedd yn rhy hir o ystyried hyd tymor y llywodraeth, byddai tair blynedd yn darparu digon o dystiolaeth o welliannau neu fel arall yn ddigonol i gymryd camau adferol os byddai angen.

Cwestiwn 15 – A ydych chi'n cytuno â'n cynnig i ddiddymu Cyngor Partneriaeth y Gymraeg a rhoi'r pŵer i Lywodraeth Cymru geisio cyngor gan y Comisiwn arfaethedig, sef Comisiwn y Gymraeg?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 16 – A oes gennych unrhyw sylwadau eraill ar Ran 2 y Papur Gwyn?

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Rhan 3: Safonau'r Gymraeg

Cwestiwn 17 – Rydym yn cynnig y dylid mabwysiadu model diwygiedig o'r Safonau (Opsiw 2) fel y ffordd orau o sicrhau hawliau pobl i dderbyn gwasanaethau Cymraeg. A ydych chi'n cytuno â'r cynnig hwn?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ddiwygiadau pellach yr hoffech eu gweld i'r system bresennol, neu unrhyw ddulliau gweithredu eraill y dylem eu hystyried yn eich barn chi.

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Cwestiwn 18 – Rydym wedi seilio'r cynnig rydym yn ei ffafrio i ddiwygio'r Safonau (Opsiw 2) ar sail yr eglurder, y capasiti ar gyfer gwella a'r costau newid sy'n gysylltiedig â phob opsiwn (paragraffau 163–165). A ydych chi'n cytuno â'n dadansoddiad?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ffactorau eraill y dylem eu hystyried wrth lunio unrhyw gynigion terfynol.

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Cwestiwn 19 – A ydych chi'n cytuno â'r cynnig i ddiddymu'r dosbarthiadau presennol o Safonau, a gwahaniaethu rhwng 'Safonau' (a fyddai'n berthnasol i wasanaethau) a 'dyletswyddau cynllunio ieithyddol' (a fyddai'n berthnasol i ddyletswyddau corfforaethol)?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

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Cwestiwn 20 – A ydych chi o'r farn y dylid cynnwys darpariaethau sy'n ymwneud â Chynlluniau Strategol y Gymraeg mewn Addysg yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Ydw	✓	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 21 – Oes yna unrhyw faterion eraill y dylid, yn eich barn chi, eu cynnwys yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Oes	<input type="checkbox"/>	Nac oes	<input type="checkbox"/>	Ansicr	<input checked="" type="checkbox"/>
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Sylwadau ategol

Cwestiwn 22 – A ydych chi'n cytuno y dylai fod gan y Comisiwn arfaethedig bwerau cyffredinol i gynnal ymchwiliadau i sut mae cyrff yn cyflawni eu dyletswyddau o ran y Gymraeg, a fyddai'n cynnwys y Safonau a'r dyletswyddau cynllunio ieithyddol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 23 – A ydych chi'n cytuno â'n cynnig y dylai'r Comisiwn arfaethedig fonitro a chefnogi cyrff mewn perthynas â'u dyletswyddau cynllunio ieithyddol, yn hytrach na'u gorfodi?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 24 – A ydych chi'n cytuno â'n cynnig i roi cyfrifoldeb am osod Safonau ar gyrff i Lywodraeth Cymru, p'un ai drwy hysbysiad cydymffurfio neu drefn arall?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 25 – A ydych chi'n cytuno â'n cynnig y dylai pob un o'r rheoliadau i wneud Safonau fod yn destun ymgynghoriad cyhoeddus llawn cyn gofyn am gymeradwyaeth y Cynulliad?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 26 – A ydych chi'n cytuno â'n cynnig i ddiddymu Ymchwiliadau Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 27 – A ydych chi'n cytuno â'n cynnig y dylid rhoi pwerau i gyhoeddi codau ymarfer neu ganllawiau mewn perthynas â'r Safonau i Lywodraeth Cymru?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 28 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gael pŵer i osod Safonau ar yr holl gyrff mewn sector yn uniongyrchol drwy reoliadau, heb fod angen hysbysiad cydymffurfio neu drefn arall gyffelyb?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ar y materion y dylem eu hystyried wrth lunio Safonau i'w gosod yn uniongyrchol ar gyrff o fewn sector, p'un a ddylai gyrff unigol barhau â'r hawl i herio Safon sydd wedi'i gosod arnynt, a ph'un a ddylid cael proses ymgynghori fwy trwyadl.

Cwestiwn 29 – Pa ffactorau y dylid eu cymryd i ystyriaeth neu pa weithdrefn y dylid ei dilyn er mwyn sicrhau bod y broses o osod Safonau ar Lywodraeth Cymru yn deg a thryloyw?

Sylwadau ategol

Ymgynghoriad cyhoeddus llawn gyda'r Cynulliad yn monitro ac awdurdodi.

Fel y sefydliad enghreifftiol, bod yn ymrwymedig i'r disgwyliadau uchaf.

Cwestiwn 30 – A ydych chi'n cytuno â'n cynnig y dylid gorfod delio â chwynion drwy weithdrefn gwyno'r corff perthnasol cyn y caiff y Comisiwn arfaethedig, sef Comisiwn y Gymraeg, ymchwilio i fethiant honedig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 31 – A ydych chi'n cytuno â'n cynnig fod yn rhaid i gyrff gadw at weithdrefn gwyno sydd wedi'i chymeradwyo, fel y Polisi Pryderon a Chwynion Enghreifftiol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 32 – A ydych chi'n cytuno â'n cynnig mai dim ond os yw o'r farn fod yr achos honedig o dorri Safon neu weithdrefn gwyno yn un ddifrifol y dylai'r Comisiwn arfaethedig gael cymryd camau gweithredu pellach mewn perthynas â chwyn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ar ein diffiniad o 'achos difrifol' ym mharagraff 219.

Cwestiwn 33 – A ydych chi'n cytuno â'n cynnig i ganiatáu i'r Comisiwn arfaethedig gynnal ymchwiliad ar ei liwt ei hun?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 34 – A ydych chi'n cytuno fod y camau gweithredu a ddisgrifir ym mharagraff 225 yn darparu amrywiaeth effeithiol o gamau gorfodi?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw syniadau ynghylch camau gorfodi eraill a wrthodwyd neu nad ydynt wedi cael eu hystyried yn y Papur Gwyn.

Cwestiwn 35 – Ar hyn o bryd, mae gan y Comisiynydd bwerau i osod dirwy sifil o hyd at £5,000 ac, mewn rhai amgylchiadau, i ofyn am orchymyn llys i'w gwneud yn ofynnol i gorff gydymffurfio. A ydych chi'n cytuno â'n cynnig y dylid cadw'r pwerau hyn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ynghylch y ddirwy sifil uchaf y dylai'r Comisiwn arfaethedig allu ei gosod (os o gwbl).

Cwestiwn 36 – A ydych chi'n cytuno â'n cynnig i gadw rôl y Tribiwnlys mewn perthynas â phenderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 37 – A ydych chi'n cytuno â'n cynnig y dylai'r Tribiwnlys hefyd ymdrin ag apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 38 – Rydyn ni'n cynnig cyflwyno cam cyntaf gorfodol ar gyfer y Tribiwnlys mewn perthynas ag apelau yn erbyn penderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi Safonau. Byddai'r cam cyntaf yn ei gwneud yn ofynnol i'r Tribiwnlys roi caniatâd ar y sail

bod siawns rhesymol y bydd y cais yn llwyddo neu pan fo rheswm cryf arall pam y dylai'r cais gael ei glywed. A ydych chi'n cytuno â'n cynnig?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 39 – A ydych chi o'r farn y dylai'r cam cyntaf gorfodol arfaethedig fod yn gymwys i apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Ydw	<input type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	✓
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Sylwadau ategol

Os yw'r cynnig arfaethedig i osod Safonau wedi bod yn destun ymgynghoriad, a fyddai hyn wedi bod yn gyfle i herio gosod Safonau ar y corff?

Cwestiwn 40 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 3 y Papur Gwyn?

Rhan 4: Cwmpas y cyrff sy'n ddarostyngedig i ddeddfwriaeth y Gymraeg

Cwestiwn 41 – A ydych chi'n cytuno â'n cynnig i ddileu'r cyfyngiadau yn y Mesur fel bod Llywodraeth Cymru'n meddu ar y pŵer i wneud Safonau'n gymwys i unrhyw gorff o fewn cymhwysedd deddfwriaethol y Cynulliad?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 42 – A ydych chi'n cytuno â'n cynnig mai dim ond mewn perthynas â'r gwasanaethau y maent yn eu cyflenwi i'w cwsmeriaid y dylai busnesau yn y sector preifat fod yn agored i orfod cydymffurfio â Safonau?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ynghylch unrhyw gyfyngiadau y dylid eu rhoi ar y pwerau i osod Safonau ar fusnesau preifat.

Cwestiwn 43 – A ydych chi'n cytuno â'n cynnig mai dim ond fel rhan o becyn ehangach o weithgarwch sy'n hybu'r Gymraeg ac yn cynyddu ymwybyddiaeth ohoni y dylid gosod Safonau ar fusnesau preifat?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 44 – Os rhoddir pwerau i Lywodraeth Cymru i osod Safonau ar unrhyw gorff o fewn cymhwysedd y Cynulliad, a ydych chi o'r farn y dylai Safonau gael eu gosod ar unrhyw gorff neu sector nad yw ar hyn o bryd o fewn cwmpas deddfwriaeth ynghylch y Gymraeg?

Ydw	✓	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 45 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 4 y Papur Gwyn?

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Rhan 5: Asesu effaith ein cynigion

Cwestiwn 46 – Rydym wedi asesu effaith ein cynigion ar gydraddoldeb, plant, pobl ifanc a'u teuluoedd, a'r Gymraeg. A oes gennych chi sylwadau ar unrhyw un o'r asesiadau hyn?

Cwestiwn 47 – Hoffem wybod eich barn ar yr effeithiau y byddai'r cynigion yn ein Papur Gwyn yn eu cael ar y Gymraeg, yn benodol ar:

- i) gyfleoedd i bobl ddefnyddio'r Gymraeg
- ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Pa effeithiau fyddai, yn eich barn chi? Sut mae cynyddu effeithiau cadarnhaol neu liniaru effeithiau negyddol?

Sylwadau ategol

Cwestiwn 48 – Eglurwch hefyd sut gellid ffurfio neu newid yr opsiynau arfaethedig:

- i) fel eu bod yn cael effeithiau cadarnhaol neu fwy o effeithiau cadarnhaol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg
- ii) fel nad ydynt yn cael effeithiau andwyol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Sylwadau ategol

Mewn perthynas ag addysg a dysgu a dilyniant gyrfaol:

- Cysylltu'r ddarpariaeth mewn ysgolion / AB a Dysgu yn y Gwaith i ofynion y galw yn y farchnad lafur i ddangos gwerth sgiliau iaith Gymraeg yng Nghymru, gan gynnwys rhoi ffocws Darpariaeth Gymraeg ar feysydd o brinder sgiliau penodol (ond nid ar draul sectorau eraill).
- Darparu opsiynau i ddefnyddwyr (dysgwyr a darparwyr) ddefnyddio eu Gymraeg naill ai yn rhan o'r ddarpariaeth a gynigir neu'n gyfan gwbl (yn hytrach na dewis naill ai / neu).
- Parhau i hyrwyddo'r Gymraeg yn y gweithle (iaith Gwaith). Gellid cefnogi hyn ymhellach gyda chefnogaeth hyfforddi trwy gyswllt fideo â sefydliadau eraill.

Cwestiwn 49 – Rydym wedi gofyn nifer o gwestiynau penodol. Os oes gennych chi faterion perthnasol nad ydym wedi rhoi sylw penodol iddynt, defnyddiwch y blwch isod i roi gwybod i ni amdanynt.

Mae ymatebion i ymgynghoriadau yn debygol o gael eu gwneud yn gyhoeddus, ar y rhyngrwyd neu mewn adroddiad. Os byddai'n well gennych i'ch ymateb aros yn ddienw, ticiwch yma:

Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

The enforcement of compliance and the supporting functions need to be clearly separate within the new body.

Question 6 – Do you have any further comments on Part 1 of the White Paper?

Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body’s governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies’ compliance with Standards?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

The detail will be in the implementation of the functions of monitoring and enforcing.

Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Reporting should be annual as evidence will be collected on an ongoing basis.

Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Five years is too long considering term of government, three years would provide sufficient evidence of improvements or otherwise to take remedial action if required.
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Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 16 – Do you have any further comments on Part 2 of the White Paper?

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Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people’s rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

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Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

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Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

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Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

Full public consultation with the Assembly to monitor and approve. As the exemplar organisation to be committed to the highest expectations.

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body’s complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a ‘serious breach’ in paragraph 219.

Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission’s decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

If the proposed imposition of Standards has been subject to consultation, would this have been the opportunity to challenge the imposing of Standards on the body?

Question 40 – Do you have any further comments on Part 3 of the White Paper?

Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly’s legislative competence?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

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Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly’s competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 45 – Do you have any further comments on Part 4 of the White Paper?

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

In relation to education and learning and career progression:

- Linking provision in schools/FE and WBL to the labour market requirement demand to demonstrate the value of Welsh language skills in Wales, including focussing (but not to the detriment of other sectors) Welsh Language provision on areas of specific skill shortages.
- Provide options for users (learners and providers) to use their Welsh either in part of the provision offer or completely (rather than select either/or).
- Continue to promote the Welsh in workplace (Iaith Gwaith). This could be further supported with coaching support by video link with other organisations.

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

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Opening remarks

The Mental Health Review Tribunal for Wales is a small public body which safeguards patients who have had their liberty restricted under the Mental Health Act. We review the cases of patients who are detained in a hospital or living in the community subject to a conditional discharge, community treatment or guardianship order.

The Tribunal has been subject to Welsh Language Standards since 30 March 2017 and has used the standards to review and improve the Welsh language services we already provided to our users.

Following earlier engagement with the Commissioner (through the various pre-Compliance Notice stages), the Tribunal made an Application to Challenge Future Duties on 29 March 2017. We await the Commissioner's determination but provided further information to the Commissioner in September 2017 further to receipt of the Commissioner's Initial Considerations on our challenges.

Having been through the experience of having standards imposed on us, and currently being engaged in a process of challenging selected standards on the grounds that they are unreasonable and disproportionate, we wish to make a response to the proposals set out in the White Paper.

This response is restricted to answering the questions where we feel that our experience allows us to add value to the debate.

Our response is very similar to those prepared by the Special Educational Needs Tribunal for Wales, the Residential Property Tribunal Wales and the Agricultural Land Tribunal for Wales, which have similar concerns to our own. However, some of the detail is different as it relates to the particular impacts of the Welsh Language Standards on the specific jurisdiction of this Tribunal. **In particular, please note our answer to question 46 which is a problem unique to the Mental Health Review Tribunal.**

Part 1: Promoting the Welsh language

We have no comments on Part 2.

Part 2: Governance and accountability

We have no comments on Part 2.

Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people’s rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

We are broadly content with the proposal to reform the current standards as set out in option 2.

Certainly some of the record-keeping and supplementary standards appear to us to add administrative burden to small public bodies without providing actual benefit to members of the public (for example, because of the wide definition of ‘policy making’ used in relation to the standards, the Tribunal is required to keep records about its policy making when, on any normal definition of policy making, the Tribunal simply does not have the function to make policy, its function being purely to hear cases in accordance with its governing legislation). This appears to us to be bureaucracy without benefit.

We would welcome a greater opportunity to “exercise reasonable judgement” in relation to standards as a number of the standards (particularly when combined) produce an effect which is overly prescriptive (for example, the wording we have been obliged to add to letters to ensure compliance with the standards. We could have achieved the same effect in much less verbose language).

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

We are inclined to agree in relation to clarity and costs.

However, we have some concerns about capacity for improvement – including the numerous references throughout the document to removing exceptions (paragraph 48 vi), the quality and scope of Welsh language services increasing over time (paragraph 137), duties in future showing less variation (paragraph 139 i), all bodies operating to the same standards by 2030 (paragraph 154) and time-limited exemptions (paragraph 164).

The Tribunal has challenged a number of standards on the grounds that they are

unreasonable and disproportionate. The standards are unreasonable and disproportionate in the context of our functions as a Tribunal (combined in some cases with the small scale of the Tribunal). We remain in debate with the Commissioner in relation to a number of standards but if we establish through the challenge process (or indeed through ultimate appeal to the Welsh Language Tribunal) that a standard is not reasonable or proportionate in the context of our functions then that is not something that is likely to change over time.

We would like to underline the importance of the statement at paragraph 153 that “consideration would need to be given to how to balance the convergence principle against ensuring that the Standards imposed on the body are reasonable and proportionate”.

Trying to standardise standards imposed on a small specialised Tribunal (with very small staff numbers and particular functions) with those applicable to large public bodies with much broader functions, such as local authorities, would be fraught with difficulty.

Where exceptions relate to what is appropriate and proportionate in the context of a body’s functions (and sometimes also its scale), the chances of change over time are small. The reference at paragraph 170 to engaging with bodies subject to standards, to see what improvements could be made, should take account of this and be realistic and proportionate, and avoid causing the administrative burden of having to prove such exceptions all over again.

Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

This would appear to be a sensible change, although changing the name of certain ‘standards’ does not in itself make a big difference operationally.

Reducing some of the corporate standards would be welcome (for example we have had to produce annual reports for 2016-17 in spite of standards only being operational from 30 March 2017, and in general some of the requirements seem out of proportion with the small scale of our Tribunal .

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Our experience of working with the Commissioner's office is that her staff have found it hard to understand the highly specific remit of the Mental Health Review Tribunal and the context in which we operate. This has resulted in standards being imposed on the Tribunal which we consider inappropriate.

The Commissioner's Initial Considerations indicate that the Commissioner wishes now to remove some of the standards we have challenged. In other cases, the Commissioner's Initial Considerations indicated that she did not intend to make the amendments we had requested. Having read the arguments carefully, we still believe that the Commissioner's office fail to appreciate our operational context or the unintentional impact of the standards we have challenged and we have provided further evidence in support of our previous challenges.

We tend to the view that the Welsh Government as a body has a much broader understanding of the public sector, and the roles and contexts of specific public sector bodies than the Commissioner who, by definition, has a remit which is concerned solely with the provision of services in Welsh. Therefore, in principle, we think that the Welsh Government may potentially be better able to understand context and impose appropriate standards.

However, it will remain the case that the staff of whichever body is responsible for imposing standards will be imposing standards on bodies without having a detailed knowledge of them.

In these circumstances, it would be helpful if the relevant staff would undertake more practical and informal discussion to seek to resolve disagreements about appropriateness of the standards before escalating into quite inflexible challenge procedures.

For example, the lack of response to issues we raised in our consultation on the Draft Compliance Notice, the imposition in some cases of standards which were not included in the Draft Compliance Notice - and the response to attempts the Tribunals collectively¹ made to have informal discussions with the Commissioner's office after receipt of our Compliance Notices - left us with no option other than to make formal challenges. Where such challenges relate to the imposition of standards which fall outside the functions of the Tribunal or which relate to services which we do not provide in any language (but which if imposed on us could lead to false user expectation), this seems highly unfortunate. Issues of this kind would be better resolved informally.

Whilst we can see some potential merits in imposition of standards being within the remit of the Welsh Government, whoever is responsible, the key factors are appropriateness and proportionality. As the responsible staff are unlikely to have a detailed knowledge of the sector themselves, they will need to listen to and work

¹ Agricultural Land Tribunal for Wales, Mental Health Review Tribunal for Wales, Residential Property Tribunal for Wales and Special Educational Needs Tribunal for Wales

more effectively with the bodies concerned (and perhaps with Welsh Government staff who have more detailed knowledge of those sectors) to understand that context and get the standards right. If they don't then a laborious process with the Commissioner could simply turn into a laborious process with the Welsh Government.

Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

Based on our experiences of having the standards imposed on the Tribunal, we believe that it will be essential for there to be a mechanism for individual bodies to retain the right to challenge the imposition of a standard.

Although we think the process could and should be improved, the method of issuing a compliance notice, and the ability to challenge it, provides a safeguard against the imposition of standards which are unreasonable and disproportionate.

The imposition of standards which are unreasonable and disproportionate, even with ability to challenge them, is wasteful of resources and distracts attention from using the standards for their proper purpose (ie to improve customer services).

The imposition of unreasonable and disproportionate standards without the ability to challenge them would represent waste of public money, be reputationally damaging to the system, turn Welsh language Standards into a burden of compliance, rather than a means to deliver high quality services and would, in some cases, frankly, set up a body to fail.

Our compliance notice included standards which, unvaried, would mean that in some circumstances, we could only comply with those standards by breaching the statutory obligations of the Tribunal and breaching the human rights of patients. We have challenged those standards but await the Commissioner's determination. In a situation where these standards had been imposed without a means for us to challenge them, we would have had to breach those standards because we **MUST** deliver our statutory obligations as the Mental Health Review Tribunal. Further details are provided in our answer to question 46.

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body’s complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Yes, in the interests of putting things right, if an error has been made, it makes much more sense for the complaint to come first to the body which could rapidly resolve it, both for the complainant and to ensure that the issue was resolved for the benefit of future users.

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Clearly complaints need to be dealt with in a fair and rigorous manner. However, we are not sure it is helpful – in the context of the White Paper talking about removing bureaucracy – for the White Paper to refer to mandatory publication of complaints and outcomes. We also have some reservations about publishing such complaints when we do not publish other complaints we receive.

Furthermore, we would welcome guidance on what constitutes a reasonable complaint and what constitutes a vexatious complaint and how the latter should be dealt with. We believe this would be essential if publication of complaints were made mandatory.

We assume that the purpose of publication would be to ensure transparency and responsiveness in dealing with complaints from which lessons can be learnt and practice improved. We would be concerned if the proposed publication of complaints and outcomes had to include vexatious complaints.

Publication of the details of vexatious complaints could give the impression that a public body is receiving very high volumes of complaints (when they may all originate from a single person and not amount to anything which could or should be changed). Publication of such information would possibly be welcomed by the complainant but would place administrative burden on the body without resulting in meaningful benefit to users.

Public bodies which take the kind of decisions taken in Tribunals may be particularly vulnerable to receiving vexatious complaints. In a Tribunal context, this may occur where a patient does not like the statutory tribunal process or is disappointed by a decision which results from independent scrutiny of the evidence placed before the panel but is not the decision they sought. Patients who appeal to the Tribunal have

been deprived of their liberty and are by definition individuals deemed to be so mentally unwell that they need to be detained for the safety of themselves or others. There are limited circumstances where those unhappy with the outcome can seek a review of the decision or refer it to a higher tribunal but unless there is a legal basis for doing so, the Tribunal makes a binding decision which may be unpopular. Although rare, frustration can result in the Tribunal receiving repeated complaints which are bizarre, spurious or vexatious. Potentially, such spurious or vexatious complaints could also relate to provision of services through the medium of Welsh. Dealing with such complaints can be time consuming. We do not see what benefit would arise from publication of such complaints.

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a ‘serious breach’ in paragraph 219.

This seems to be a proportionate and sensible approach.

Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

We believe that a right of appeal to a Tribunal is important.

Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

We believe that a right of appeal to a Tribunal is essential to ensure that the imposition of standards is reasonable and proportionate.

As a body which is currently awaiting the Commissioner’s determination on our challenges, and having found it quite difficult to reach any common ground with the

Commissioner on what is appropriate in a Mental Health Review Tribunal context, we hope that we will not need to take an appeal to the Welsh Language Tribunal but may yet need to do so.

In principle, this would apply equally were the Welsh Government to be the body imposing standards in the future.

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

We would like to comment on the equality impact assessment.

A number of the standards imposed on the Mental Health Review Tribunal in our compliance notice, unvaried, mean that in some circumstances we would be obliged to choose between delivering the statutory obligations of the Tribunal (which exist to provide a safeguard for patients in the extremely vulnerable situation of having been detained under the Mental Health Act) or complying with the standard. This is because the extremely tight statutory timescales (for section 2 hearings in particular) do not allow for repeated translation time in our urgent correspondence with legal representatives and medical staff. It is not tenable for us to fail to comply with our own governing legislation and mandatory timescales, which would amount to a breach of the patient's human rights; therefore, we would have to choose to breach certain standards.

We have challenged these standards. We seek a variation in which we would apply the standard to the patient and patient's relatives but would not have to apply it in respect of other persons we have to correspond with (staff of public authorities and legal representatives). We await a determination.

Whilst we recognise that this is a rare situation (in the context of all bodies on whom Welsh Language Standards could be imposed), for the Mental Health Review Tribunal it creates a situation in which certain standards would have significant negative impact on people with mental health issues, breaching their human rights.

Whilst we appreciate that, in general, the standards, will be beneficial to people with mental health issues, since they ensure that patients who wish to use Welsh in their dealings with the tribunal can do so (something which we have long been committed to facilitating), the insistence of the Commissioner that we must apply these standards to persons who are not individuals (staff of health boards and local authorities and legal representatives) would be extremely detrimental to the best interests of patients who appeal to the Tribunal. This would be morally and legally unacceptable.

We have provided significant evidence to the Commissioner on this point (which we would be willing to share with you if you wish to explore this subject further); we are

currently waiting for a response to the additional evidence we provided after receiving the Commissioner's Initial Considerations of our challenges.

This issue is important both in understanding the equality impact of the standards and in demonstrating again the importance of a challenge mechanism.

Please see also our related response to question 49.

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

As far as we can see, the intention and proposals will have much the same effect as the current system on ensuring that we provide effective Welsh language services to individual members of the public accessing Tribunal services.

If they can do so in a way which reduces administrative burden then that would be extremely welcome.

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

We welcome the focus in the consultation document on the provision of effective Welsh language services for members of the public and rights for individuals to use the Welsh language when accessing services.

A number of the challenges we are currently pursuing with the Commissioner relate to standards where the wording of the standard (which refers to a 'person', rather than an 'individual') would require us to comply with the standard in respect of persons who are not individual members of the public, in a way which we believe is both unreasonable and disproportionate. For example, the standards would require our small public body² to expend its resources translating correspondence with staff of other public bodies who we engage with in our work (eg local health boards and local authorities) and with legal representatives of parties.

² We currently have 2 Welsh speaking staff (11% of our staff) and have struggled to recruit a higher percentage of Welsh-speaking staff both historically and recently. Since those 2 members of staff may be out clerking hearings, or on leave, off sick or engaged in priority work which cannot be delayed when there is a need to correspond in Welsh in a given case, the Tribunal would not be able to deliver the correspondence standards without using external translation services.

We are absolutely committed to providing services in Welsh to individuals with whom we correspond (ie patients and their relatives) but believe it is unreasonable and disproportionate to expect the Tribunal to do so in respect of persons who are not individuals (ie legal representatives and staff of other public authorities).

The Commissioner is relying on the wording of the standards (some say individual; others say person) and legal definitions of those terms to tell us that we must apply certain standards to all our correspondents. We argue that this is unreasonable and disproportionate and are seeking a variation of these standards, in accordance with section 44 of the Welsh Language Measure, to specify that these standards relate to individual members of the public with whom we correspond but not to persons who are not individuals (the Commissioner accepts that legal representatives and staff of public authorities are not individuals).

MHRT - We have provided detailed evidence to the Commissioner that the unvaried requirements would be detrimental to patients using Tribunal services (as detailed in our answer to question 46 above).

Therefore, we would be in favour of a clarification of the standards to provide clarity that the purpose of the standards is to ensure that individual members of the public can access services in Welsh, not that a small public body should spend public money translating correspondence for the benefit of persons who are not individuals such as staff of local health boards and local authorities.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

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Welsh Government: Striking the right balance: proposals for a Welsh Language Bill

Centrica response

October 2017

About Centrica

- Centrica is a FTSE 50 energy and services company, headquartered in the UK and employing around 36,500 full-time employees worldwide. Our business is focused on satisfying the changing needs of our customers across a number of international markets.
- We are shifting investment and focus towards our customer-facing activities and away from our asset businesses. We are concentrating our growth efforts in five key areas - Energy Supply, Services, the Connected Home, Distributed Energy & Power and Energy Marketing & Trading.
- We supply energy and services to around 28 million customer accounts mainly in the UK, Ireland and North America through strong brands such as British Gas, Direct Energy and Bord Gáis, supported by around 12,000 engineers and technicians.
- We are focused on delivering high levels of customer service, and improving customer engagement and loyalty. We are developing innovative products, offers and solutions, underpinned by investment in technology. British Gas, Centrica's energy and home brand in the UK, serves over 10 million homes.
- We are using new technology and innovation to meet the changing needs of customers. We are leading the smart meter roll-out in the UK, with around 4.5 million smart meters installed in homes and businesses so far, and we plan to invest £1.2bn in our Connected Home and Distributed Energy & Power businesses before 2020. These investments will allow us to continue to roll out new products, offers and services to customers. We have over 500,000 Hive hub customers and more than 360,000 Hive Active Heating customers in the UK.
- We continue to develop solutions for business customers, including our Panoramic Power devices, which provide detailed insight into energy consumption, helping businesses manage their energy usage and save money.
- Earlier this year we announced a new £100m venture Centrica Innovations that will identify, incubate and accelerate new technologies and innovations.
- We employ around 1,800 people across three sites in Wales and are proud to be a Welsh Government Anchor Company. We make a key contribution to the economy through the British Gas contact centre in Cardiff, as well as our network of 400 engineers working around Wales. We operate the Learning Hub at Tredegar and Centrica's power station at Barry.
- In Cardiff, British Gas has a dedicated Welsh Language Team. We have around 300,000 domestic customers in Wales. Some 2,000 of these choose to use our Welsh language service, covering around 4,000 domestic energy accounts. While the actual customers

have changed over the years, we have not seen any overall increase in demand for the service we provide. All our domestic supply customers in Wales receive bills which include information in Welsh and English. Additionally, these customers can choose to receive a Welsh only service.

Legislation on the Welsh Language – introductory comments

- Centrica welcomes the chance to respond to the White Paper.
- From our perspective, *Striking the right balance: proposals for a Welsh Language Bill* provides a timely opportunity to stand back and consider what has been learned from applying Standards in the public sector before extending these to the private sector.
- We have been engaging closely with Welsh Government on these issues for the best part of a decade. Further, at British Gas, we have been proud to long offer a Welsh Language service to domestic customers.
- Throughout this period we have remained of the belief that we provide a good, cost effective service for those customers who wish to communicate with us in Welsh.
- As we set out in our response to the Welsh Language Commissioner’s investigation into gas and electricity suppliers last year, we are also of the view that regulation in this area needs to balance the rights of Welsh language speakers with the need to avoid any unintended consequences, and, in particular, avoiding additional costs to serve customers in Wales.
- We were therefore pleased to see the Minister for Lifelong Learning and the Welsh Language acknowledge in his foreword to the White Paper that “we cannot justify a bureaucratic and costly system which threatens to choke off goodwill towards the Welsh language.”
- In many sectors, energy supply included, customer engagement with the private sector has transformed since the Welsh Language (Wales) Measure 2011 became legislation. Customers are now able to choose to buy their gas and electricity from more than 70 energy companies. Yet, since 2011, the number of energy suppliers from whom customers have been able to access a Welsh language service has remained static at three – the suppliers operating in Wales prior to privatisation.
- Such is the pace of change that the energy market is likely to be transformed yet again by the time any new legislation exists which permits a new Standards regime. Customers will be buying their energy from an ever wider range of players with new models – indeed, an increasing number of them will be selling as well as buying energy. All of this indicates an ever more complex energy market with a greater number of suppliers, including many new entrants.

- In this context, we are encouraged to see a shift away from regulation to promoting existing services and also to further exploring the role that technology can play in increasing access to Welsh language services. There is an important role for an innovative and creative private sector in both promotion and facilitation.
- The increasingly fractured and global nature of markets also mean that it is right for government to consider at this stage what role Standards should play in the future, particularly in the private service sector.
- We note the White Paper states that “given the requirement for Standards to be reasonable and proportionate for all the bodies within a sector, that the Standards would either be minimal and or include alternative Standards for the same activity, and which Standard would depend on factors such as their size or geographic location.”
- If the first part of that were to be applied to the energy sector, then it would potentially result in Standards below the service currently provided by British Gas, given that only three of the current suppliers provide any service in Welsh. If the second part were to be applied then the result would be a skewed market, with suppliers having no incentive to provide their services to customers in Wales or, indeed, locate their business in Wales. Such proposals need to be considered against their likely impact on the energy supply market and the customers in Wales as opposed to other parts of the UK – especially during a period when a mandatory price caps are being considered and there is pressure to keep costs as low as possible.
- We remain of the view that there would be considerable challenges in meeting tests of what is reasonable and proportionate in the private sector. Companies within a sector are unlikely to share the same characteristics in terms of market share, growth customer profile and product and service provision. In a competitive market, consideration should also be given to levels of demand for services.
- It is for these reasons that we urge Welsh Government to give full consideration of the tools available to it to achieve its aims. Throughout our response to this consultation, we stress the need for a full regulatory impact assessment to be carried out before Standards are introduced in the private sector.
- Any body or bodies charged with introducing Standards must do so having a full understanding of the costs and benefits of introducing increased Welsh language obligations and assess whether the introduction of Standards, above and beyond arrangements such as those already in place, is proportionate and reasonable.
- As the number of energy suppliers is growing, we believe that the priority should be encouraging others to follow the lead of British Gas in developing services that meet the current demand. A Welsh Language Commission as set out in the paper could assist by

promoting awareness of which companies are currently providing a service and developing a ratings or ranking system which would help those customers who see the provision of a Welsh language service as a priority to be aware of this when considering their choice of supplier.

- Such an approach would encourage the sector to share and develop best practice. For example, in the past year, we have provided additional training to the Welsh Language Team in Cardiff so that they have additional skills in helping vulnerable customers. We have taken this initiative in recognition of the fact that many of the users of our Welsh Language service contacting us by telephone are elderly, live in rural areas and are offline. We believe this is the sort of service that greater emphasis on promotion rather than regulation would highlight.
- We would urge Welsh Government to follow through on this recognition of the importance of promotion rather than regulation. Failure to do so is likely to raise barriers to entry and expansion in supplying Welsh customers, for example, by imposing increased costs on suppliers which would be likely to be passed on to customers.
- We remain concerned at how this would be viewed by customers in Wales – at this time of austerity and economic uncertainty – and are not convinced that this is in the best interest of increasing support for the Welsh language and the wider aims of *Cymraeg 2050*.
- Instead we suggest that Welsh Government gives further thought to how it might best promote existing services and encourage innovation through technology.
- This approach has informed our responses to the specific questions raised in the White Paper.

Part 1:

Question 1 – In paragraphs 49-54, we have set out the role we propose the Welsh Government should play in promoting the Welsh Language, ie the Government promotional functions. Do you agree with our proposal?

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- Agree.
- Aside from the public policy issues around education and language which are not core to our business, it is right that the Welsh Government recognises the lead role it can play in encouraging technological advances to assist the Welsh Language. At a time of technological advance and increased digitalisation of services on a global scale, the promotion of innovative solutions is likely to provide a more effective and comprehensive way to widen access to Welsh Language service provision than regulation.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with standards. Do you agree with our proposal?

- Neither agree nor disagree. We do not have a view.

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh Language as well as monitoring and enforcing compliance with Standards?

- Neither agree nor disagree.
- Of interest to Centrica here is the way that any body or bodies given responsibility for the Welsh Language, across promotion and regulation, should be properly resourced to complete the tasks required of it. In terms of extending Welsh Language duties from the public sector to the private sector, we would stress the need for the body/ bodies to have sufficient resource and expertise to carry out full regulatory impact assessments. In the coming period, the Welsh Government will be looking to move beyond developing Standards for publicly-funded monopoly service providers who, in many cases, have all their operations in Wales to potentially working with international companies. This change of scope should be reflected in the way the body/ bodies is or are organised.

Question 4 – We gave based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

- Agree.
- These changes appear to create an opportunity to ensure greater alignment across government and across policy areas which Centrica would welcome. For example, any Welsh Language requirements on energy suppliers should be considered alongside the impact they would have on other strategic priorities for Welsh Government such as tackling fuel poverty and encouraging green growth.

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

- We would re-iterate the need for any body or bodies to have the capacity to undertake thorough regulatory impact assessments – and also to be properly resourced to keep under review the impact of its own promotional and regulatory work.

Question 6 – Do you have any further comments on Part 1 of the White Paper?

- No.

Part 2:

Question 7 – In paragraphs 93-95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

- The publication and updating of a clear strategic plan should be a priority for the proposed body. As an organisation listed under the Welsh Language (Wales) Measure 2011 and its proposed Standards regime, there has been a lack of clarity on timetables and sequencing for which sector or sectors would be dealt with. This does not assist for business planning or giving assurance within our organisation.
- It should be a requirement of the proposed body to demonstrate the impact of its work, both promotional and regulatory, in achieving the stated policy outcomes and delivering towards the vision of *Cymraeg 2050*.

Question 8 – Do you agree with our preferred option, Option 3, to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

- Neither agree nor disagree.
- As stated above, our key ask is that any body or bodies given regulatory functions has the required capacity, expertise and understanding of the sectors which fall under its remit and gives due consideration to the full range of strategic objectives.

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

- Nothing to add here.

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards?

- Unsure. Others will be better placed to provide a view here.

Question 11 – Are there any additional matters to those listed in paragraphs 121-122 that we should consider regarding arrangements to establish the proposed Commission?

- Nothing to add here.

Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

- We do not have a view here.

Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

- We do not have a strong view here.
- We see some merit in continuing with the requirement for the Commission's annual report to be laid before the Assembly each year.

Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

- We do not have a strong view.
- It is vital that organisations who may become subject to Standards are given sufficient notice of plans which will impact on their operations, to assist with business planning.

The Welsh Government and associated bodies should therefore provide a clear indication of any exploratory work and investigations ahead of either drawing up Standards or issuing compliance notices. The publication of an annual plan would usefully assist this flow of information.

Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and to provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

- We do not have a view.

Question 16 – Do you have any further comments on Part 2 of the White Paper?

- No.

Part 3:

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people’s rights to receive Welsh language services. Do you agree with this proposal?

- We broadly agree with the proposals as they set out but there are on-going areas of concern for us around the introduction of Standards for the private sector.
- We welcome indications that the number of Standards could be reduced significantly and removed or amended in cases where they would be costly to implement with little evidence of public benefit.
- We would encourage the Welsh Government to give further consideration as to how organisations may be given discretion to determine whether there is demand for a service in Welsh. We would suggest that this should be one part of a regulatory impact assessment to be carried out by the relevant body or bodies in determining whether to proceed to Standards for a particular sector.

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163-165). Do you agree with our analysis?

- Neither agree nor disagree.

- We note that the grounds set out in the White Paper relate exclusively to the experience in introducing then monitoring and enforcing Standards in the public sector.
- With the Welsh Government looking at extending Standards in to the private sector, we would suggest further consideration is now given to what this will mean.

Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentials between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate planning duties)?

- Neither agree nor disagree.
- The key test should be whether any requirements are fair and proportionate, regardless of whether they are called Standards or language planning duties. We would need to see what specific and actual activities would be covered by revised Standards or language planning duties before we could give a view on what impact they would be likely to have on our business and cost implications.

Question 20 – Are you of the opinion that the provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

- We do not have a view.

Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

- The White Paper is right to recognise the need for organisations to have access to practical support to help them fulfil their language planning duties effectively, as stated in paragraph 179. The same should apply in any revised Standards regime, with engagement and practical support available prior to the introduction of any regulations.
- We have noted that the Welsh Language Commission has engaged in a dialogue with private sectors which are not covered by the 2011 legislation such as retail and banking, to develop an understanding of the way these sectors operate and to promote best practice. This has led some organisations in these sectors to increase their Welsh Language offer. We believe that the experience of these sectors demonstrates the value of a collaborative rather than regulatory approach, which provides useful lessons for giving further emphasis to promotion of existing services in the future.

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

- Agree – on the proviso that such examinations are carried out in the appropriate fair and proportionate manner. In the private sector, it will be necessary to give proper consideration as to how an organisation compares with its competitors in conducting any such investigations.
- For this reason, we would advocate that it would make sense for the Commission, in its dealings with the private sector and competitive markets, to be helping better inform the public as to where they can find Welsh Language services in a sector, potentially with a ranking or rating system that encourages other players to look at their offer.

Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

- Agree – see the answer to Question 21.

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

- Neither agree nor disagree. For Standards to be credible in parts of the private sector which are already subject to regulation, the key test will be the inclusion of a full and proper regulatory impact assessment as part of the process.

Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

- Agree.
- As an energy supplier, we were subject to a Standards Investigation last year. From what we witnessed during that process, the public consultation would be improved by ensuring views are captured from a far wider sample of service-users.

- Full public consultation should include consideration of levels of public support for more stringent obligations in cases where this may lead to increased costs being passed on to the customer.
- The Assembly should also be presented with the results of a full regulatory impact assessment before they are asked to approve Standards.

Question 26 – Do you agree with our proposal to abolish Standards Investigations?

- Disagree.
- We would be concerned that any removal or watering down of the Standards Investigation might reduce the obligation on Welsh Government to properly consult and carry out a full impact assessment, which we believe is in the best interests of all customers in Wales.
- The White Paper states that “there are too many steps in the current process for making and imposing Standards on bodies” and questions why bodies should be consulted three times during an 18 month period. We would challenge the assumptions here.
- Centrica operates in a sector where the introduction of new regulation often takes place to such timescales, given the complexity of the market and the recognised need to avoid unintended consequences.
- In the future, the Welsh Government may be looking at imposing Standards on a sector where meeting the new requirements would lead to significant changes in business operations and systems for organisations. Any bill arising from this White Paper needs to be realistic as to how that would be achieved without undermining the aims of increasing access to services in the Welsh Language.
- One advantage of a Standards Investigation would appear to be that they have signalled the formal start of a process ending in the service of a compliance notice, which has provided a time frame under which an organisation can reasonably work towards ensuring it meets the requirements placed on it.
- Any bill emerging from this White Paper should set out the process under which organisations can expect to face regulations, likely timescales and how they can engage with it.

Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

- We do not have a strong view.

- Centrica's primary concern would be that Standards are fair and proportionate, This would include being uniform across the sector to avoid any distortion of the market or give unfair advantage to competitors. Any codes of practice or guidelines should be drawn up in this light.

Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies within a sector directly through regulations without the need for a compliance notice or other such mechanism?

- Disagree.
- We are re-assured by paragraph 198, in particular the requirement that Standards would be reasonable and proportionate for all the bodies within a Sector. However, we would request further clarity on what is meant when it is stated that “which Standard would apply to a particular body would depend on factors such as their size or geographic location.” In some sectors – including energy supply, this could be seen as a disincentive for a supplier to build its customer base or indeed its operations in Wales. This could lead to unintended consequences for the way that the market operates in Wales and deprive customers of choice. It should be noted that few private companies will have all of their customer operations solely operating out of Wales, as is the case for Centrica.

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

- We do not have strong views here.

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

- Agree. This would bring the Welsh Language Commission in line with other regulated complaints handling schemes.
- Bureaucracy created as a result of these changes should be kept under review.

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

- Agree. We recommend consideration is given to the way other ombudsmen schemes operate in similar circumstances.

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

- Agree. We welcome the opportunity to reduce the amount of time and resources spent on minor complaints, which is in the interests of the general customer.

Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

- Agree.
- We have nothing further to add here.

Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

- Agree.
- We welcome the recognition that directing a body to remedy a failure to comply with Standards or to comply properly in the future is seen as a valid option for concluding an investigation.

Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

- Without further sight of a Standards regime for energy supplies or detail on how this would be introduced across the market we are not yet convinced that the fine regime is the most appropriate way to enforce Welsh Language regulation, particularly given the Welsh Government's concern not to "choke off goodwill towards the Welsh Language".

Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

- We have no experience of the Tribunal and so have not formed a view.

Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

- Agree.
- We have nothing further to add here.

Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission’s decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

- Neither agree nor disagree.
- We note paragraph 233 of the White Paper which states that further consideration needs to be given to which decisions of the Commission relating to enforcement might be subject to a Tribunal decision. In the light of this, we believe that any proposals should be subject to further consultation at that point.

Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

- No.
- We strongly believe that the proposed mandatory first stage should not apply to appeals against a decision of the Welsh Government to impose Standards on a body.

Question 40 – Do you have any further comments on Part 3 of the White Paper?

- No further comments.

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly’s legislative competence?

- Neither agree nor disagree.
- We note the comments made in relation to the private sector in paragraph 245 and the increased emphasis on promotion rather than regulation throughout the White Paper. As set out in our introductory comments, we believe an approach of carrot rather than stick has been neglected in recent years and this review of the legislation provides an opportunity to review that approach.

Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

- Neither agree or disagree.
- The key tests for any Standards regime operating in the private sector will be whether they are reasonable and proportionate for that body and how they will be applied across the sector so as not to distort competition or have any unintended consequences. It is for these reasons that we strongly believe there is a need to build a full regulatory impact assessment into any proposals. We remain to be convinced that provisions are in place for this to happen.
- Further clarification is needed as to what is meant by customers. We do not offer our non-domestic customers a Welsh language service provision similar to our domestic customers, and are unaware of any business energy supplier which offers Welsh language services.

Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

- Neither agree nor disagree.
- In addition to the comments above, we would ask that greater use of promotional and awareness raising initiatives is made prior to the imposition of Standards across private businesses. In the energy sector, we have not seen any attempt at using such tools under the current legislation.

Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly’s competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

- We have nothing to add here.

Question 45 – Do you have any further comments in Part 4 of the White Paper?

- We have nothing further to add here.

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh Language. Do you have comments on any of these assessments?

- We note and welcome the intention to proceed to a Regulatory Impact Assessment before any proposals are finalised.
- Any impact assessment needs to take into account the low level of take up of our current scheme. It also needs to consider whether there is convincing evidence which shows that introducing statutory Standards, with potential cost implications, will increase the number of people who make use of our Welsh language service. British Gas has made vigorous attempts in the past to promote the service though this has had little or no impact on numbers using the service. We believe this further supports the case for government backed promotion of these services.

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- Opportunities for people to use Welsh;**
- Treating the Welsh language no less favourably than the English language;**

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

- The White Paper indicates a vision where promotion of existing services works alongside regulation, as and where appropriate. As indicated in our introductory remarks, we

welcome the increased recognition of the role promotion of services can play and believe it should be utilised fully.

Question 48 – Please explain how you believe the proposed options could be formulated or changed so as to have:

- i) Positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language;**
 - ii) No adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**
- As indicated throughout, we would request that promotional tools be used in the first instance to develop Welsh language services in the private sector, building on some of the good, collaborative work that has been achieved in similar sectors to ours in recent years. We believe this would be the best way to foster a culture of goodwill in the private sector without unintended consequences in competitive markets.

Question 49 – We have asked a number of specific questions in this White Paper, If you have any related issues which we have not specifically addressed, please use this space to report them.

- Centrica would welcome clarity from Welsh Government at the earliest opportunity as to next steps for energy suppliers. In particular, we wish to better understand how this consultation and any resulting legislation will impact on the process to introduce Standards as started by the Welsh Language Commissioner's investigation in 2016.

Rhan 1: Hybu'r Gymraeg

Cwestiwn 1 – Ym mharagraffau 49–54, rydym wedi amlinellu'r rôl yr ydym yn cynnig y dylai Llywodraeth Cymru ei chwarae i hybu'r Gymraeg, h.y. swyddogaethau'r Llywodraeth i hybu'r Gymraeg. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol, gan gynnwys p'un a oes meysydd y dylid eu hychwanegu neu eu tynnu o'r rhestr ym mharagraff 53.

Ym Mharagraff 5.3 pwynt 1, mae cyfeirio at y maes technoleg gan y Llywodraeth a wrthododd sicrhau fod parth .cymru yn nwylo Cymru. Mae'r arian am y parth hwn i gyd yn mynd allan o Gymru i gwmni mawr yn Lloegr. Dylech wirdroi hyn.

Ym Mharagraff 5.3, pwynt bwled 3, mae cyfeiriad at gyrff sydd yn bod er mwyn hybu'r Gymraeg. Dylanwad y Llywodraeth ar y sefydliadau hyn yw hybu'r Saesneg ac nid y Gymraeg. Fel enghraifft, yr Eisteddfod Genedlaethol. Ble oedd yr Eisteddfod yn y gorffennol yn rhoi lle hollol blaenllaw i'r Gymraeg, mae pwyslais y Llywodraeth ar ddwyieithrwydd yn golygu nad oes lle blaenllaw i'r Gymraeg dim mwy yn eu deunydd marchnata nac ar y maes. Mae'r Llywodraeth hyd yn oed yn mynnu fod y Babel Gymdeithasau yn awr yn cael ei hybu fel Society Tent. Hybu'r Saesneg yw hyn ac nid hybu'r Gymraeg. Felly, mae pwyslais y Llywodraeth ar ddwyieithrwydd yn Seisnigo sefydliadau sydd â'i prif bwrpas i hybu'r Gymraeg.

Mwy llesol fyddai i chi fynnu fod sefydliadau eraill sy'n derbyn grantiau ganddoch yn hybu'r Gymraeg trwy droi yn ddwyieithog, yn hytrach na throi sefydliadau Cymraeg yn rhai dwyieithog.

Cwestiwn 2 – Yn Nhabl 1, rydym wedi amlinellu'r adnoddau mewn perthynas â'r swyddogaethau cyffredinol i hybu'r Gymraeg yr ydym o'r farn y dylent fod ar gael i unrhyw gorff neu gyrff sy'n helpu yn y gwaith o hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau. A ydych chi'n cytuno â'n cynnig?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 3 – A ydych chi'n cytuno â'r opsiwn a ffefrir gennym (Opsiwn 4), sef un corff i fod yn gyfrifol am hybu'r Gymraeg ac am fonitro a gorfodi cydymffurfiaeth â'r Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	✓	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Os ydych yn anghytuno, nodwch pa opsiwn (gan gynnwys opsiynau nad ydym wedi'u trafod yn y Papur Gwyn) y dylem ei ystyried yn eich barn chi.

Sylwadau ategol

Mae angen dau gorff gwahanol i gario cyfrifoldeb am y ddau swyddogaeth. Dylid cadw'r swydd o Gomisiynydd y Gymraeg fel ag y mae a dylid cael corff ar wahân i hybu'r Gymraeg.

Cwestiwn 4 – Rydym wedi seilio ein dewis, sef un corff, ar sail eglurder, cydnawsedd a gwerth am arian. A ydych chi'n cytuno â'n sail resymegol?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae'r egwyddor o gael corff cydymffurfio a chorff hybu ar wahân yn bod mewn meysydd eraill e.e. addysg lle mae ESTYN yn arolygu a chynghorau sir yn hybu gwelliant mewn sefydliadau addysgol. Mae'r drefn yn gweithio yn y meysydd hyn ac mae'n gweithio gyda'r Gymraeg hefyd. Canlyniad cael un corff i wneud y ddau bydd creu rhagor o ddryswch ac nid eglurder.

Diddymwyd y drefn honno, sef o dan Bwrdd yr Iaith am ei bod wedi methu. Pam dychwelyd tŷ drefn honno a fethodd?

Cwestiwn 5 – Pa faterion perthnasol eraill y dylem eu hystyried wrth wneud ein cynnig terfynol ynghylch pa gorff neu gyrff ddylai hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau?

Sylwadau ategol

Annibyniaeth y cyrff oddi wrth y Llywodraeth.

Cwestiwn 6 – A oes gennych unrhyw sylwadau pellach ar Ran 1 y Papur Gwyn?

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Rhan 2: Llywodraethiant ac atebolrwydd

Cwestiwn 7 – Ym mharagraffau 93–95, rydym wedi nodi rhai gofynion cyffredinol yn ymwneud â threfniadau llywodraethu ac atebolrwydd y corff. Beth yw eich barn chi am y gofynion cyffredinol hyn, ac a oes yna fesurau monitro a ffrwyno eraill a ddylai fod yn weithredol ar y corff arfaethedig?

Sylwadau ategol

Mae'r model presennol o Gomisiynydd – Comisiynydd Plant, Comisiynydd Pobl Hŷn, Comisiynydd Cyrff Cyhoeddus – yn sicrhau fod y corff yn annibynnol o'r Llywodraeth ac o'r herwydd gyda fwy o rym i archwilio sefydliadau a pholisi'r Llywodraeth. Mae'r cynlluniau yn y paragraffau isod yn rhoi mwy o rym i'r Llywodraeth yn y maes hwn ac maw'n swnio fel taw arbed arian sydd tu ôl i'r holl gynllun ac nid lles y Gymraeg. Sut mae corff yn gallu archwilio cyrff sydd yn bartneriaid iddi ac ar ei bwrdd? Bydd hi ddim yn gallu. Felly, cadwch y Comisiynydd.

Cwestiwn 8 – A ydych chi'n cytuno â'r opsiwn a ffefrir gennym (Opsiwn 3), sef i sefydlu Comisiwn y Gymraeg i hybu a hwyluso defnyddio'r Gymraeg a monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 9 – Beth yw eich barn chi am y dadansoddiad rydym wedi'i ddarparu sy'n cefnogi ein dewis ni, sef Opsiwn 3? A oes unrhyw ystyriaethau eraill y dylem eu hystyried wrth wneud unrhyw gynnig terfynol?

Nodwch fy sylwadau uchod. Rhaid cael Comisiynydd sy'n annibynnol o BAWB.

Cwestiwn 10 – A ydych chi'n credu bod Opsiwn 3 yn diogelu annibyniaeth y Comisiwn arfaethedig yn ddigonol yng nghyd-destun arfer swyddogaethau ar gyfer monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Ydw	<input type="checkbox"/>	Nac ydw	<input checked="" type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 11 – A oes unrhyw faterion ychwanegol i'r rhai a restrir ym mharagraffau 121–122 y dylem eu hystyried wrth ystyried trefniadau i sefydlu'r Comisiwn arfaethedig?

Oes	<input checked="" type="checkbox"/>	Nac oes	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Peidiwch â'i sefydlu.

Cwestiwn 12 – A ydych chi'n cytuno â'n cynnig i symud y gofyniad ar Lywodraeth Cymru i lunio strategaeth ar gyfer y Gymraeg o Ddeddf Llywodraeth Cymru 2006 i'r Bil y Gymraeg newydd?

Cytuno	<input type="checkbox"/>	Anghytuno	✓	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 13 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru adrodd i'r Cynulliad ar strategaeth y Gymraeg bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input type="checkbox"/>	Anghytuno	✓	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 14 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gyhoeddi cynllun yn nodi sut y bydd yn gweithredu'r strategaeth bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input type="checkbox"/>	Anghytuno	✓	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 15 – A ydych chi'n cytuno â'n cynnig i ddiddymu Cyngor Partneriaeth y Gymraeg a rhoi'r pŵer i Lywodraeth Cymru geisio cyngor gan y Comisiwn arfaethedig, sef Comisiwn y Gymraeg?

Cytuno	<input type="checkbox"/>	Anghytuno	✓	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mi fydd hyn YN effeithio annibyniaeth unrhyw gorff.

Cwestiwn 16 – A oes gennych unrhyw sylwadau eraill ar Ran 2 y Papur Gwyn?

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Rhan 3: Safonau'r Gymraeg

Cwestiwn 17 – Rydym yn cynnig y dylid mabwysiadu model diwygiedig o'r Safonau (Opsiw 2) fel y ffordd orau o sicrhau hawliau pobl i dderbyn gwasanaethau Cymraeg. A ydych chi'n cytuno â'r cynnig hwn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ddiwygiadau pellach yr hoffech eu gweld i'r system bresennol, neu unrhyw ddulliau gweithredu eraill y dylem eu hystyried yn eich barn chi.

Mae'r Safonau newydd ei gosod ac nawr mae'r cyrff cyhoeddus yn dechrau dygymod â hwy. Mae'n rhy gynnar i ddechrau ei diwygio.

Cwestiwn 18 – Rydym wedi seilio'r cynnig rydym yn ei ffafrio i ddiwygio'r Safonau (Opsiw 2) ar sail yr eglurder, y capasiti ar gyfer gwella a'r costau newid sy'n gysylltiedig â phob opsiwn (paragraffau 163–165). A ydych chi'n cytuno â'n dadansoddiad?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ffactorau eraill y dylem eu hystyried wrth lunio unrhyw gynigion terfynol.

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Cwestiwn 19 – A ydych chi'n cytuno â'r cynnig i ddiddymu'r dosbarthiadau presennol o Safonau, a gwahaniaethu rhwng 'Safonau' (a fyddai'n berthnasol i wasanaethau) a 'dyletswyddau cynllunio ieithyddol' (a fyddai'n berthnasol i ddyletswyddau corfforaethol)?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae creu haen arall o reoliadau, 'dyletswyddau cynllunio ieithyddol', yn creu rhagor o gymhlethdod ac aneglurder yn ogystal â lleihau grym y Comisiynydd i sicrhau cydymffurfiaeth.

Yn lle diddymu'r Safonau Gweithredu a Llunio Polisi a chreu haen ychwanegol o reoliadau yn eu lle, gall fod dyletswyddau ychwanegol ar wyneb y Bil, megis dyletswyddau i symud at weinyddiaeth fewnol Gymraeg fel sy'n bodoli yng

Nghatalonia a Gwlad y Basg.

Cwestiwn 20 – A ydych chi o'r farn y dylid cynnwys darpariaethau sy'n ymwneud â Chynlluniau Strategol y Gymraeg mewn Addysg yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Ydw	<input type="checkbox"/>	Nac ydw	<input checked="" type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Yn lle creu haen ychwanegol o reoliadau di-rym, dylai'r hawl i addysg a gofal plant Gymraeg fod yn un o'r hawliau ar wyneb y ddeddfwriaeth.

Cwestiwn 21 – Oes yna unrhyw faterion eraill y dylid, yn eich barn chi, eu cynnwys yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Oes	<input type="checkbox"/>	Nac oes	<input checked="" type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 22 – A ydych chi'n cytuno y dylai fod gan y Comisiwn arfaethedig bwerau cyffredinol i gynnal ymchwiliadau i sut mae cyrff yn cyflawni eu dyletswyddau o ran y Gymraeg, a fyddai'n cynnwys y Safonau a'r dyletswyddau cynllunio ieithyddol?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input checked="" type="checkbox"/>
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Sylwadau ategol

Nid wyf yn cytuno â sefydlu Comisiwn. Comisiynydd ddylai wneud hyn.

Cwestiwn 23 – A ydych chi'n cytuno â'n cynnig y dylai'r Comisiwn arfaethedig fonitro a chefnogi cyrff mewn perthynas â'u dyletswyddau cynllunio ieithyddol, yn hytrach na'u gorfodi?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Dylid cael corff ar wahân i'r Comisiynydd i wneud hyn.

Cwestiwn 24 – A ydych chi'n cytuno â'n cynnig i roi cyfrifoldeb am osod Safonau ar gyrff i Lywodraeth Cymru, p'un ai drwy hysbysiad cydymffurfio neu drefn arall?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

(i) Mae hyn yn golygu y bydd yn llai tebygol y bydd y sector breifat yn gorfod darparu gwasanaethau Cymraeg gan y bydd cynnydd yn llwyr ddibynnol ar ewyllys da.
(ii) Mae hefyd yn fwy tebygol y bydd y Safonau'n wannach gan Dylai'r Comisiynydd barhau i fod yn gyfrifol am osod Safonau, nid y Llywodraeth. mai'r Llywodraeth fyddai'n gyfrifol am osod hysbysiadau cydymffurfio ar gyrff. Mae gan y Comisiynydd brif nod statudol o sicrhau bod pobl yn cael byw drwy'r Gymraeg.
(iii) Dyw canoli grym o fewn y Llywodraeth ddim yn mynd i helpu, gan nad yw'r arbenigedd gan y gweision sifil.

Cwestiwn 25 – A ydych chi'n cytuno â'n cynnig y dylai pob un o'r rheoliadau i wneud Safonau fod yn destun ymgynghoriad cyhoeddus llawn cyn gofyn am gymeradwyaeth y Cynulliad?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 26 – A ydych chi'n cytuno â'n cynnig i ddiddymu Ymchwiliadau Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input checked="" type="checkbox"/>
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Sylwadau ategol

Credwn y dylai fod un ymgynghoriad cyhoeddus gan Gomisiynydd y Gymraeg, nid Llywodraeth Cymru, ar bob un set o Safonau

Cwestiwn 27 – A ydych chi'n cytuno â'n cynnig y dylid rhoi pwerau i gyhoeddi codau ymarfer neu ganllawiau mewn perthynas â'r Safonau i Lywodraeth Cymru?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Nid oes gan weision sifil y profiad na'r arbenigedd i wneud y gwaith. Diffyg adnoddau oherwydd toriadau i Gomisiynydd y Gymraeg yw'r prif reswm nad ydynt wedi eu llunio hyd yn hyn. Nid ydym yn ymwybodol o unrhyw dystiolaeth gan academydd, sylwebydd neu fudiad sy'n wybodus ym maes polisi iaith sy'n ffafrio'r cynnig hwn.

Cwestiwn 28 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gael pŵer i osod Safonau ar yr holl gyrff mewn sector yn uniongyrchol drwy reoliadau, heb fod angen hysbysiad cydymffurfio neu drefn arall gyffelyb?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ar y materion y dylem eu hystyried wrth lunio Safonau i'w gosod yn uniongyrchol ar gyrff o fewn sector, p'un a ddylai gyrff unigol barhau â'r hawl i herio Safon sydd wedi'i gosod arnynt, a ph'un a ddylid cael proses ymgynghori fwy trwyadl.

Comisiynydd y Gymraeg, nid Llywodraeth Cymru, ddylai fod â'r pŵer hwnnw.

Cwestiwn 29 – Pa ffactorau y dylid eu cymryd i ystyriaeth neu pa weithdrefn y dylid ei dilyn er mwyn sicrhau bod y broses o osod Safonau ar Lywodraeth Cymru yn deg a thryloyw?

Sylwadau ategol

Nid wyf yn gweld gwahaniaeth rhwng Llywodraeth Cymru a chyrff eraill. Mae'n bwysig cael Comisiynydd annibynnol i allu sicrhau fod Llywodraeth Cymru yn dilyn y Safonau.

Cwestiwn 30 – A ydych chi'n cytuno â'n cynnig y dylid gorfod delio â chwynion drwy weithdrefn gwyno'r corff perthnasol cyn y caiff y Comisiwn arfaethedig, sef Comisiwn y Gymraeg, ymchwilio i fethiant honedig?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Dylai dinasyddion Cymru fod yn gallu cyflwyno cwyn i'r Comisiynydd. Ni ddylid fod yn gorfo cwyno i'r corff perthnasol yn gyntaf. Nid yw'n rhwydd i gwyno ac ni fydd pobl yn gwneud hyn. Dylai'r Comisiynydd fod yn cynrychioli dinasyddion Cymru.

Mae'r profiad o orfod cwyno i Fyrddau lechyd cyn mynd at yr Ombwdsman yn golygu fod y broses gwyno yn dipyn hirach a phoenus i'r bobl sydd wedi dioddef cam. Ni ddylid defnyddio hwn fel enghraifft o arfer da.

Cwestiwn 31 – A ydych chi'n cytuno â'n cynnig fod yn rhaid i gyrff gadw at weithdrefn gwyno sydd wedi'i chymeradwyo, fel y Polisi Pryderon a Chwynion Enghreifftiol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Wrth gwrs, mae'n rhaid fod trefn o'r fath gan bob corff ond noder fy sylwadau uchos.

Cwestiwn 32 – A ydych chi'n cytuno â'n cynnig mai dim ond os yw o'r farn fod yr achos honedig o dorri Safon neu weithdrefn gwyno yn un ddifrifol y dylai'r Comisiwn arfaethedig gael cymryd camau gweithredu pellach mewn perthynas â chŵyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ar ein diffiniad o 'achos difrifol' ym mharagraff 219.

Dylai pob cwyn gael ei delio â hi. Os yw'r cam sydd wedi ei wneud yn un y gall y corff perthnasol ei unioni yn hawdd, yna dylai'r Comisiynydd gael y pŵer i fynnu fod y corff yn gwneud hynny.

Cwestiwn 33 – A ydych chi'n cytuno â'n cynnig i ganiatáu i'r Comisiwn arfaethedig gynnal ymchwiliad ar ei liwt ei hun?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 34 – A ydych chi'n cytuno fod y camau gweithredu a ddisgrifir ym mharagraff 225 yn darparu amrywiaeth effeithiol o gamau gorfodi?

Cytuno	<input type="checkbox"/>	Anghytuno	✓	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw syniadau ynghylch camau gorfodi eraill a wrthodwyd neu nad ydynt wedi cael eu hystyried yn y Papur Gwyn.

Ni ddylid rhoi'r hawl i'r Comisiynydd wneud dim pan fod corff wedi torri'r Safonau.

Cwestiwn 35 – Ar hyn o bryd, mae gan y Comisiynydd bwerau i osod dirwy sifil o hyd at £5,000 ac, mewn rhai amgylchiadau, i ofyn am orchymyn llys i'w gwneud yn ofynnol i gorff gydymffurfio. A ydych chi'n cytuno â'n cynnig y dylid cadw'r pwerau hyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ynghylch y ddirwy sifil uchaf y dylai'r Comisiwn arfaethedig allu ei gosod (os o gwbl).

Nid yw £5,000 yn ddigon uchel fel dirwy sifil ar gyfer nifer o achosion nag ar gyfer cyrff cyfoethog felly ni ddylai fod terfyn ar y swm y gallai Comisiynydd y Gymraeg

osod fel dirwy sifil ar gyrff.

Cwestiwn 36 – A ydych chi'n cytuno â'n cynnig i gadw rôl y Tribiwnlys mewn perthynas â phenderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol

Fel gyda Tribiwnlysoedd Cyflogaeth, dylai fod hawl gan y Tribiwnlys i ddehongli Safonau.

Cwestiwn 37 – A ydych chi'n cytuno â'n cynnig y dylai'r Tribiwnlys hefyd ymdrin ag apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol

Nid y Llywodraeth ddylai osod Safonau ar gyrff ond y Comisiynydd.

Cwestiwn 38 – Rydyn ni'n cynnig cyflwyno cam cyntaf gorfodol ar gyfer y Tribiwnlys mewn perthynas ag apelau yn erbyn penderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi Safonau. Byddai'r cam cyntaf yn ei gwneud yn ofynnol i'r Tribiwnlys roi caniatâd ar y sail bod siawns rhesymol y bydd y cais yn llwyddo neu pan fo rheswm cryf arall pam y dylai'r cais gael ei glywed. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input type="checkbox"/>	Anghytuno	✓	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae'r rheolau'r Tribiwnlys eisoes yn gwneud hyn yn ofyniad (gweler rheol 16, Rheolau Tribiwnlys y Gymraeg 2015), nid ydym yn gweld y byddai newid y ddeddfwriaeth gynradd yn gwneud unrhyw wahaniaeth felly.

Cwestiwn 39 – A ydych chi o'r farn y dylai'r cam cyntaf gorfodol arfaethedig fod yn gymwys i apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Ydw	<input type="checkbox"/>	Nac ydw	✓	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Mae'r rheolau'r Tribiwnlys eisoes yn gwneud hyn yn ofyniad (gweler rheol 16, Rheolau Tribiwnlys y Gymraeg 2015), nid ydym yn gweld y byddai newid y ddeddfwriaeth gynradd yn gwneud unrhyw wahaniaeth felly.

Cwestiwn 40 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 3 y Papur Gwyn?

Oes, diben y Mesur yw amddiffyn ac estyn hawliau pobl i'r Gymraeg. Felly, mae'r system gwyno i fod i wasanaethau pobl, nid cyrff. Mae pobl yn gyndyn o gwyno, yn enwedig yn Gymraeg ac am y Gymraeg, felly dylid gwneud y proses mor rwydd a hygyrch i'r cyhoedd â phosibl. Mae'r cynigion yn y papur gwyn yn mynd i'r cyfeiriad cwbl anghywir gan eu bod wedi colli ffocws ar ddiben deddfwriaeth iaith.

Rhan 4: Cwmpas y cyrff sy'n ddarostyngedig i ddeddfwriaeth y Gymraeg

Cwestiwn 41 – A ydych chi'n cytuno â'n cynnig i ddileu'r cyfyngiadau yn y Mesur fel bod Llywodraeth Cymru'n meddu ar y pŵer i wneud Safonau'n gymwys i unrhyw gorff o fewn cymhwysedd deddfwriaethol y Cynulliad?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Dylid ymestyn y Mesur i weddill y sector breifat er mwyn normaleiddio a chryfhau defnydd y Gymraeg ym mhob rhan o fywyd: ☐ gan enwi ar wyneb y Mesur fanciau, archfarchnadoedd, mân-werthwyr a chwmnïau sydd â throsiant uwch na ffigwr penodol fel blaenoriaethau tymor byr ☐ sefydlu grym a dyletswydd ar wyneb y Mesur i ddod â holl gyrff y sector breifat o fewn y gyfundrefn Safonau
Ni ddylid dileu y rhestr o gategoriâu y cyrff ar wyneb y Mesur y gallwch chi gynnwys dan y gyfundrefn Safonau gan ei fod yn cynnig sicrwydd nad oes cwestiwn am gymhwysedd y Cynulliad i basio Safonau.
Dylai Comisiynydd y Gymraeg barhau â'r cyfrifoldeb o gychwyn y broses o osod Safonau ar gyrff, ni ddylid rhoi'r swyddogaeth i Lywodraeth Cymru.

Cwestiwn 42 – A ydych chi'n cytuno â'n cynnig mai dim ond mewn perthynas â'r gwasanaethau y maent yn eu cyflenwi i'w cwsmeriaid y dylai busnesau yn y sector preifat fod yn agored i orfod cydymffurfio â Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ynghylch unrhyw gyfyngiadau y dylid eu rhoi ar y pwerau i osod Safonau ar fusnesau preifat.

Dylid cynnwys y Safonau ar hawliau gweithwyr yn y gweithle ar gyfer gwasanaethau preifat.

Cwestiwn 43 – A ydych chi'n cytuno â'n cynnig mai dim ond fel rhan o becyn ehangach o weithgarwch sy'n hybu'r Gymraeg ac yn cynyddu ymwybyddiaeth ohoni y dylid gosod Safonau ar fusnesau preifat?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae blynyddoedd o hybu a chwyno gan cwsmeriaid heb ddwyn ffrwydd parhaol cenedlaethol. Mae'n amser deddfu ar y sector preiat. Maent wedi cael digon o amser i wella pethau yn wirfoddol.

Cwestiwn 44 – Os rhoddir pwerau i Lywodraeth Cymru i osod Safonau ar unrhyw gorff o fewn cymhwysedd y Cynulliad, a ydych chi o'r farn y dylai Safonau gael eu gosod ar unrhyw gorff neu sector nad yw ar hyn o bryd o fewn cwmpas deddfwriaeth ynghylch y Gymraeg?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Dylid ymestyn y Mesur i weddill y sector breifat er mwyn normaleiddio a chryfhau defnydd y Gymraeg ym mhob rhan o fywyd. Dylid enwi ar wyneb y Mesur fanciau, archfarchnadoedd, mân-werthwyr a chwmnïau sydd â throsiant uwch na ffigwr penodol fel blaenoriaethau tymor byr a dylid sefydlu grym a dyletswydd ar wyneb y Mesur i ddod â holl gyrff y sector breifat o fewn y gyfundrefn Safonau

Cwestiwn 45 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 4 y Papur Gwyn?

Mae'n amser i ddeddfu ar y sector preifat. Mae angen Cynllun Gweithredu gan ddechrau gyda'r busnesau mwyaf a gosod amserlen ar gyfer pob busnes, fel y gwnaethpwyd wrth gyflwyno deddfau lechyd a Diogelwch. Fel yna, mae pawb yn cael blaen rhybudd ac yn gallu cynllunio ar gyfer y gweithlu.

Rhan 5: Asesu effaith ein cynigion

Cwestiwn 46 – Rydym wedi asesu effaith ein cynigion ar gydraddoldeb, plant, pobl ifanc a'u teuluoedd, a'r Gymraeg. A oes gennych chi sylwadau ar unrhyw un o'r asesiadau hyn?

Dydw i ddim yn deall sut y gallwch ddod i'r casgliad fod colli 'r hawl i fynd yn syth at y Comisiynydd gael "effaith gadarnhaol ar blant a phobl ifanc, pobl hŷn, pobl ag anawsterau dysgu a phobl â phroblemau iechyd meddwl drwy roi mwy o eglurder ar eu hawliau i ddefnyddio'r Gymraeg". Gallaf dystio yn bersonol fod hi'n straen emosiynol a meddyliol i orfod gwneud cwyn i gorff cyhoeddus neu breifat, yn enwedig cwmnïau mawr, a bydd y newidiadau yn gwneud hi'n anos i bawb, ond yn enwedig y rhai bregus, i wneud hyn. Y canlyniad yw na fyddant yn cwyno – gobeithio nad hynny yw'r canlyniad yr ydych ei eisiau, sef amddifadu'r cyfle i'r gwannaf yn ein mysgr ddatgan y cam maent wedi ei cael. I ddweud y gwir, mae'n sicr fod hynny'n mynd yn groes i Ddeddf Cydraddoldeb 2010.

Cwestiwn 47 – Hoffem wybod eich barn ar yr effeithiau y byddai'r cynigion yn ein Papur Gwyn yn eu cael ar y Gymraeg, yn benodol ar:

- i) gyfleoedd i bobl ddefnyddio'r Gymraeg
- ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Pa effeithiau fyddai, yn eich barn chi? Sut mae cynyddu effeithiau cadarnhaol neu liniaru effeithiau negyddol?

Sylwadau ategol

Byddai diddymu'r Comisiynydd y Gymraeg, gwanhau'r Safonau, cymhlethu'r system gwyno, diddymu rhai Safonau, creu haen arall o fiwrocratiaeth, sef 'dyletswyddau cynllunio ieithyddol' yn gwneud ymchwiliadau i gwynion yn llai tebygol i gyd yn golygu mwy o gyrff yn darparu llai o wasanaethau yn Gymraeg neu wasanaethau Gymraeg eilradd i'r rhai Saesneg

Cwestiwn 48 – Eglurwch hefyd sut gellid ffurfio neu newid yr opsiynau arfaethedig:

- i) fel eu bod yn cael effeithiau cadarnhaol neu fwy o effeithiau cadarnhaol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg
- ii) fel nad ydynt yn cael effeithiau andwyol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Sylwadau ategol

Cwestiwn 49 – Rydym wedi gofyn nifer o gwestiynau penodol. Os oes gennych chi faterion perthnasol nad ydym wedi rhoi sylw penodol iddynt, defnyddiwch y blwch isod i roi gwybod i ni amdanynt.

Gofynnaf i'r Llywodraeth gryfhau Safonau'r Gymraeg drwy greu hawliau cyffredinol i ddefnyddio'r Gymraeg ar wyneb y ddeddf; gynnwys gweddill y sector breifat yn y ddeddfwriaeth a chryfhau pwerau ac annibyniaeth Comisiynydd y Gymraeg a sefydlu corff ar wahân i hyrwyddo a hybu'r Gymraeg.

Mae ymatebion i ymgynghoriadau yn debygol o gael eu gwneud yn gyhoeddus, ar y rhyngrwyd neu mewn adroddiad. Os byddai'n well gennych i'ch ymateb aros yn ddienw, ticiwch yma:



Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

The Welsh Government is ideally placed to carry out the functions listed in paragraph 49. In reference to the development of the Welsh language in technology [paragraph 53] it is difficult to see how the Welsh Government can influence technology companies but it would be good to see an awareness raising of this issue, encouraging the use of bilingual technology. With regard to research [paragraph 53], the Service welcomes any research that can assist in developing both national and internal policy development. The Service believes that data and qualitative information gained by public sector organisations through their experiences in providing Welsh language services can be a valuable resource to any research taken by academic institutions. The Welsh Government should help to identify and support innovative ideas to support and progress the use of the Welsh language.

Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

Option 2 is our preferred solution as this would mean that the significant public funds that have been spent on creating the role and office of the Welsh Language Commissioner, and the Welsh

Language Standards, would not be wasted by scrapping what is good from the current system and starting again from scratch. The parts of the current structure and function that do work should be kept, with the elements that do not work being restructured or dispensed with. Creating a Welsh Government Executive Agency to promote the Welsh language has the following benefits:

- Secure funding from Welsh Government.
- Access to government experts, research, public engagement mechanisms.
- Public accountability.
- Welsh Language Commissioner and staff free to concentrate on monitoring and enforcement (a massive amount of work).
- Direct link to working closely with all aspects of government, e.g. education, economy, legislation.
- All the bullet points listed under paragraph 69 of the White Paper.

Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Clarity. The Service can see no reason why there is a risk of confusion arising in any future arrangements with regard to any of the options proposed, including Options 2 and 3. Providing clear, understandable information about what a body's functions and responsibilities are is easily done and should therefore not be used as a reason to discount Options 2 and 3. In fact, there would be less confusion than having a single body as in Option 4. Under Option 2 the choice for the public would be: contact Body A about promotion of the Welsh language, contact Body B about enforcement.

Synergy. No convincing arguments are stated as to why Option 4 would achieve the stated aim any more effectively or efficiently than any of the other Options.

Value for money. Option 2 is the most cost effective option as it would minimise waste in relation to the public money already spent on creating the role and office of the Welsh Language Commissioner whilst minimising additional new spending on creating unnecessary agencies and bureaucracies.

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

No comment

Question 6 – Do you have any further comments on Part 1 of the White Paper?

No

Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

The proposed general requirements are in line with accepted models of governance used in the public sector. The current situation of having one body to set the Standards (Welsh Government) and another body to enforce them (Commissioner) has led to uncertainty in implementing the Welsh Language Standards – often Commissioner is not able to provide an answer. It is likely that continuing to have one body responsible for setting Standards and another body enforcing them will only perpetuate and amplify this difficulty.

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

The proposed preferred governance structure is appropriate but do not agree that there is only one body to both promote the use of the Welsh language and also enforce Welsh language legislation. [Preferred is Option 2]

Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

It may be more appropriate to advertise the position of Chief Executive and appoint by means of an open and transparent selection Process. Membership to the Commission should be based on merit and experience.

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

This depends upon the processes and procedures that would be put in place to support the monitoring and compliance functions of the Commission.

Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

The streamlining of this provision is about ensuring value for money and operating within the public sector funding, like all other public sector bodies budgets need to be set and savings made where appropriate.

Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

The White Paper does not contain enough detail on this subject to enable an informed judgement.

Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Although a requirement to report annually on progress against the strategy would ensure public confidence.

Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

There are other methods that the Welsh Government can use in order to consult with stakeholders.

Question 16 – Do you have any further comments on Part 2 of the White Paper?

No

Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people’s rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

Our preferred option is Option 2 however, we support the Welsh Government’s comments that Welsh Language Standards imposed upon public bodies should be reasonable and proportionate, and the notion of exemptions.
We welcome any opportunity to engage with the Welsh Government in reviewing and improving the Standards system, especially with regard to Standards that may apply to the [Di-enw/Anonymous] in Wales. However, having worked very hard to meet the current standards, any changes should not result in extra unnecessary costs and effort on those who are required to meet the standards.

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

There is insufficient detail in the White Paper to make any meaningful comment on the potential costs of the Welsh Government’s preferred option.

Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Two classifications of Standard are less complex than the current five classifications. However, having worked very hard to meet the current standards, any changes should not result in extra unnecessary costs and effort on those who are required to meet the standards.

Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

Not qualified to comment on this.

Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Constructive independent expert scrutiny is always welcomed as a way of improving the Service's performance in delivering services to the public.

Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Enforcement is necessary when all efforts to provide support and encouragement have failed to achieve the desired outcome. Enforcement should be a tool that is available to the Commission when necessary. This is essential if the Standards are to be considered as anything more than a set of guidelines or recommendations on good practice.

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

Streamlining the process of imposing Standards on a body is a welcome proposed change. An enhanced consultation process with organisations operating in a certain sector, e.g. [Di-enw/Anonymous] has the potential to lead to many positive outcomes for all concerned, including members of the public.

Due to the operational and structural differences that can occur between bodies in the same sector, individual bodies should retain the right to challenge the imposition of a Standard.

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

All information used to determine which Standards should apply to the Welsh Government must be made public in a clear, concise and open manner.

Where the Welsh Government intends to award itself an exemption to a particular Standard, the reasons as to why the exemption is necessary should be open to public scrutiny. The final draft of the list of Standards that are proposed to be imposed on the Welsh Government should undergo a widely advertised public consultation.

The involvement of the Assembly in the process of imposing Standards would be beneficial in terms of fairness, transparency and accountability.

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

It is appropriate that a complaint should follow its course through an organisation's own complaints procedure before being escalated to the attention of the Welsh Language Commissioner or Commission. This would allow enough flexibility for complaints regarding unintentional or minor infringements to be corrected quickly and thus lead to an improvement in service to the service user.

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

The stated proposal of mandating that a body's complaints procedure must adhere to an approved format and clear timescale for resolution will help inspire confidence amongst service users that their complaint will be addressed and responded to within a reasonable time.

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a 'serious breach' in paragraph 219.

Further action regarding a complaint should only be taken if an alleged breach of a Standard is serious. The stated definitions of a "serious breach", in paragraph 219, are reasonable and appropriate.

Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

It is not clear how one can investigate oneself - this should be done independently.

Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

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Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

Partially agree – but perhaps on a sliding scale.

Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission’s decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

In the interests of minimising public expenditure on costly appeals cases, it would be in the public interest to ensure that only cases which have reasonable chance of success, or those that should

be heard for another compelling reason, are heard by the Tribunal.

Question 40 – Do you have any further comments on Part 3 of the White Paper?

No

Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly's legislative competence?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

Private sector businesses should be encouraged to comply with the Standards as far as practicable when operating within Wales Plc. This would support and help Public Services to achieve the standards more easily.

Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Private sector businesses should be encouraged to comply with the Standards as far as practicable when operating within Wales Plc. This would support and help Public Services to achieve the standards more easily.

Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly's competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 45 – Do you have any further comments on Part 4 of the White Paper?

No

Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

No

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

No comments

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

No comments

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

No comments

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:



**PG-043 - Comisiwn Cwynion Annibynnol yr Heddlu/
Independent Police Complaints Commission**

Part 2: Governance and accountability

Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

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Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

We support the policy objectives that underpin the Standards as set out in paragraph 136 of the consultation document, and we welcome the shift from an enforcement-based system to one that encourages promotion of the language, facilitation for change, improved support for organisations and reduced bureaucracy.

We agree that a reformed model of the Standards should be adopted, as we remain firmly of the view that the current Standards are overly complex and bureaucratic, and that some of the measures are disproportionate, particularly in relation to organisations like the IPCC which operate in England and in Wales. (The IPCC has seven offices in total - six of which are located in England).

We also agree with the policy intent expressed in the first two bullet points of paragraph 151 (Standards which impose burdens but do not contribute directly to improving services and Standards that are costly to implement but produce little public benefit could be removed or amended), and we suggest that this could be strengthened to read - '*will* be removed.'

Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

We agree with the arguments put forward in the consultation paper and we welcome a simplified system that improves clarity and provides a proportionate system that will ensure the quality of Welsh language services continues to improve.

In relation to simplification, an example is combining similar Standards. For example, we are currently subject to five Standards in relation to meetings not open to the public (Standards 24 to 25D). These could be combined into one Standard.

Any further reforms to the Standards system should not put additional financial burden on organisations and should be proportionate. There should be clear guidance to England & Wales bodies with regard to securing funding to meet the costs of implementing the Standards.

The 'Wales only body' versus an 'England and Wales body' issue as highlighted above should be taken into account.

Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between 'Standards' (which would relate to services) and 'language planning duties' (which would relate to corporate duties)?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input checked="" type="checkbox"/>
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Supporting comments

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Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

We welcome a move to support bodies with their implementation of language planning duties and the Standards more generally. One of the difficulties we have faced in implementing the current Welsh Language Standards has been the availability of external support. We were one of the first national (England and Wales) organisations required to implement the Standards, and we found it difficult to source examples of good practice, or any other similar organisations who had gone through the process of implementation.

We liaised with the Welsh Language Commissioner's office on a number of occasions to obtain advice on various issues, (for example, in relation to the change of our name to the Independent Office for Police Conduct and the Welsh translation), but the Office was generally unable to help – presumably owing to their enforcement role.

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

We welcome the proposal to have a single body (the Welsh Government) responsible for imposing Standards. In addition, our experience has shown that an early meeting, prior to imposition, with the body issuing the compliance notice is essential as it provides an opportunity for Standards to be clarified and concerns to be addressed.

Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Practical codes of practice would be useful and we would welcome the opportunity to comment on draft codes prior to publication.

Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

We appreciate that having to give each body within a sector a compliance notice would be 'highly resource intensive and costly'. (Paragraph 197 of the consultation paper) However, it would be helpful if further detail was made available about the proposal to impose Standards on all the bodies in a sector directly through regulations. For example:

- Would the regulations simply enable the imposition of Standards, or would the Instrument specify each Standard?
- How would the right to challenge the imposition of a Standard work if the requirement is set out in a Statutory Instrument?
- What would the anticipated timescales be if the regulations need to be changed?

Subject to further information about this proposal, it is likely that we would advocate an enhanced consultation process.

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

We agree with this proposal as it reflects best practice in complaints handling. It is our view that complaints are a valuable commodity; free advice from the public on the service that bodies have provided. Complaints provide useful and timely management information that can help to improve practice. Organisations must be accountable for the service they provide, and removing the ability to deal with complaints in the first instance risks bodies becoming too far removed from the issues that complainants raise.

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

The consultation paper cites the '*Model Concerns and Complaints Policy*' issued by the Welsh Government in 2011, as an example of an approved complaints procedure with which a body's complaints procedure must adhere to. The IPCC's complaints procedure is set out in legislation. (*The Independent Police Complaints Commission (Staff Conduct) Regulations 2004*) There is a risk that an 'approved complaints procedure' selected by the Welsh Government could conflict with these existing regulations.

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a 'serious breach' in paragraph 219.

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Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Paragraph 223 states that, '*a matter might come to the attention of the Commission through monitoring bodies' compliance with Standards which suggested something was not right. The Commission might possess only limited information, in the absence of the kind of evidence a complaints procedure would have provided. In such circumstances, an investigation could be warranted and the Commission should be enabled to initiate one.*'

This should also take into consideration the potential seriousness of the issue that may require investigation and whether an investigation by the proposed Commission would be proportionate.

Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

Question 40 – Do you have any further comments on Part 3 of the White Paper?

We would reinforce that consideration should be given in any new system to the difference between organisations that are ‘Wales-only bodies’ and those that cover both England and Wales.

**Response from Abertawe Bro Morgannwg University
Health Board**

**Striking the Right Balance:
Proposals for a Welsh Language Bill**

The health board welcomes the opportunity to comment on the proposals for a new Welsh Language Bill.

Please find our response and comments to the consultation below:

PART 1: Promoting the Welsh Language

Consultation questions

Welsh Government's Role

1. In paragraphs 49-54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree

In order to raise the profile of the language on a national and international stage, Welsh Government needs to take responsibility and accountability for promoting and supporting the Welsh language in other key national organisations such as social activities and sport across Wales.

2. In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with standards. Do you agree with our proposal?

Disagree

As public bodies, health boards are very much involved in promoting the Welsh language. We believe that funding should also be made

available to the public bodies required to implement the Standards. Also this does not address the additional resources needed by other bodies and organisations that are actually implementing the Standards, examples being: resources for extra staff, training, support material and primarily translation which will be substantial.

The Options

3. Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Neither agree nor disagree

If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

The newly proposed Welsh Language Commission appears to have a similar role to the former Welsh Language Board, which was abolished as result of the Welsh Language Measure 2011 and established the role of the Welsh Language Commissioner. The proposal could be seen as a retrograde step and may deter organisations from escalating their Welsh language plans and the abolition of the Welsh Language Commissioner, may prevent progress in some service areas. The role of the Welsh Language Commissioner has raised the profile of the Welsh language and has provided leadership, and this role needs to continue. Option 2, would see an Executive Agency being established to help organisations with the promotion of the Welsh language whilst also retaining the Welsh Language Commissioner to monitor and enforce compliance with the Standards.

4. We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Neither agree nor disagree

The health board hopes that this exercise will bring clarity in respect of the Welsh language Standards which remain very complex and beyond what can reasonably be delivered given resource constraints.

5. What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote

the Welsh language and monitor and enforce compliance with Standards?

See Q4

6. Do you have any further comments on Part 1 of the White Paper?

No

PART 2: Governance and Accountability

7. In paragraphs 93-95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

In order for the Commission to build on the trust and confidence of stakeholders and the public, assurances will be required that there will be robust arrangements, plans and procedures in place in order to support legislation, and achieve the objectives of Cymraeg 2050.

Options

8. Do you agree with our preferred option (Option 3 to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?)

Agree

Whilst we would lend support for Option 3, the dissolving of the Commissioner role may be seen as a step back to the days of the Welsh Language Board and before the Welsh Language Measure. Option 2 offers many benefits and possibly incorporating some aspects of Option 2 and Option 3 may be the best way forward.

9. What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

See Q8

10. Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards?

Unsure

The health board is unsure regarding this and would appreciate further assurances that the establishment of a new Welsh Language Commission would provide strong leadership and support.

Transfer of Staff, Property and Liabilities

Consultation questions

11. Are there any additional matters to those listed in paragraphs 121-122 that we should consider regarding arrangements to establish the proposed Commission?

No

Welsh Government duties under section 78 of the Government of Wales Act 2006

12. Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Neither agree nor disagree

13. Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Disagree

Yearly updates should be submitted setting out achievements, progress and challenges encountered in the implementation of the Strategy which tracks overall progress year-on year.

14. Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Disagree

If not annually, then a three yearly update is a must again tracking progress since previous iteration.

The Welsh Language Partnership Council

15. Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree

16. Do you have any further comments on Part 2 of the White Paper?

No

PART 3. The Standards

Consultation questions

17. We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Neither agree nor disagree

There is clear indication that the services provided by organisations are improving as result of implementing the Standards. This is confirmed by feedback from colleagues in local government who feel that the implementation of the Standards has had a positive effect on the Welsh language, despite some of the complexity and impracticality of certain Standards that they have encountered during their implementation.

Option 2 would appear the most feasible of the five options. The health board remains of the view that the Standards in their current form are too numerous, too complex, and in some cases unreasonable.

A user friendly explanatory document summarising the Standards and clearly defining the rights and expectations would be of benefit to the health board staff and service users.

18. We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163-165). Do you agree with our analysis?

Neither agree nor disagree:

See Q17

The classes of Welsh Language Standards

19. Do you agree with the proposal to abolish the current classes of Standards and differentiate between 'Standards' (which would relate to services) and 'language planning duties' (which would relate to corporate duties)?

Neither agree nor disagree:

The Standards in their current form are too numerous, too complex, and therefore difficult to understand. It is feared that the abolishment of the current classification of Standards and differentiate between 'Standards' (which would relate to services) and 'language planning duties' (which would relate to corporate duties) could cause further confusion and increase real concern that staff already. Providing a user friendly document summarising the current classes of standards or the amended 'language planning duties' clearly defining the rights and expectations would be of benefit to the public and health board staff, therefore avoiding interpretation of the grammar and misunderstanding of legislative words and phrases. The implementation of the Operational standards have always been a cause of concern due to the low proportion of Welsh speaking staff that are available within the health board.

20. Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Unsure

21. Are there any other matters which you believe should be included in the new legislation as language planning duties?

No

22. Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree

A governing body is required to monitor and enforce compliance of the standards. It should also work with organisations who breach or fail to implement the standards and help steer them towards improvement in implementing their Welsh language duties.

23. Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree

Procedures for making, imposing, implementing and enforcing Standards

Making and imposing Standards on bodies

24. Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree

25. Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree

26. Do you agree with our proposal to abolish Standards Investigations?

Agree

Full public consultation processes should be sufficient.

27. Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree

This should provide guidance and clearly define the rights and expectations of service users.

Making and imposing Standards on sectors

28. Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Neither agree nor disagree

Providing the revised standards are reasonable and proportionate this will not be required.

The influence of factors such as organisation's size and geographical location on which standards would apply to a particular body is an interesting and agreeable concept, especially as the standard could then be minimal and/or include alternative standards for the same activity. It must be remembered that healthcare provision is complex and has many and varied specialities within each and every organisation and what is reasonable and proportionate to one body may not be for another.

Standards to be imposed on Welsh Government

29. What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

This process would need to be open and transparent in order to preserve the integrity of the system.

Complaints to Bodies

30. Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first

before the proposed Welsh Language Commission can investigate an alleged failure?

Agree

The health board already has a procedure in place for dealing with all complaints. The in-house complaints procedure means a body has the opportunity to investigate and remedy any alleged failure. If the complainant complains directly to the Commissioner, as the Measure allows, then there could be excessive administrative and time delay whilst the investigative process is carried out and before a timely remedy can be achieved. The role of the proposed Welsh Language Commission need to be more in line as the role of the Ombudsman when dealing with complaints.

31. Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree

As a health board within NHS Wales we already follow a national model for dealing with complaints and concerns. A system that can be followed by all NHS Wales bodies, to ensure fairness and consistency for service users.

Complaints to the Commission

32. Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree

33. Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree

Enforcement action following an investigation

34. Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree

35. Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree

This is on the basis that enforcement would only be instigated as a last resort.

Appeal to the Welsh Language Tribunal

36. Do you agree with our proposal to retain the Tribunal's role in relation to the proposed Commission's decisions regarding enforcing bodies' compliance with Standards?

Agree

37. Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree

38. We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission's decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree

39. Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

No, impartiality must be maintained.

40. Do you have any further comments on Part 3 of the White Paper?

No

PART 4: The scope of bodies covered by Welsh language legislation

41. Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to anybody within the Assembly's legislative competence?

Agree

However any imposition of standards would need to be implemented in a measured way. Offering guidance and support has to be the overriding way forward.

42. Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Neither agree nor disagree:

If Welsh Government or the Commission used the approach of encouraging private sector businesses to promote the use of Welsh within their domain; possibly develop a programme which would help and support private sector businesses in promoting their Welsh language services thus fostering good will towards the Welsh language. This may be more beneficial to Welsh speakers.

43. Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree

See Q 42.

44. If the Welsh Government is given powers to impose Standards on any body within the Assembly's competence, do you believe that Standards should be imposed on anybody or sector that is not currently within the scope of Welsh language legislation?

Unsure

More information, guidance and clarity is required in order to be able to respond as to whether those not currently within the scope of Welsh language legislation should have Standards imposed on them

45. Do you have any further comments on Part 4 of the White Paper?

No

PART 5: Assessing the impact of our proposals

46. We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

No

47. We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) Opportunities for people to use Welsh;*
- ii) Treating the Welsh language no less favourably than the English language.*

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigate

The health board's aim is to place the needs and safety of patients at the core of everything it does,. The standards rightly acknowledge the principle that the Welsh language should not be treated less favourably than the English Language and we have made significant progress towards this over the last few years. The health board still has concerns in relation to Welsh language regulations Whilst we understand the need for the formal language used in the Standards Regulations document we hope that once this is finalised for healthcare organisations, it will be produced in an 'easy to read' version which will help staff to understand what their commitments are and why. This will then enable us to encourage and promote innovative and flexible behaviours by staff to address ongoing improvement in bilingual service provision.

The health board has always been committed to implementing the Standards despite reservations about their complexity and practicality.

48. Please explain how you believe the proposed options could be formulated or changed so as to have:

i) Positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language;

ii) No adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Clear concise communication will be needed at all stages of the new proposals in order to gain the interest of the public, stakeholders and all involved in the process.

49. We have asked a number of specific questions in this White Paper. If you have any related issues which we have not specifically addressed, please use this space to report them.

As a health board we continue to have concerns as to our ability in implementing the proposed Standards, given the size of the organisation and its complexity. We continue to hold concerns that some of the requirements being proposed are unmanageable, and also in our ability in increasing the use of Welsh and delivering services in the medium of Welsh without adequate additional funding. However, we acknowledge that it is important to continue to make positive steps towards delivering bilingualism. We fear that if this is not the case there is a real danger that some staff will lose sight of what is of real importance in terms of strengthening Welsh language provision – the patient, the service users, and their families/carers. We fully accept the importance of citizens being able to access important information about our services both in Welsh and English. However we also feel that many patients just want to be reassured by being able to converse with an identified member of staff in their mother-tongue and do not expect or want us to provide every aspect of the service in Welsh.

**YMATEB CYNGOR SIR YNYS MÔN I DDOGFEN YMGYNHORI LLYWODRAETH
CYMRU AR Y PAPUR GWYN**

TARO'R CYDBWYSEDD IAWN: CYNIGION AR GYFER BIL Y GYMRAEG

Sylwadau cyffredinol

Mae'r Cyngor Sir yn croesawu'r egwyddorion Mesur y Gymraeg (Cymru) 2011 sy'n cadarnhau statws swyddogol i'r iaith ac sy'n hybu a hwyluso'r defnyddio'r Gymraeg. Y gobaith yw y bydd hyn yn ei gwneud hi'n haws i ddefnyddwyr gwasanaeth wybod pa wasanaethau y gallent eu derbyn yn Gymraeg ac y bydd rhagor o gysondeb a chynnydd yn ansawdd y gwasanaethau rheiny.

Credir ei bod bellach yn amserol, bum mlynedd wedi pasio'r Mesur, i adolygu'r drefn fel bod modd ystyried cyflwyno unrhyw addasiadau neu welliannau. Bydd symleiddio'r drefn yn rhyddhau adnoddau prin i ganolbwyntio ar ddeilliannau er budd y Gymraeg, yn hytrach nag ar ddilyn prosesau.

Cytunir yn llwyr mai'r Safonau yw'r ffordd fwyaf effeithiol o ran sicrhau hawliau defnyddwyr i gael gwasanaethau cyfrwng Gymraeg. Credir y byddai o fudd i ystyried llunio cyfres o ymrwymadau cenedlaethol i'r cyhoedd yn nodi'r hyn y gallant ei ddisgwyl gan sefydliadau o ran darpariaeth cyfrwng Gymraeg. Byddai hyn yn fodd o symleiddio'r maes a chynyddu dealltwriaeth y defnyddwyr o'u hawliau.

Mae'r Cyngor Sir yn croesawu hefyd y weledigaeth uchelgeisiol gan y Llywodraeth ar gyfer y Gymraeg. Serch hynny, i sicrhau llwyddiant, mae'n hanfodol bod pwyslais Bil y Gymraeg yn alinio gydag ac yn debygol o gefnogi gwireddu'r uchelgais o 'filiwn o Siaradwyr' erbyn 2050. Yn ogystal, er mwyn gwireddu'r nod hwn croesawir yr angen i sicrhau cydbwysedd cywir rhwng hybu a hwyluso defnydd o'r Gymraeg, rheoleiddio dyletswyddau yn ymwneud â'r Gymraeg a lleihau biwrocratiaeth a sicrhau gwerth am arian.

Mae rheoleiddio'n effeithio ar sut caiff gwasanaeth cyhoeddus eu trefnu. Rhaid felly sicrhau bod unrhyw newid i'r Safonau yn cwmpasu elfennau fydd yn dylanwadu'n gadarnhaol ar ddefnydd iaith. Yn ogystal, mae angen dirfawr i gynyddu'r gefnogaeth i sefydliadau, gan gynnwys buddsoddiad mewn ymchwil newid ymddygiad. Cytunir yn llwyr â'r sylw fod angen sicrhau cynnydd yn y ddarpariaeth hyfforddiant galwedigaethol a phroffesiynol cyfrwng Gymraeg fel y gall unigolion ymgymryd â'r rôl broffesiynol yn hyderus a dwyieithog.

Gofynnir i Lywodraeth Cymru sicrhau bod adnoddau ychwanegol digonol ar gael ar gyfer gwireddu'r uchelgais 'Miliwn o Siaradwyr' erbyn 2050.

YMATEB I'R CWESTIYNAU YMGYNGHORI

Rhan 1: Hybu'r Gymraeg

1. ***Ym mharagraffau 49-54, rydym wedi amlinellu'r rôl yr ydym yn cynnig y dylai Llywodraeth Cymru ei chwarae i hybu'r Gymraeg h.y. swyddogaethau'r Llywodraeth i hybu'r Gymraeg. A ydych chi'n cytuno â'n cynnig?***

Cytunir yn gyffredinol â'r meysydd a nodir lle y dylai'r Llywodraeth chwarae ei rôl i hybu a hyrwyddo'r Gymraeg.

Wrth sicrhau cydymffurfiaeth gyda'r Safonau Iaith, mae rhai heriau wedi codi'n lleol ym maes technoleg gwybodaeth lle nad yw'r meddalwedd ar gael trwy gyfrwng y Gymraeg e.e. y gwiriwr taliadau 'Captcha' a pheiriannau talu 'chip and pin'. Tybir bod bob sefydliad sy'n ddarostyngedig i'r Safonau yn wynebu'r un heriau ac mae'n synhwyrol i Lywodraeth Cymru ddefnyddio ei ddylanwad i gynnal trafodaethau cenedlaethol gyda'r cwmnïau technoleg fyd-eang. Byddai hyn o gymorth ymarferol sylweddol ar lefel lleol.

Mae hefyd yn gwneud synnwyr i'r Llywodraeth gyd-gordio a chael gwerth am arian drwy sicrhau contractau cenedlaethol yn y maes technoleg. Byddai hyn yn fodd o sicrhau cydymffurfiaeth yn y ddarpariaeth hefyd.

Mae'n allweddol bwysig i sicrhau ymagwedd gydlynus at feysydd polisi cenedlaethol sy'n ymwneud â hybu defnydd o'r Gymraeg. Ceir cyfeiriad at addysg ond dylid hefyd ffocysu ar gynllunio, yr economi a thwristiaeth.

2. ***Yn Nhabl 1, rydym wedi amlinellu'r adnoddau mewn perthynas â'r swyddogaethau cyffredinol i hybu'r Gymraeg yr ydym o'r farn y dylent fod ar gael i unrhyw gorff neu gyrff sy'n helpu yn y gwaith o hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r safonau. A ydych chi'n cytuno â'n cynnig?***

Cytunir yn gyffredinol gyda'r adnoddau a adnabyddir ar gyfer y gwaith o hybu'r Gymraeg. Serch hynny, er mwyn sicrhau cynaliadwyedd hir dymor, a gwerthusiad llwyddiannus rhai prosiectau, mae'n hanfodol bod rhaglen dreigl o gyllid ychwanegol digonol yn cael ei adnabod. Mae hyn yn berthnasol efallai i alluogi i unrhyw brosiectau llwyddiannus ar lefel lleol gael eu gweithredu ar raddfa genedlaethol.

Credir bod angen clustnodi cyllid yn ogystal i greu arsyllfa o arfer da fel bod modd gwneud y defnydd mwyaf effeithiol o adnoddau prin o fewn y sector gyhoeddus.

3. ***A ydych chi'n cytuno â'r opsiwn a ffeirir gennym (Opsiwn 4 sef un corff i fod y gyfrifol am hybu'r Gymraeg ac am fonitro a gorfodi cydymffurfiaeth â'r Safonau?***

Cytunir gyda'r cynnig i sefydlu un prif gorff i fod yn gyfrifol a hybu'r Gymraeg ac am fonitro a gorfodi cydymffurfiaeth â'r Safonau. Bydd hyn yn symleiddio'r gyfundrefn i'r defnyddiwr gwasanaeth ynghyd ag ymarferwyr yn y maes ac yn fodd o ganoli arbenigedd ag arfer da o fewn un sefydliad. Gyda Bwrdd yr Iaith, llwyddwyd i gynnal y cydbwysedd rhwng rheoleiddio a hyrwyddo a hybu'r Gymraeg. Credir felly, y gall un corff gyflawni'r ddwy swyddogaeth yn llwyddiannus ac adeiladu perthynas o gyd-weithio gyda chyrff unigol er mwyn cryfhau'r defnydd o'r Gymraeg. Serch hynny, mae'n hanfodol bwysig bod strwythurau cadarn ar gyfer sicrhau cyflawniad a chyllideb digonol ar gyfer cyflawni'r ystod o ddyletswyddau'n effeithiol.

4. *Rydym wedi seilio ein dewis, sef un corff, ar sail eglurder, cydnawsedd a gwerth am arian. A ydych chi'n cytuno â'n sail resymegol?*

Mae'n rhesymegol i feddwl y byddai un corff gyda brand cryf yn gyfrifol am hybu'r Gymraeg ac am fonitro a gorfodi cydymffurfiaeth â'r Safonau yn cynyddu eglurder i'r defnyddiwr gwasanaeth ac ymarferwyr yn y maes. Mae cydnawsedd amlwg rhwng y gweithgarwch hybu a swyddogaethau gorfodi ar yr amod bod gan y corff yr ystod o arbenigaethau angenrheidiol ar gyfer cyflawni'r rholiau'n effeithiol. Byddai casgliadau'r gwaith rheoleiddio'n amlygu diffygion mewn safon darpariaeth ynghyd ag enghreifftiau o arfer da. Byddai modd wedyn mynd ati i ddelio â'r diffygion a'r heriadau mewn modd systemig trwy raglen o weithgaredd hybu a hyrwyddo. Yn yr un modd, gall un corff gydgorddio a rhannu enghreifftiau o arfer da a fydd efallai yn arbed adnoddau ac amser o fewn sefydliadau unigol. Byddai hyn yn ei dro gobeithio yn arwain at welliant parhaus a'r defnydd gorau o adnoddau o fewn gwasanaethau ar draws y sectorau.

Mae'n allweddol bwysig nad yw'r cyfnod trosiannol yn creu ansefydlogrwydd, diffyg arweiniad a fydd yn ei dro yn arwain at golli momentwm.

5. *Pa faterion perthnasol eraill y dylem eu hystyried wrth wneud ein cynnig terfynol ynghylch pa gorff neu gyrff ddylai hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau?*

Mae'n bwysig sicrhau bod statws y corff yn annibynnol ac yn rymus er mwyn cael yr hygredd i fonitro a gorfodi cydymffurfiaeth â'r Safonau'n effeithiol.

6. *A oes gennych unrhyw sylwadau pellach ar Ran 1 y Papur Gwyn?*

Mae'n bwysig bod adnoddau dynol a chyllidol digonol ar gael i'r corff gyflawni ei swyddogaethau'n effeithiol a bod hyn yn cael ei adolygu'n barhaus.

Rhan 2: Llywodraethiant ac atebolrwydd

7. *Ym mharagraffau 93-95, rydym wedi nod rhai gofynion cyffredinol yn ymwneud â threfniadau llywodraethu ac atebolrwydd y corff. Beth yw eich barn chi am y gofynion cyffredinol hyn, ac a oes yna fesurau monitro a ffrwyno eraill a ddylai fod yn weithredol ar y corff arfaethedig?*

Mae'r ddogfen ymgynghori'n amlinellu gofynion cyffredinol yn ymwneud â threfniadau llywodraethu at atebolrwydd y corff. Serch hynny, nid oes cyfeiriad yma at drefniadau craffu ar gyfer y corff arfaethedig. O ystyried bod cyrff cyhoeddus yn gyffredinol yn ddarostyngedig i drefniadau o'r fath, onid yw'n briodol i roi ystyriaeth i sicrhau bod prosesau craffu cadarn yn eu lle?

8. ***A ydych chi'n cytuno â'r opsiwn a ffefrir gennym (Opsiwn 3), sef i sefydlu Comisiwn y Gymraeg i hybu a hwyluso defnyddio'r Gymraeg a monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?***

Cytunir bod rhinweddau amlwg mewn cael un corff ag arbenigedd (gweler yr ymateb i gwestiwn 7 uchod).

Mae modd edrych ymhellach ar rôl a swyddogaeth y Bwrdd Llywodraethu er mwyn cael y lefel briodol o atebolrwydd, cefnogaeth ac arbenigedd. Croesawir yr awgrym y dylai ***'rhan fwyaf o aelodau'r Bwrdd fod yn aelodau annibynnol (h.y. nid yn aelod o staff y Comisiynydd neu Lywodraeth Cymru) sydd â chydbwysedd o brofiad, sgiliau a gwybodaeth i arfer swyddogaethau'r Bwrdd yn effeithiol.'***

9. ***Beth yw eich barn chi am y dadansoddiad rydym wedi'i ddarparu sy'n cefnogi ein dewis ni, sef Opsiwn 3? A oes unrhyw ystyriaethau eraill y dylem eu hystyried wrth wneud unrhyw gynnig terfynol?***

Dim sylw.

10. ***A ydych chi'n credu bod Opsiwn 3 yn diogelu annibyniaeth y comisiwn arfaethedig yn ddigonol yng nghyd-destun arfer swyddogaethau ar gyfer monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?***

Er mwyn i statws y corff dan sylw bod yn rymus, mae'n bwysig bod iddo'r lefel cywir o annibyniaeth. Nodir yn y ddogfen ymgynghori ar dudalen 27 (pwynt bwled 5) ***'dylai Llywodraeth Cymru fod â'r pwerau i gyfarwyddo'r corff a byddai'r corff yn gorfod cydymffurfio â hynny.'*** Mae'n allweddol bod y cydbwysedd yn gywir o safbwynt grym a phwerau i'r corff er mwyn iddo gael yr hygrededd a'r dylanwad i weithredu'n llwyddiannus. Oni fyddai'n briodol i'r corff arfaethedig arfer swyddogaeth annibynnol o'r Llywodraeth yn yr un modd ag Ombwdsmon Gwasanaethau Cyhoeddus Cymru?

11. ***A oes unrhyw faterion ychwanegol i'r rhai a restrir ym mharagraffau 121-122 y dylem eu hystyried wrth ystyried trefniadau i sefydlu'r Comisiwn arfaethedig?***

Dim sylw pellach.

12. A ydych chi'n cytuno â'n cynnig i symud y gofyniad ar Lywodraeth Cymru i lunio strategaeth ar gyfer y Gymraeg o Ddeddf Llywodraeth Cymru 2006 i'r Bil y Gymraeg newydd?

Mae'n gwbl allweddol i drosglwyddo'r gofyniad uchod ar Lywodraeth Cymru i'r Bil y Gymraeg newydd. Byddai hyn yn fodd o sicrhau cysylltiad uniongyrchol rhwng gwaith y corff arfaethedig â Strategaeth ar gyfer y Gymraeg Llywodraeth Cymru. Byddai hyn yn ei dro yn sicrhau bod y ffocws y ddau sefydliad ar gyflawni'r un nodau strategol hirdymor a thargedu adnoddau i'r meysydd cywir.

13. A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru adrodd i'r Cynulliad ar strategaeth y Gymraeg bob pum mlynedd yn lle bob blwyddyn?

Credir bod pum mlynedd yn gyfnod llawer rhy hir rhwng cyfnodau adrodd ar gyflawniad Strategaeth y Gymraeg. Wrth sylweddoli bod effaith rhai rhaglenni'n hirdymor, dylid cael cyfundrefn adrodd mewn lle sy'n adnabod llithriad mewn perfformiad. Mae modd wedyn edrych ar ymyriadau addas. Credir, yn wyneb hyn, y dylid parhau i adrodd ar gynnydd yn flynyddol.

14. A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gyhoeddi cynllun yn nodi sut y bydd yn gweithredu'r strategaeth bob pum mlynedd yn lle bob blwyddyn?

Wrth reswm, mae angen i unrhyw strategaeth hirdymor gael ei chefnogi gan gyfres o gynlluniau gweithredu tymor byr. Eto, mae cyfnod o bum mlynedd ar gyfer pob cynllun gweithredu yn hir er mwyn mesur cynnydd ac adnabod llithriad mewn perfformiad yn erbyn targedau cytunedig. Credir na ddylai cynlluniau gweithredu fod am gyfnod hirach na 2-3 blynedd ond fel y nodwyd uchod, dylid adrodd ar gyrhaeddiad yn flynyddol.

15. A ydych chi'n cytuno â'n cynnig i ddiddymu Cyngor Partneriaeth y Gymraeg a rhoi'r pŵer i Lywodraeth Cymru geisio cyngor gan y Comisiwn arfaethedig, sef Comisiwn y Gymraeg?

Mae'n gwneud synnwyr i'r prif gorff ag arbenigedd sylweddol gynghori'r Llywodraeth ar faterion iaith Gymraeg. Byddai ddiddymu Cyngor Partneriaeth y Gymraeg yn osgoi dyblygu.

16. Oes gennych unrhyw sylwadau eraill ar Ran 2 y Papur Gwyn?

Dim sylwadau pellach.

Rhan 3: Safonau'r Gymraeg

17. Rydym yn cynnig y dylid mabwysiadu model diwygiedig o'r Safonau (Opsiw 2) fel y ffordd orau o sicrhau hawliau pobl i dderbyn gwasanaethau Cymraeg. A ydych chi'n cytuno â'r cynnig hwn?

Yn gyffredinol cytunir mai Opsiwn 2, sef diwygio'r Safonau'n raddol yw'r ffordd ymlaen. Mae cyrff bellach wedi ymrwymo i'w gweithredu a byddai newid y drefn yn achosi dryswch a'r angen am adnoddau ac amser i sefydlu trefn o'r newydd.

Tra'n gefnogol iawn i gadw'r Safonau, credir ei bod yn amserol i adolygu pa Safonau sydd ddim yn arwain at lawer o fudd i'r cyhoedd ac sy'n gostus iawn i'w gweithredu. Enghraifft o hyn fyddai'r angen i gyfieithu dogfennau technegol cefndirol swmpus sydd ddim yn cael eu darllen yn eang a hynny mewn hinsawdd pa fo adnoddau'n brin. Yn ogystal, mae rhai heriadau ym maes technoleg yn golygu nad yw'n bosib cydymffurfio'n llwyr â rhai gofynion yn syth. Dylid darparu cefnogaeth ar lefel genedlaethol i ddatrys y problemau hyn.

Mae manteision pendant gyda'r egwyddor o gael yr holl gyrff i symud dros amser tuag at weithredu'r un Safonau dros amser ar yr amod bod y Safonau rheini'n ddigon uchelgeisiol. Wrth i gapastiti'r cyrff gynyddu, byddai'n haws wedyn iddynt gydweithio'n bartneriaethol os yn ddarostyngedig i'r un Safonau. Yn ogystal, byddai modd meincnodi perfformiad ar lefel cenedlaethol.

Mae peth amwysedd wrth ddehongli gofynion rhai Safonau wedi peri anawsterau ar lefel gweithredol ar brydiau ac wedi arwain tuag at wahanol ddehongliadau gan gyrff gwahanol. Gall hyn greu anawsterau mewn achosion o weithio ar lefel partneriaethol. Byddai codau ymarfer o gymorth sylweddol i gynnig eglurder i ymarferwyr yn y maes.

Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ddiwygiadau pellach yr hoffech eu gweld i'r system bresennol, neu unrhyw ddulliau gweithredu eraill y dylem eu hystyried yn eich barn chi.

Dim sylwadau pellach.

- 18. *Rydym wedi seilio'r cynnig rydym yn ei ffafrio i ddiwygio'r Safonau (Opsiwn 2) ar sail yr eglurder, y capasiti ar gyfer gwella a'r costau newid sy'n gysylltiedig â phob opsiwn (paragraffau 163-165). A ydych yn cytuno â'n dadansoddiad?***

Mae'r criteria uchod a ddefnyddir yn ymddangos yn synhwyrol. Yr egwyddorion craidd y dylid ymlynu â hwy yw parhau i sicrhau hawliau'r defnyddiwr ac ymrwymo sefydliadau i ddarparu hynny heb wanhau egwyddorion craidd y Safonau.

Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ffactorau eraill y dylem eu hystyried wrth lunio unrhyw gynigion terfynol.

Credir ei bod yn bwysig sicrhau nad oes gwanhad yn egwyddorion y Safonau a bod y set o Safonau ar gyfer yr holl gyrff yn rhai uchelgeisiol. Fe fabwysiadodd y Cyngor Bolisi Iaith Gymraeg o'r newydd sy'n gyplysiad o'r Safonau Iaith a'i Gynllun Iaith Gymraeg. Roedd hyn yn ymgais i gadw rhai ymrwymadau a manylder a oedd yn mynd tu hwnt i ofynion y Safonau e.e.

gosod y Gymraeg uwchben y Saesneg, y drefn gyda'r gwasanaeth cyfieithu, enwi lleoedd.

19. ***A ydych chi'n cytuno â'r cynnig i ddiddymu'r dosbarthiadau presennol o Safonau, a gwahaniaethau rhwng 'Safonau' (a fyddai'n berthnasol i wasanaethau) a 'dyletswyddau cynllunio ieithyddol' (a fyddai'n berthnasol i ddyletswyddau corfforaethol)?***

Nid oes unrhyw wrthwynebiad i ail ddosbarthu'r Safonau er mwyn cynyddu dealltwriaeth ac eglurder. Serch hynny, credir y dylid gwarchod rhag gwanhau'r gofyniad i gyrff gydymffurfio gyda'r Safonau nad ydynt yn creu hawliau uniongyrchol i unigolion. Mae'r Safonau Gweithredu, Llundain Polisi, Gweithredu, Hybu a Chadw Cofnodion yn allweddol i osod y seilwaith priodol mewn lle ar gyfer cyflenwi gwasanaethau o safon trwy gyfrwng y Gymraeg a gwarchod hawliau'r defnyddiwr gwasanaeth.

Credir bod angen mwy o ffocws ar y disgwyliad i sefydliadau gynllunio'n ieithyddol a darparu cefnogaeth briodol iddynt gyflawni hyn yn effeithiol.

20. ***A ydych o'r farn y dylid cynnwys darpariaethau sy'n ymwneud â Chynlluniau Strategol y Gymraeg mewn Addysg yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?***

Byddai hyn yn briodol os oes amod ar gyrff unigol i gydymffurfio gyda Safonau penodol yn ymwneud â'r maes.

21. ***Oes yna unrhyw faterion eraill y dylid, yn eich barn chi, eu cynnwys yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?***

Dim sylw pellach.

22. ***A ydych yn cytuno y dylai fod gan y Comisiwn arfaethedig bwerau cyffredinol i gynnal ymchwiliadau i sut mae cyrff yn cyflawni eu dyletswyddau o ran y Gymraeg, a fyddai'n cynnwys y Safonau a'r dyletswyddau cynllunio ieithyddol?***

Mae'n briodol i'r corff arfaethedig gael y pwerau cyffredinol hyn i gynnal ymchwiliadau i sut mae cyrff yn cyflawni eu dyletswyddau o ran y Gymraeg. Credir y dylid gwneud hyn mewn modd cefnogol a chadarnhaol onid oes tystiolaeth o ddiffyg awydd corff i gydymffurfio. Mae ymchwiliadau o'r fath yn fodd o adnabod methiannau systemig yn ogystal ag arfer da.

23. ***A ydych chi'n cytuno â'n cynnig y dylai'r Comisiwn arfaethedig fonitro a chefnogi cyrff mewn perthynas â'u dyletswyddau cynllunio ieithyddol, yn hytrach na'u gorfodi?***

Credir y dylai bod gofyniad ar i gyrff gydymffurfio gyda'r Safonau hyn ond byddai o fantais sylweddol pe bai cefnogaeth ymarferol ynghyd ag enghreifftiau o arfer da ar gael iddynt gyrraedd y nod.

- 24. A ydych chi'n cytuno â'n cynnig i roi cyfrifoldeb am osod Safonau ar gyrff i Lywodraeth Cymru, p'un ai drwy hysbysiad cydymffurfio neu drefn arall?**

Cytunir bod angen symleiddio'r broses bresennol o osod Safonau ar gyrff. Ar hyn o bryd mae'n cymryd gormod o amser ac adnoddau i'r ddwy ochr.

- 25. A ydych chi'n cytuno â'n cynnig y dylai pob un o'r rheoliadau i wneud Safonau fod yn destun ymgynghoriad cyhoeddus llawn cyn gofyn am gymeradwyaeth y Cynulliad?**

Cytunir gyda'r cynnig hwn er mwyn i'r broses fod yn dryloyw a chynhwysol.

- 26. A ydych chi'n cytuno â'n cynnig i ddiddymu Ymchwiliadau Safonau?**

Cytunir bod angen ail edrych ar y broses gan ei bod ar hyn o bryd yn hir ac yn feichus yn weinyddol. Serch hynny, mae'n bwysig bod tystiolaeth ar gael o ba weithgaredd mae'r gyrff yn ymgymryd â nhw cyn pennu'r Safonau ar eu cyfer. Heb y dystiolaeth hon, mae risg o beidio â gosod set o Safonau'n sy'n briodol.

- 27. A ydych chi'n cytuno â'n cynnig y dylid rhoi pwerau i gyhoeddi codau ymarfer neu ganllawiau mewn perthynas â'r Safonau i Lywodraeth Cymru?**

Cytunir bod angen cyhoeddi'r codau ymarfer neu ganllawiau hyn. Mae'r rhain yn hanfodol ar gyfer cynyddu dealltwriaeth a sicrhau unffurfiaeth yn y dehongliadau o ofynion y Safonau.

- 28. A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gael pŵer i osod Safonau ar yr holl gyrff mewn sector yn uniongyrchol drwy reoliadau, heb fod angen hysbysiad cydymffurfio neu drefn arall gyffelyb?**

Cytunir gyda hyn gan y byddai'n lleihau biwrocratiaeth ac arbed amser i'r Llywodraeth osod Safonau ar yr holl gyrff mewn sector drwy reoliadau. Serch hynny, mae'n bwysig cael mecanwaith priodol mewn lle i'r gyrff unigol o fewn y sector gyflwyno sylwadau trwy gydol y broses.

Sylwadau ategol, gan gynnwys eich barn ar y materion y dylem eu hystyried wrth lunio Safonau i'w gosod yn uniongyrchol ar gyrff o fewn sector, p'un a ddylai gyrff unigol barhau â'r hawl i herio Safon sydd wedi'i gosod arnynt, a ph'un a ddylid cael proses ymgynghori fwy trwyadl.

Mae angen mecanwaith mewn lle i alluogi gyrff i drafod heriau didwyll sy'n amlygu eu hunain wrth geisio cydymffurfio gyda Safonau penodol e.e. y dechnoleg ddim ar gael trwy gyfrwng y Gymraeg. Gall hyn ddigwydd ar ôl y cyfnod gosod.

29. ***Pa ffactorau y dylid eu cymryd i ystyriaeth neu pa weithdrefn y dylid ei dilyn er mwyn sicrhau bod y broses o osod Safonau ar Lywodraeth Cymru yn deg a thryloyw?***

Mae'n bwysig bod Llywodraeth Cymru yn arwain drwy esiampl gyda'r Safonau a osodir ar ei gyfer yn uchelgeisiol. Er mwyn i'r broses fod yn deg a thryloyw, byddai'n rhesymol i roi rhan i'r Cynulliad ystyried a chymeradwyo hysbysiad cydymffurfio'r Llywodraeth.

30. ***A ydych chi'n cytuno â'n cynnig y dylid gorfod delio â chwynion drwy weithdrefn gwyno'r corff perthnasol cyn y caiff y Comisiwn arfaethedig, sef Comisiwn y Gymraeg, ymchwilio i fethiant honedig?***

Cytunir gyda'r awgrym y dylid ail edrych ar y gyfundrefn o unioni diffygion mewn darpariaeth gwasanaeth a delio â chwynion. Mae delio a datrys cwynion yn bwysig i sefydliad er mwyn iddo ddysgu gwersi o'r methiant a gosod camau gwella mewn lle. Serch hynny, er mwyn gosod y cywair yn fwy cadarnhaol, croesawir y cynnig o ganiatáu i'r corff unigol ddelio gydag unrhyw gwyn yn lleol yn y lle cyntaf ac yna i'r corff arfaethedig ymyrryd mewn achosion lle na cheir datrysiad neu lle bo patrwm o ddiffyg cydymffurfiaeth. Byddai hyn yn arwain at gysondeb gyda threfn gweithredu Ombwdsmon Gwasanaethau Cyhoeddus Cymru ac yn lleihau ar y fiwrocratiaeth bresennol. Ar hyn o bryd mae'r gyfundrefn o gynnal ymchwiliadau'n feichus yn weinyddol ac yn cymryd amser ac yn aml mae'r diffyg wedi'i unioni yn gynnar iawn yn ystod y broses o gynnal yr ymchwiliad.

31. ***A ydych chi'n cytuno â'n cynnig fod yn rhaid i gyrff gadw at weithdrefn gwyno sydd wedi'i chymeradwyo, fel y Polisi Pryderon a Chwynion Enghreifftiol?***

Mae'r Cyngor wedi cymeradwyo Polisi Pryderon a Chwynion yn 2013 sy'n mabwysiadu ysbryd y drefn a amlinellir ym Mholisi Pryderon a Chwynion Ombwdsmon Gwasanaethau Cyhoeddus Cymru. Mae hyn yn golygu bod trefn gydnabyddedig, deg a thryloyw mewn lle i ddelio gyda chwynion.. Os ydi'r holl sefydliadau perthnasol wedi ymrwymo i drefn gyffelyb yna ceir cysondeb gweithredu.

32. ***A ydych chi'n cytuno â'n cynnig mai dim ond os yw o'r farn fod yr achos honedig o dorri Safon neu weithdrefn gwyno yn un ddifrifol y dylai'r Comisiwn arfaethedig gael cymryd camau gweithredu pellach mewn perthynas â chwyn?***

Cytunir y dylai'r corff arfaethedig ddefnyddio meini prawf i asesu a ddylai gymryd unrhyw gamau wrth ddelio â chwynion. Wrth lunio'r meini prawf, byddai o ddefnydd i geisio cael aliniad gyda meini prawf Ombwdsmon Gwasanaethau Cyhoeddus Cymru. Mae cael y cydbwysedd priodol rhwng diogelu hawliau'r defnyddiwr, cynnal safon y gwasanaeth a bod yn gymesur a lleihau biwrocratiaeth yn hanfodol. Dylid ail edrych ar y prosesau gweinyddol sydd ynghlwm er mwyn cyflymu'r broses o gynnal ymchwiliad i gwyn.

Sylwadau ategol, gan gynnwys unrhyw sylwadau ar ein diffiniad o ‘achos difrifol’ ym mharagraff 219.

Mae'r diffiniad a roddir o 'achos difrifol' yn ymddangos yn synhwyrol.

- 33. *A ydych chi'n cytuno â'n cynnig i ganiatáu i'r Comisiwn arfaethedig gynnal ymchwiliad ar ei liwt ei hun?***

Mae'n bwysig diogelu pwerau'r corff arfaethedig i gynnal ymchwiliadau ar ei liwt ei hun pan fo problemau yn amlygu eu hunain drwy waith monitro cydymffurfiaeth.

- 34. *A ydych chi'n cytuno fod y camau gweithredu a ddisgrifir ym mharagraff 225 yn darparu amrywiaeth effeithiol o gamau gorfodi?***

Mae'r ystod camau gweithredu'n ymddangos yn synhwyrol. Serch hynny byddai o gymorth i sefydliadau pe bai'r corff arfaethedig yn gallu cynnig cefnogaeth gyda'r broses ar gyfer unioni'r methiant i gydymffurfio. Gall hyn gynnwys cefnogaeth adeiladol i ddatrys problemau yn y maes technoleg gwybodaeth.

Sylwadau ategol, gan gynnwys unrhyw syniadau ynghylch camau gorfodi eraill a wrthodwyd neu nad ydynt wedi cael eu hystyried yn y Papur Gwyn.

Dim sylwadau pellach.

- 35. *Ar hyn o bryd, mae gan y Comisiynydd bwerau i osod dirwy sifil o hyd at £5,000 ac, mewn rhai amgylchiadau, i ofyn am orchymyn llys i'w gwneud yn ofynnol i gorff gydymffurfio. A ydych chi'n cytuno â'n cynnig y dylid cadw'r pwerau hyn?***

Cytunir gyda'r cynnig y dylid cadw'r pwerau hyn mewn lle.

Sylwadau ategol, gan gynnwys unrhyw sylwadau ynghylch y ddirwy sifil uchaf y dylai'r Comisiwn arfaethedig allu ei gosod (os o gwbl).

Dim sylwadau pellach.

- 36. *A ydych chi'n cytuno â'n cynnig i gadw rôl y Tribiwnlys mewn perthynas â phenderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi cydymffurfiaeth cyrff â'r Safonau?***

Cytunir gyda'r cynnig hwn gan ei fod yn opsiwn mwy hwylus a chost effeithiol nag adolygiad barnwrol.

- 37. *A ydych chi'n cytuno â'n cynnig y dylai'r Tribiwnlys hefyd ymdrin ag apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?***

Cytunir gyda'r awgrym hwn yn gyffredinol.

38. ***Rydym ni'n cynnig cyflwyno cam cyntaf gorfodol ar gyfer y tribiwnlys mewn perthynas ag apelau yn erbyn penderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi Safonau. Byddai'r cam cyntaf yn ei gwneud yn ofynnol i'r Tribiwnlys roi caniatâd ar y sail bod siawns rhesymol y bydd y cais yn llwyddo neu pan fo rheswm cryf arall pam y dylai'r cais gael ei glywed. A ydych chi'n cytuno â'n cynnig?***

Cytunir gyda'r awgrym hwn yn gyffredinol.

39. ***A ydych chi o'r farn y dylai'r cam cyntaf gorfodol arfaethedig fod yn gymwys i apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?***

Cytunir gyda'r awgrym hwn yn gyffredinol.

40. ***A oes gennych unrhyw sylwadau ychwanegol ar Ran 3 y Papur Gwyn?***

Dim sylwadau pellach.

Rhan 4: Cwmpas y cyrff sy'n ddarostyngedig i ddeddfwriaeth y Gymraeg

41. ***A ydych chi'n cytuno â'n cynnig i ddileu'r cyfyngiadau yn y Mesur fel bod Llywodraeth Cymru'n meddu ar y pŵer i wneud Safonau'n gymwys i unrhyw gorff o fewn cymhwysedd deddfwriaethol y Cynulliad?***

Cytunir gyda'r egwyddor o ddileu cyfyngiadau presennol yn y Mesur. Byddai gosod Safonau ar gyrff eraill o gymorth i wireddu'r uchelgais o 'Filiwn o Siaradwyr' erbyn 2050.

Credir y dylid darparu dehongliad clir o beth a olygir gyda 'rhesymol a chymesur' yn y cyd-destun hwn.

42. ***A ydych chi'n cytuno â'n cynnig mai dim ond mewn perthynas â'r gwasanaethau y maent yn eu cyflenwi i'w cwsmeriaid y dylai busnesau yn y sector preifat fod yn agored i orfod cydymffurfio â Safonau?***

Er mwyn cyflawni gwasanaethau trwy gyfrwng y Gymraeg, bydd angen i'r busnesau sector breifat gyflogi staff dwyieithog a chynnig cyfleoedd i ddysgu'r iaith. Gan mai'r gweithle yw un o'r meysydd allweddol sy'n pennu pa iaith y mae pobl yn ei ddefnyddio, mae'n gwneud synnwyr i bennu safonau dyletswyddau cynllunio ieithyddol ar gyrff addas o fewn y sector breifat. Gall y rhain fod yn gyflogwyr o faint mewn rhai ardaloedd yng Nghymru. Byddai hyn yn fodd o gyfrannu tuag at gyrraedd y targed o 'Filiwn o Siaradwyr' erbyn 2050.

Sylwadau ategol, gan gynnwys eich barn ynghylch unrhyw gyfyngiadau y dylid eu rhoi ar y pwerau i osod Safonau ar fusnesau preifat.

Dim sylwadau pellach.

- 43. A ydych chi'n cytuno â'n cynnig mai dim ond fel rhan o becyn ehangach o weithgarwch sy'n hybu'r Gymraeg ac yn cynyddu ymwybyddiaeth ohoni y dylid gosod Safonau ar fusnesau preifat?**

Gweler yr ymateb i gwestiwn 42.

- 44. Os rhoddir pwerau i Lywodraeth Cymru i osod Safonau ar unrhyw gorff o fewn cymhwysedd y Cynulliad, a ydych chi o'r farn y dylai Safonau gael eu gosod ar unrhyw gorff neu sector nad yw ar hyn o bryd o fewn cwmpas deddfwriaeth ynghylch y Gymraeg?**

Cytunir yn gyffredinol ei bod yn amserol i achub ar y cyfle i ehangu'r pwerau i osod Safonau ar unrhyw gorff neu sector nad yw ar hyn o bryd o fewn cwmpas deddfwriaeth ynghylch y Gymraeg.

- 45. A oes gennych unrhyw sylwadau ychwanegol ar Ran 4 y Papur Gwyn?**
Dim sylwadau.

Rhan 5: Asesu effaith ein cynigion

- 46. Rydym wedi asesu effaith ein cynigion ar gydraddoldeb, plant, pobl ifanc a'u teuluoedd, a'r Gymraeg. A oes gennych chi sylwadau ar unrhyw un o'r asesiadau hyn?**

Cytunir yn llwyr mai'r Safonau yw'r ffordd fwyaf effeithiol o ran sicrhau cydraddoldeb i siaradwyr Cymraeg o bob cefndir ac oedran allu ddefnyddio gwasanaethau cyfrwng Cymraeg os ydynt yn dewis gwneud hynny. Maent yn gyfrwng i normaleiddio a phrif ffrydio'r Gymraeg i wasanaethau'n gyffredinol.

- 47. Hoffwn wybod ein barn ar yr effeithiau y byddai'r cynigion yn ein Papur Gwyn yn eu cael ar y Gymraeg, yn benodol ar:**

- i) gyfleoedd i bobl ddefnyddio'r Gymraeg**
- ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.**

Pa effeithiau fyddai yn eich barn chi? Sut mae cynyddu effeithiau cadarnhaol neu liniaru effeithiau negyddol?

I sicrhau cydraddoldeb i siaradwyr Cymraeg, yn ogystal â darparu'r cyfleoedd i bobl ddefnyddio'r iaith, ystyrir bod angen gwneud mwy ar lefel cenedlaethol i gynyddu dealltwriaeth unigolion o'u hawliau. Awgrymir y dylid ystyried llunio cyfres o ymrwymadau cenedlaethol i'r cyhoedd yn nodi'r hyn y gallant ei ddisgwyl gan sefydliadau o ran darpariaeth cyfrwng Cymraeg. Byddai hyn hefyd yn fodd o symleiddio'r maes trwy gyfleu'r prif negeseuon yn eglur a chryno, gyda chyfeiriad at sut / lle i gael gwybodaeth fwy manwl petai angen.

- 48. Eglurwch hefyd sut gellid ffurfio neu newid yr opsiynau arfaethedig:**

- i) *fel eu bod yn cael effeithiau cadarnhaol neu fwy o effeithiau cadarnhaol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg*
- ii) *fel nad ydynt yn cael effeithiau andwyol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.*

Dim sylwadau pellach.

49. Rydyn wedi gofyn nifer o gwestiynau penodol. Oes oes gennych chi faterion perthnasol nad ydym wedi rhoi sylw penodol iddynt, defnyddiwch y blwch isod i roi gwybod i ni amdanynt.

i) Gwybodaeth i ble i droi am gymorth (tudalen 8 - pwynt 26)

Byddai adfer y llinell gyswllt fel pwynt cyswllt cyntaf o gymorth sylweddol i ddarparu gwybodaeth gychwynnol, cymorth a chyngor ymarferol i ddefnyddwyr gwasanaeth ac ymarferwyr yn y maes. Mae absenoldeb hyn wedi creu gwagle.

ii) Rhwydweithiau ymarferwyr a rhannu arferion da (tudalen 9 - pwynt 30)

Credir bod tir wedi ei golli gyda'r diffyg rhwydweithio sy'n digwydd ar hyn o bryd. Roedd y cyfleoedd hyn yn fodd o gefnogi a datblygu sgiliau ymarferwyr, osgoi dyblygu a rhannu arferion da.

iii) Lleihau biwrocratiaeth (tudalen 11 - pwynt 40)

Fel pob corff arall bu cryn waith paratoadol i'r Cyngor ar gyfer y Safonau Iaith. Roedd hyn yn cynnwys hunanasesiad, ymateb i'r ymgynghoriadau ar y Safonau drafft, yr Ymchwiliad Safonau, Polisi Gorfodi Comisiynydd y Gymraeg a chyflwyno ymateb i'r hysbysiad cydymffurfio drafft.

Yn dilyn derbyn yr Hysbysiad Cydymffurfio Terfynol, roedd cryn waith ynghlwm, o fewn amserlen eithaf heriol i sicrhau cydymffurfiaeth y Cyngor gyda'r 160 Safon. Roedd y gwaith hwn yn cynnwys dehongli'r gofynion, codi ymwybyddiaeth staff am y gofynion drwy hyfforddiant, bwletinau a chanllawiau gweithredu. Mae'r gwaith o godi ymwybyddiaeth am y gofynion yn broses barhaus.

Bydd symleiddio'r drefn yn rhyddhau adnoddau prin i ganolbwyntio ar ddeilliannau er budd y Gymraeg, yn hytrach nag ar ddilyn prosesau.

**THE ISLE OF ANGLESEY COUNTY COUNCIL'S RESPONSE TO THE WELSH
GOVERNMENT'S WHITE PAPER CONSULTATION DOCUMENT**

**STRIKING THE RIGHT BALANCE: PROPOSALS FOR A WELSH LANGUAGE
BILL**

General comments

The County Council welcomes the principles of the Welsh Language Measure (Wales) 2011 which confirms the language's official status and promotes and facilitates use of the Welsh language. It is hoped that this will make it easier for service users to know which services they can receive in Welsh and that there will be greater consistency and quality in those services.

Five years after passing the Measure, we believe it is timely to review the system so that consideration can be given to introducing any amendments or improvements. Simplifying the system will release scarce resources to focus on outcomes that will benefit the Welsh language, rather than following processes.

It is fully agreed that the Standards are the most effective way of ensuring users' rights to have services in Welsh. It is believed that it would be beneficial to form a series of national commitments for the public noting what they can expect from organisations in terms of Welsh-medium provision. This would make things simpler and would increase users' understanding of their rights.

The County Council also welcomes the Government's ambitious vision for the Welsh language. Nevertheless, to ensure success, it is essential that the Welsh Language Bill aligns with and supports realising the ambition of a 'million Welsh speakers' by 2025. In addition, in order to realise this aim we welcome the need to strike the right balance between promoting and facilitating use of the Welsh language, regulating duties relating to the Welsh language and reducing bureaucracy and ensuring value for money.

Regulation affects the way public services are run. It is therefore, important to ensure that any changes to the Standards comprise of elements that will influence positively on language use. In addition, there is a need to strengthen the support available to establishments, including investment in behavioural change research. We fully agree with the observation that it is necessary to ensure progress with Welsh medium vocational and professional training so that individuals can confidently undertake their roles bilingually.

The Welsh Government is asked to ensure that there are sufficient additional resources available for realising the ambition of a 'Million Welsh Speakers' by 2050.

RESPONSE TO THE CONSULTATION QUESTIONS

Part 1: Promoting the Welsh language

1. ***In paragraphs 49-54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?***

We agree in general with the areas noted in which the Government should play its part in promoting and facilitating the Welsh language.

In ensuring compliance with the Language Standards, some challenges have arisen in respect of information technology where the software is not available through the medium of Welsh e.g. the 'Captcha' payments verifier and chip and pin devices. It is assumed that every organisation which is subject to the Standards faces the same challenges and it is sensible for the Welsh Government to use its influence to hold national discussions with the global technology firms. This would be of significant practical assistance locally.

It also makes sense for the Government to coordinate and obtain value for money by securing national contracts in the field of technology. This would also be a means of ensuring compliance in the provision.

It is of paramount importance to ensure a conjoined approach towards national policy areas relating to the promotion of the use of the Welsh Language. There is a reference to education but there should also be a focus on planning, the economy and tourism.

2. ***In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with standards. Do you agree with our proposal?***

We agree in general with the resources identified for Welsh language promotion. However, in order to ensure long-term sustainability, and the successful evaluation of some projects, it is essential that a rolling programme of additional funding is identified. This may be relevant to enable any successful projects at a local level to be implemented on a national scale.

We believe that funding should also be earmarked to create an observatory of good practice so as to make most effective use of diminishing resources within the public sector.

3. ***Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?***

We agree with the proposal to establish a single main body to be responsible for promoting the Welsh language, and for monitoring and enforcing compliance with the Standards. This will simplify the system for the service users and practitioners in the field alike, and will be a means of centralising expertise and good practice within one organisation. With the Welsh Language Board, it managed to preserve the balance between regulating and promoting the Welsh language. It is believed, therefore, that a single body is able to perform both functions successfully and build a collaborative relationship with individual bodies in order to strengthen the use of the Welsh language. However, it is very important that there are solid structures in place to ensure output and a sufficient budget in place to carry out all the duties effectively.

4. *We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?*

It is logical to think that having one body with a strong brand responsible for promoting the Welsh language and monitoring and enforcing compliance with the Standards would provide greater clarity for the service user and practitioners in the field. There is a clear synergy between the promotional activity and enforcement functions, provided the body has the breadth of necessary expertise for performing the roles effectively. The conclusions of the regulatory work would highlight the shortfalls in the standard of provision as well as good practice. It could then use a systematic approach to tackling the shortcomings and challenges through a programme of promotion and facilitation. Similarly, a single body can coordinate and share examples of good practice which might save time and resources within individual organisations. This would in turn lead hopefully to continuous improvement and making the best use of resources within services across the sectors.

It is very important that the transitional period does not create uncertainty, lack of guidance which will in turn lead to a loss of momentum.

5. *What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?*

It is important to ensure that the body has an independent and powerful status so that it has the credibility to monitor and enforce compliance with the Standards effectively.

6. *Do you have any further comments on Part 1 of the White Paper?*

It is important that there are sufficient human and financial resources available for the body to discharge its functions effectively and that this is kept under continuous review.

Part 2: Governance and accountability

7. ***In paragraphs 93-95 we have set out some general requirements regarding the body's governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?***

The consultation document outlines general requirements relating to the body's governance and accountability arrangements. However, there is no reference here to scrutiny arrangements for the proposed body. Given that public bodies are usually subject to such arrangements, is it not appropriate to give consideration to ensuring there are robust scrutiny processes in place?

8. ***Do you agree with our preferred option (Option 3) to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies' compliance with Standards?***

It is agreed that there are obvious merits in having one body with expertise (see the response to question 7 above).

The role and function of the Governing Body can be further explored in order to have the appropriate level of accountability, support and expertise. We welcome the suggestion that the ***'majority of the Board should be independent members (i.e. not members of the Commissioner or the Welsh Government's staff), constituted to ensure there is a balance of experience, skills and knowledge to exercise the functions of the Board effectively.'***

9. ***What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?***

No comment.

10. ***Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies' compliance with Standards?***

In order for the status of the body in question to be powerful, it is important that it has the right level of independence. The consultation document notes on page 27 (bullet point 5) ***'The Welsh Government to have powers to direct the body which the body would be required to comply with.'*** It is essential to have the right balance in terms of the powers available to the body so that it has the credibility and the influence to operate successfully. Would it not be appropriate for the proposed body to practice a function independent from the Government in the same way as the Public Services Ombudsman for Wales?

11. ***Are there any additional matters to those listed in paragraphs 121-122 that we should consider regarding arrangements to establish the proposed Commission?***

No further comment.

- 12. Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?**

It is vital that the above requirement on the Welsh Government is transferred to the new Welsh Language Bill. This would be a means of ensuring a direct link between the work of the proposed body and the Welsh Government's Strategy for the Welsh Language. This in turn would ensure that the focus of both organisations are on achieving the same long-term aims and that resources are targeted to the right fields.

- 13. Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?**

We believe that five years is far too long between reporting on the delivery of the Welsh Language Strategy. By realising that the effect of some programmes is long-term, there should be a reporting system in place that identifies performance slippages. Suitable interventions could then be considered. In light of this, we believe that the Welsh Government should continue to report annually.

- 14. Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?**

Of course, any long term strategy must be supported by a series of short term action plans. Again, a five-year period for every action plan is a long time for measuring progress and identifying slippages in performance against agreed targets. It is believed that action plans should not be for longer than 2-3 years but as noted above, achievement should be reported annually.

- 15. Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?**

It makes sense for the principal body with significant expertise to advise the Government on Welsh language issues. Abolishing the Welsh Language Partnership Council would avoid duplication.

- 16. Do you have any further comments on Part 2 of the White Paper?**

No further comments.

Part 3: The Welsh Language Standards

17. *We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?*

Overall, we agree that Option 2 – incremental reform of the Standards, is the way forward. Public bodies are now committed to implementing the standards, and changing the system would cause confusion and the need for resources and times to establish a new system.

Although very supportive of keeping the Standards, we believe it is timely to review which Standards do not yield much benefit to the public and are very costly to implement. An example of this would be the need to translate lengthy technical background documents that are not read widely, particularly in a climate where resources are scarce. There are also some challenges in the area of technology which means that it is not possible to comply fully with some requirements immediately. Support should be provided on a national level to resolve these problems.

There are clear advantages with the principle of having all bodies move towards implementing the same set of Standards over time, provided those Standards are ambitious enough. As the capacity of the bodies increases, it would then be easier for them to work together in partnership if they are subject to the same Standards. Also, performance could be benchmarked nationally.

There is some ambiguity in interpreting the requirements of some Standards, which has caused difficulties at an operational level at times and has led to different interpretations by different bodies. This can cause difficulties in cases of partnership working. Codes of practice would provide significant support in offering clarity to practitioners in the field.

Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

No further comments.

18. *We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163-165). Do you agree with our analysis?*

The criteria that are used above seem sensible. The core principles that should be adhered to are to continue to ensure users' rights and commit organisations to providing them without undermining the core principles of the Standards.

Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

We believe it is important to ensure that the principles of the Standards are not weakened and that the set of Standards for all bodies are ambitious. The Council has adopted a new Welsh Language Policy which is an amalgamation of the Welsh Language Standards and the Welsh Language Scheme. This was an attempt to maintain some commitments and detail that went beyond the requirements of the Standards e.g. place the Welsh language above the English language, the procedure with the translation service, place names.

19. *Do you agree with the proposal to abolish the current classes of Standards and differentiate between ‘Standards’ (which would relate to services) and ‘language planning duties’ (which would relate to corporate duties)?*

There is no objection to the proposal to reclassify the Standards in order to improve understanding and clarity. Nevertheless, we believe that care should be taken not to weaken the requirement for bodies to comply with Standards that do not create direct rights for individuals. The Operational, Policy Making, Promotion and Record Keeping Standards are key for laying the appropriate foundation for delivering high-quality services through the medium of Welsh and safeguarding the rights of the service user.

We believe that more focus is required on the expectation on organisations utilise linguistic planning and provide effective support for them to achieve this successfully.

20. *Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?*

This would be appropriate if there is a stipulation on individual bodies to comply with specific Standards relating to the area in question.

21. *Are there any other matters which you believe should be included in the new legislation as language planning duties?*

No further comment.

22. *Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?*

It is appropriate for the proposed body to have these general powers to conduct examinations into how bodies meet their Welsh language duties. We believe this should be done in a supportive and constructive manner unless there is evidence that a body is unwilling to conform. Such examinations are a means of identifying systemic failures as well as good practice.

23. *Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?*

We believe that there should be a requirement for bodies to comply with these Standards but it would be very advantageous if there was practical support together with examples of good practice available for them to reach this aim.

24. *Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?*

We agree that the current process of imposing Standards on bodies needs to be simplified. At present the process is taking too much time and resources for both sides.

25. *Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?*

We agree with this proposal so that the process is more transparent and inclusive.

26. *Do you agree with our proposal to abolish Standards Investigations?*

We agree that there is a need to review the process as it is too lengthy and burdensome at present in terms of administration. However, it is important that there is evidence available of which activities the bodies are undertaking before imposing the Standards for them. Without this evidence, there is a risk of not setting an appropriate set of standards.

27. *Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?*

We agree that there is a need to publish these codes of practice or guidance. These are essential for increasing understanding and ensuring uniformity in bodies' interpretation of what the Standards require.

28. *Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?*

We agree with this as it would reduce bureaucracy and would save time for the Government to impose Standards on all the bodies in a sector through regulations. However, it is important to have the appropriate mechanism in place for the individual bodies within the sector to submit observations throughout the process.

Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual bodies should retain the right to

challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

There is a need to have a mechanism in place to enable bodies to discuss genuine challenges that emerge in trying to comply with specific Standards e.g. the technology not being available in Welsh. This could occur after the imposition phase.

- 29. *What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?***

It is important that the Welsh Government leads by example with an ambitious set of Standards imposed for it. In order for this process to be fair and transparent, it would be reasonable for the Assembly to have a part in considering and approving the Government's compliance notice.

- 30. *Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?***

We agree with the suggestion that the system of rectifying shortcomings in service provision and dealing with complaints should be revisited. Dealing and resolving complaints are important to an organisation in order to learn lessons from the shortcomings and establish improvement actions. In order to set a more positive tone, we welcome the proposal of allowing the individual body to deal with any complaint in the first place, and for the proposed body to then intervene where the complaint has not been resolved or where there is a pattern of non-compliance. This would make it consistent with the operational procedure of the Public Services Ombudsman for Wales and would reduce the current bureaucracy. The current system of conducting investigations is burdensome to administer and is time-consuming, and often the shortcoming is rectified very early on in the process of conducting the investigation.

- 31. *Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?***

The Council approved a Concerns and Complaints Policy in 2013 which adopts the spirit of the procedure outlined in the Public Services Ombudsman for Wales's Concerns and Complaints Policy. This means that we have a recognised, fair and transparent method of dealing with complaints. If all relevant organisations have committed to a similar procedure, there will be operational consistency.

- 32. *Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?***

We agree that the proposed body should use criteria for assessing whether it should take any steps in dealing with complaints. In drawing up the criteria, it would be useful if they aligned with the criteria of the Public Services Ombudsman for Wales. Having the appropriate balance between protecting users' rights, maintaining the standard of service and being proportionate and reducing bureaucracy is essential. The administrative processes involved should be revisited in order to speed up the process of conducting an investigation into a complaint.

Supporting comments, including any comments on our definition of a 'serious breach' in paragraph 219.

The definition given of a 'serious breach' appears sensible.

33. *Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?*

It is important to safeguard the powers of the proposed body to enable it to conduct investigations on its own initiative when problems come to light through compliance-monitoring work.

34. *Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?*

The range of actions seem sensible. Nevertheless, it would assist organisations if the proposed body could offer support with the process of rectifying the failure to comply. This could include constructive support to resolve problems in the area of information technology.

Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

No further comments.

35. *Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?*

We agree with the proposal that these powers should be retained.

Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

No further comments.

36. *Do you agree with our proposal to retain the Tribunal's role in relation to the proposed Commission's decisions regarding enforcing bodies' compliance with Standards?*

We agree with this proposal as it is a more convenient and cost-effective option than a judicial review.

- 37. Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?**

We generally agree with this suggestion.

- 38. We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission's decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?**

We generally agree with this suggestion.

- 39. Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?**

We generally agree with this suggestion.

- 40. Do you have any further comments on Part 3 of the White Paper?**

No further comments.

Part 4: The scope of bodies covered by Welsh language legislation

- 41. Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly's legislative competence?**

We agree with the principle of removing current constraints in the Measure. Imposing Standards on other bodies would assist in realising the ambition of a 'Million Welsh Speakers' by 2050.

We believe that a clear interpretation of what is meant by 'reasonable and proportionate' should be provided in this context.

- 42. Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?**

In order to deliver services through the medium of Welsh, private sector businesses will need to employ bilingual staff and offer opportunities for people to learn the language. Since the workforce is one of the key areas that determines what language people use, it makes sense to impose standards in respect of language planning duties on suitable bodies in the private sector.

This would be a way of contributing towards reaching the target of a 'Million Welsh Speakers' by 2050

Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

No further comments.

- 43. *Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?***

See the response to question 42.

- 44. *If the Welsh Government is given powers to impose Standards on any body within the Assembly's competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?***

We generally agree that it is timely to capitalise on the opportunity to extend the powers to impose Standards on any body or sector that are not currently within the scope of Welsh language legislation.

- 45. *Do you have any further comments on Part 4 of the White Paper?***
No comments.

Part 5: Assessing the impact of our proposals

- 46. *We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?***

We fully agree that the Standards are the most effective way of ensuring equality for Welsh speakers of all backgrounds and ages to be able to use Welsh-medium services if they wish to do so. They are a means of normalising and mainstreaming the Welsh language into services in general.

- 47. *We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:***

- i) opportunities for people to use Welsh***
- ii) treating the Welsh language no less favourable than the English language.***

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

To ensure equality for Welsh speakers, as well as providing opportunities for people to use the language, we consider that more needs to be done nationally to increase individuals' understanding of their rights. We suggest

that consideration should be given to drawing up a series of national commitments for the public noting what they can expect from organisations in terms of Welsh language provision. This would also be a means of simplifying the matter by conveying the main messages clearly and concisely, with reference to how/where they can access more detailed information should they need it.

48. *Please explain how you believe the proposed options could be formulated or changed so as to have:*

- i) *positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language***
- ii) *no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.***

No further comments.

49. *We have asked a number of specific questions in this White Paper. If you have any related issues which we have not specifically addressed, please use this space to report them.*

i) *Knowing where to turn for help (page 8 – point 26)*

Reinstating the contact telephone line as a first point of contact would be very helpful for providing initial information, advice and practical support to service users and practitioners in the field. The absence of such has created a void.

ii) *Networks of practitioners and sharing good practice (page 9 – point 30)*

We believe that some ground has been lost with the lack of networking that currently takes place. These opportunities were a way of supporting and developing practitioners' skills, avoiding duplication and sharing good practice.

iii) *Reducing bureaucracy (page 11 – point 40)*

Like every other body the Council undertook substantial preparatory work for the Standards. This included a self-assessment, responding to the consultations on the draft Standards, the Standards Investigation, the Welsh Language Commissioner's Enforcement Policy and submitting a response to the draft compliance notice.

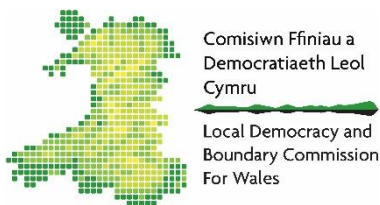
Following receipt of the Final Compliance Notice, there was considerable work involved, within a fairly tight timescale, to ensure the Council's compliance with the 160 Standards. This work included interpreting the requirements, raising awareness amongst staff about the requirements through training, bulletins and operational guidelines.

The work of raising awareness of the requirements is a continuous process.

Simplifying the system will release scarce resources to focus on outcomes that will benefit the Welsh language, rather than on following processes.

**PG-046 - Comisiwn Ffiniau a Democratiaeth Leol Cymru/
Local Democracy and Boundary Commission for Wales**

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27 Hydref 2017

Annwyl Gyfaill,

Taro'r cydbwysedd iawn: cynigion ar gyfer Bil y Gymraeg (2017)

Rwy'n ysgrifennu ar ran y Comisiwn Ffiniau a Democratiaeth Leol Cymru (y Comisiwn) i ddiolch i chi am y cyfle i ymateb i'ch Dogfen Ymgynghori – *Taro'r cydbwysedd iawn*.

Caiff gwaith y Comisiwn ei lywodraethu gan Ddeddf Llywodraeth Leol (Cymru) 2013, sy'n amlinellu ein cylch gwaith i arolygu ffiniau llywodraeth leol a threfniadau etholiadol yng Nghymru. Trafodwyd y Ddogfen Ymgynghori a'r ymateb hwn mewn dau o'n cyfarfodydd ac, er bod holl gynnwys y Ddogfen Ymgynghori o ddiddordeb mawr, mae'r Comisiwn wedi ceisio canolbwyntio ar y meysydd hynny sydd o fewn ei gylch gwaith yn benodol. I'r perwyl hwnnw, roeddem o'r farn ei bod yn briodol i ni gyflwyno ein hymateb ar y ffurf sydd o'ch blaen, yn hytrach na llenwi'r holiadur a oedd yn cyd-fynd â'r ddogfen.

Safonau'r Gymraeg

Dim ond yn ddiweddar y mae'r Comisiwn wedi rhoi system Safonau'r Gymraeg ar waith yn llawn. Fel corff cyhoeddus bychan ag adnoddau cyfyngedig, rydym yn croesawu unrhyw newid o ran pwyslais oddi wrth 'orfodi' i 'wella', ac y gellir cyflawni 'gwelliant' dros amser.

O ran y safonau presennol, mae'r Comisiwn wedi gweithio'n galed i roi'r safonau sy'n berthnasol i ni ar waith. Roeddem yn croesawu'r ffaith, wrth gymhwyso'r safonau, y rhoddwyd ystyriaeth i resymolrwydd a chymesuroledeb. Serch hynny, rydym yn pryderu bod ein gallu i fodloni rhai o'r safonau wedi'i ymestyn yn denau iawn ar hyn o bryd oherwydd yr adnoddau cyfyngedig iawn sydd gennym.

Er gwaethaf y pryderon hyn, bu'r Comisiwn yn gefnogol iawn o'r egwyddorion cyffredinol sy'n sail i'r Safonau erioed ac, yn hynny o beth, efallai y byddai'n briodol hyrwyddo dull diwygiol yn hytrach na chwyldroadol ar gyfer newidiadau i'r system bresennol.

Dosbarthiadau Safonau'r Gymraeg

Mae'r Safonau presennol yn disgyn i un o bum dosbarth a amlinellir yn y mesur, sef: Cyflenwi gwasanaethau, Llunio polisi, Gweithredu, Hybu a Chadw cofnodion. Dylid nodi nad yw'n ofynnol i'r Comisiwn gydymffurfio ag unrhyw un o'r Safonau Hyrwyddo. Mae'r Papur Gwyn yn cynnig diddymu dosbarthiadau'r Safonau a'u hail-lunio'n Safonau a dyletswyddau cynllunio ieithyddol.

O safbwynt y Comisiwn, dim ond yn ddiweddar rydym wedi ymgynefino â'r Safonau presennol. Mae'r Safonau sy'n berthnasol i'r Comisiwn a'r ffordd y maent wedi'u rhannu'n ddosbarthiadau yn ymddangos yn briodol. Os caiff y dosbarthiadau eu diwygio, bydd angen i'r Comisiwn ddiwygio fformat y gweithdrefnau monitro ac adrodd a roddwyd ar waith yn ddiweddar.

Gweithdrefnau ar gyfer gwneud a gosod Safonau

Awgrymir bod y dull presennol yn fiwrocraataidd ac yn cymryd amser. Wedi mynd trwy'r broses, mae'r Comisiwn yn cydnabod bod rhaid i unrhyw ddull ar gyfer gwneud a gosod safonau fod yn fiwrocraataidd yn ôl ei ddiffiniad, ond mae o'r farn y gellid lleihau lefel y fiwrocraatiaeth. I ryw raddau, roedd yr amser a gymerodd y broses a'r ffaith nad oeddem yn y garfan gyntaf yn gynorthwyol i'r Comisiwn, oherwydd rhoddodd hyn amser ychwanegol i ni ymgymryd â'r gwaith.

Cwynion

Cynigir y dylid bod rhaid ymdrin â chwynion trwy weithdrefn gwyno'r corff perthnasol yn gyntaf cyn i Gomisiwn y Gymraeg (arfaethedig) ymchwilio iddi.

Mae hyn yn ymddangos yn synhwyrol iawn, gan ei bod yn dilyn proses y Comisiwn a'r gweithdrefnau a fyddai'n cael eu dilyn gan fathau eraill o gwynion. Gweithdrefn y Comisiwn yw y caiff pob cwyn a'r camau gweithredu dilynol eu hadrodd i gyfarfodydd y Comisiwn a'n Pwyllgor Archwilio ac Atal Risg.

Cynigir hefyd bod rhaid i gyrff gadw at weithdrefn gwyno gymeradwy, ac mae'n enwi polisi enghreifftiol Llywodraeth Cymru. Mae hwn yn rhywbeth y mae'r Comisiwn yn ei wneud eisoes ac y gallwn gytuno ag ef yn union.

Mae'r Papur Gwyn yn cynnig y dylai'r Comisiwn (arfaethedig) ond gymryd camau pellach ar gŵyn os yw o'r farn ei bod yn 'ddifrifol'. Byddai hyn yn caniatáu i'r Comisiwn (arfaethedig) gynghori neu gynorthwyo'r corff mewn perthynas â'r gŵyn, os tybir nad yw'n 'ddifrifol'. Mae hyn yn ymddangos yn synhwyrol ac yn osgoi dull llawdrwm, a bydd yn ennyn ymateb gwell gan y corff dan sylw, ond bydd angen diffiniad clir o'r hyn sy'n cael ei ystyried yn 'ddifrifol'.

Mae'r cynnig i'r Comisiwn (arfaethedig) gael cynnal archwiliad ar ei liwt ei hun yn ymddangos yn rhesymol hefyd.

Nid yw'r Comisiwn o'r farn ei bod yn briodol iddo wneud sylwadau ar y cwestiynau sy'n weddill yn y Ddogfen Ymgynghori.

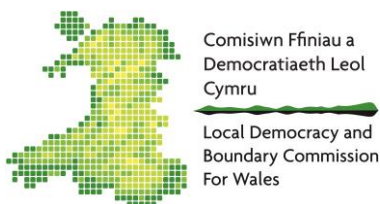
Gallai nifer o'r materion sy'n cael eu codi yn y Ddogfen Ymgynghori effeithio ar waith y Comisiwn yn y dyfodol. Byddwn yn monitro cynnydd y ddeddfwriaeth sy'n deillio o'r ymgynghoriad hwn er mwyn sicrhau bod y Comisiwn yn barod i ymgorffori unrhyw newidiadau i'n gwaith a all godi.

Yn gywir



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27 October 2017

Dear Colleague,

Striking the right balance: proposals for a Welsh Language Bill (2017)

I am writing on behalf of the Local Democracy and Boundary Commission for Wales (the Commission) to thank you for the opportunity to respond to your Consultation Document – *Striking the right balance*.

The work of the Commission is governed by the Local Government (Wales) Act 2013 which sets out our remit to review local government boundaries and electoral arrangements in Wales. The Consultation Document and this response have been discussed at two of our meetings and although all of the Consultation Document's contents were of great interest, the Commission has tried to focus on those areas that are specifically within the Commission's remit. To that end we considered it appropriate that our response be presented in the form you have before you rather than completing the accompanying questionnaire.

The Welsh Language Standards

The Commission has only recently fully implemented the Welsh Language Standards system. As a small public body with limited resources we welcome any shift of emphasis from 'enforcement' to 'improvement' and that 'improvement' may be achieved over time.

In terms of the current standards the Commission has worked hard to implement the standards that apply to us. We welcomed the fact that in the process of applying standards consideration was given to reasonableness and proportionality. Despite this we have concerns that our ability to meet some of the standards is currently stretched very thin because of the limited resources at our disposal.

Notwithstanding these concerns, the Commission has always been supportive of the general principles that underpin the Standards and as such it may be appropriate to advocate a revisionary rather than revolutionary approach to changes to the present system.

The Classes of Welsh Language Standards

The current standards fall within one of five classes set out in the measure: Service delivery, Policy making, Operational, Promotion and Record keeping. It should be noted that the Commission are not required to comply with any of the Promotion Standards. The White Paper proposes to abolish the classes of Standards and to recast them as Standards and Language planning duties.

From the Commission's perspective, we have only just come to terms with the existing Standards. The Standards that apply to the Commission and the way they are divided into classes appear appropriate. If the classification is to be revised the Commission will need to revise the format of the monitoring and reporting procedures that it has only recently put in place.

Mechanism for Making and Imposing Standards

It is suggested that the current mechanism is bureaucratic and time-consuming. Having gone through the process, the Commission recognises that any mechanism for making and imposing standards has to be bureaucratic by definition but considers that the level of bureaucracy could be reduced. To an extent, the length of time taken by the process and the fact that we were not in the first tranche was helpful to the Commission as it gave us additional time to undertake the work.

Complaints

The proposal is made that complaints should have to be dealt with through the relevant body's complaints procedure first before the (proposed) Welsh Language Commission investigates.

This seems eminently sensible as it follows the Commission's process and the procedures that would be followed by other types of complaint. The Commission's procedure is that all complaints and the subsequent follow-up actions are reported to both the Commission meetings and to our Audit and Risk Assurance Committee.

It is also proposed that bodies must adhere to an approved complaints procedure and it names the Welsh Government's model policy. This is something the Commission already does this and is something we can readily agree to.

The White Paper proposes that the (proposed) Commission should only take further action on a complaint if it considers it to be 'serious'. This would allow the (proposed) Commission to advise or assist the body in respect of the complaint if it is deemed to be not 'serious'. This seems sensible as it avoids a heavy handed approach and will elicit a better response from the body in question but there needs to be a clear definition of what is to be considered 'serious'.

The proposal for the (proposed) Commission to be allowed to conduct an investigation on its own initiative also appears reasonable.

The Commission does not consider that it is appropriate to comment on the remaining questions in the Consultation Document.

A number of the issues raised in the Consultation Document may have a future impact on the Work of the Commission. We will monitor the progress of the legislation that arises from this consultation in order to ensure that the Commission is well prepared to incorporate any changes to our work that may arise.

Yours Sincerely



Owen Watkin
Chair
Local Democracy and Boundary Commission for Wales

Rhan 1: Hybu'r Gymraeg

Cwestiwn 1 – Ym mharagraffau 49–54, rydym wedi amlinellu'r rôl yr ydym yn cynnig y dylai Llywodraeth Cymru ei chwarae i hybu'r Gymraeg, h.y. swyddogaethau'r Llywodraeth i hybu'r Gymraeg. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol, gan gynnwys p'un a oes meysydd y dylid eu hychwanegu neu eu tynnu o'r rhestr ym mharagraff 53.

Cytunwn gyda'r swyddogaethau a rhestrir ond teimlwn fod angen cynllun economaidd ar gyfer y Gymraeg.

Cwestiwn 2 – Yn Nhabl 1, rydym wedi amlinellu'r adnoddau mewn perthynas â'r swyddogaethau cyffredinol i hybu'r Gymraeg yr ydym o'r farn y dylent fod ar gael i unrhyw gorff neu gyrff sy'n helpu yn y gwaith o hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol

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Cwestiwn 3 – A ydych chi'n cytuno â'r opsiwn a ffefrir gennym (Opsiwn 4), sef un corff i fod yn gyfrifol am hybu'r Gymraeg ac am fonitro a gorfodi cydymffurfiaeth â'r Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Os ydych yn anghytuno, nodwch pa opsiwn (gan gynnwys opsiynau nad ydym wedi'u trafod yn y Papur Gwyn) y dylem ei ystyried yn eich barn chi.

Sylwadau ategol

Dydy Prifysgol Abertawe ddim yn ffafrio un strwythur, ond y peth pwysicaf i ni fel sefydliad yw sicrhau bod digon o gefnogaeth ar gael o ran rhannu arfer da, canllawiau ac ati ar gyfer gweithredu'r Safonau, ar gyfer cynllunio ieithyddol, ac o ran hybu'r Gymraeg

Cwestiwn 4 – Rydym wedi seilio ein dewis, sef un corff, ar sail eglurder, cydnawsedd a gwerth am arian. A ydych chi'n cytuno â'n sail resymegol?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol

Cwestiwn 5 – Pa faterion perthnasol eraill y dylem eu hystyried wrth wneud ein cynnig terfynol ynghylch pa gorff neu gyrff ddylai hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau?

Sylwadau ategol

Byddai siart strwythur wedi bod yn ddefnyddiol wrth ystyried y gwahanol opsiynau er mwyn gweld y berthynas rhwng y cyrff a'r swyddogaethau.

Cwestiwn 6 – A oes gennych unrhyw sylwadau pellach ar Ran 1 y Papur Gwyn?

Rhan 2: Llywodraethiant ac atebolrwydd

Cwestiwn 7 – Ym mharagraffau 93–95, rydym wedi nodi rhai gofynion cyffredinol yn ymwneud â threfniadau llywodraethu ac atebolrwydd y corff. Beth yw eich barn chi am y gofynion cyffredinol hyn, ac a oes yna fesurau monitro a ffrwyno eraill a ddylai fod yn weithredol ar y corff arfaethedig?

Sylwadau ategol

Cwestiwn 8 – A ydych chi'n cytuno â'r opsiwn a ffeirir gennym (Opsiwn 3), sef i sefydlu Comisiwn y Gymraeg i hybu a hwyluso defnyddio'r Gymraeg a monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol

Gweler uchod. Mae angen sicrhau'r cydbwysedd rhwng monitro a gorfodi a hybu a hwyluso. Ar hyn o bryd mae'r pwyslais ar y monitro a'r gorfodi. O ran y strwythurau newydd mae angen sicrhau prosesau penodi tryloyw er mwyn ennill parch rhanddeiliaid.

Cwestiwn 9 – Beth yw eich barn chi am y dadansoddiad rydym wedi'i ddarparu sy'n cefnogi ein dewis ni, sef Opsiwn 3? A oes unrhyw ystyriaethau eraill y dylem eu hystyried wrth wneud unrhyw gynnig terfynol?

Cwestiwn 10 – A ydych chi'n credu bod Opsiwn 3 yn diogelu annibyniaeth y Comisiwn arfaethedig yn ddigonol yng nghyd-destun arfer swyddogaethau ar gyfer monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Ydw	<input type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	✓
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Sylwadau ategol

Gweler uchod

Cwestiwn 11 – A oes unrhyw faterion ychwanegol i'r rhai a restrir ym mharagraffau 121–122 y dylem eu hystyried wrth ystyried trefniadau i sefydlu'r Comisiwn arfaethedig?

Oes	<input type="checkbox"/>	Nac oes	<input type="checkbox"/>	Ansicr	✓
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Sylwadau ategol

Cwestiwn 12 – A ydych chi'n cytuno â'n cynnig i symud y gofyniad ar Lywodraeth Cymru i lunio strategaeth ar gyfer y Gymraeg o Ddeddf Llywodraeth Cymru 2006 i'r Bil y Gymraeg newydd?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 13 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru adrodd i'r Cynulliad ar strategaeth y Gymraeg bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input checked="" type="checkbox"/>
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Sylwadau ategol

Mae hyn yn dibynnu i raddau ar ba fonitro arall o gynnydd yn siaradwyr Cymraeg ac o ddefnydd y Gymraeg sy'n digwydd o flwyddyn i flwyddyn. Dydy'r papur ddim yn amlinellu sut yn union caiff cynnydd ei fonitro.

Cwestiwn 14 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gyhoeddi cynllun yn nodi sut y bydd yn gweithredu'r strategaeth bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input checked="" type="checkbox"/>
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Sylwadau ategol

Cwestiwn 15 – A ydych chi'n cytuno â'n cynnig i ddiddymu Cyngor Partneriaeth y Gymraeg a rhoi'r pŵer i Lywodraeth Cymru geisio cyngor gan y Comisiwn arfaethedig, sef Comisiwn y Gymraeg?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input checked="" type="checkbox"/>
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Sylwadau ategol

Cwestiwn 16 – A oes gennych unrhyw sylwadau eraill ar Ran 2 y Papur Gwyn?

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Rhan 3: Safonau'r Gymraeg

Cwestiwn 17 – Rydym yn cynnig y dylid mabwysiadu model diwygiedig o'r Safonau (Opsiw 2) fel y ffordd orau o sicrhau hawliau pobl i dderbyn gwasanaethau Cymraeg. A ydych chi'n cytuno â'r cynnig hwn?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ddiwygiadau pellach yr hoffech eu gweld i'r system bresennol, neu unrhyw ddulliau gweithredu eraill y dylem eu hystyried yn eich barn chi.

Gan fod y Brifysgol bellach wedi derbyn ei hysbysiad cydymffurfio terfynol, fyddai atal y broses nawr yn niweidiol i ddatblygiad y Gymraeg yn y Brifysgol. Wrth fynd ati i weithredu'r Safonau, byddai'r Brifysgol yn croesawu cymorth, rhannu arfer da, codau ymarfer (gan gynnwys gwell diffiniadau ac ati). Byddai cymorth i gyfathrebu gofynion y Safonau i staff, a'r hawliau i gwsmeriaid, yn ddefnyddiol. Byddai strwythur swyddogol ar gyfer rhannu arfer da gyda sefydliadau tebyg hefyd o gymorth.

Mae bwlch ar hyn o bryd rhwng y rheoliadau, lle ceir dealltwriaeth fras ymhlith nifer fach o swyddogion mewn sefydliadau ac unigolion (defnyddwyr gwasanaethau) sy'n dangos diddordeb mewn polisi iaith a dyfodol y Gymraeg, a dealltwriaeth staff a defnyddwyr bob dydd. Er mwyn sicrhau gwell defnydd o'r Gymraeg, rhaid sicrhau ffurf o grynhoi'r gofynion mewn rhyw ffordd i staff, yn ogystal â chyfleu hawliau i ddefnyddwyr. Byddai'r ddwy ochr efallai yn elwa o ryw fath o system sgorio gweladwy (yn debyg i hylendid bwyd) fyddai'n cynnig cymhelliant i'r sefydliad a gwell dealltwriaeth i'r cyhoedd a fwy o amlygrwydd i'r Gymraeg. Byddai hyn hefyd yn hwyluso'r defnydd o'r Gymraeg yn y gymuned wrth i unigolion ddeall lle mae sefydliadau ar unrhyw 'gontinwwm' o ddatblygu eu perfformiad parthed y Gymraeg. Rôl y Comisiwn (neu bwy bynnag fyddai'n monitro a gorfodi) fyddai adolygu perfformiad sefydliadau yn flynyddol, gosod targedau newydd, a dirwyo unrhyw ddiffyg i gydymffurfio â'r gofynion neu'r cynllun datblygu.

Cwestiwn 18 – Rydym wedi seilio'r cynnig rydym yn ei ffafrio i ddiwygio'r Safonau (Opsiw 2) ar sail yr eglurder, y capasiti ar gyfer gwella a'r costau newid sy'n gysylltiedig â phob opsiwn (paragraffau 163–165). A ydych chi'n cytuno â'n dadansoddiad?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ffactorau eraill y dylem eu hystyried wrth lunio unrhyw gynigion terfynol.

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Cwestiwn 19 – A ydych chi'n cytuno â'r cynnig i ddiddymu'r dosbarthiadau presennol o Safonau, a gwahaniaethu rhwng 'Safonau' (a fyddai'n berthnasol i wasanaethau) a 'dyletswyddau cynllunio ieithyddol' (a fyddai'n berthnasol i ddyletswyddau corfforaethol)?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

O bersbectif sefydliad sy'n gorfod sicrhau bod pob aelod o staff yn deall y gofynion, byddai llai o Safonau yn gymorth yn hyn o beth. Er gwaethaf pryderon efallai bod lleihau'r nifer o Safonau yn gwanhau eu heffaith o bosibl, dim ond trwy sicrhau bod yr hyn sydd o fewn y Safonau Gweithredol a Pholisi yn digwydd gall sefydliad gyflawni'r Safonau Gwasanaethau – hynny yw, mae'r Safonau Gwasanaethau yn ddibynnol ar y rhain beth bynnag. Does dim rhaid eu rhestru fel Safonau, gan fod yn rhaid i'r sefydliad wneud y pethau hyn er mwyn gallu gweithredu'r Safonau Gwasanaethau.

Cwestiwn 20 – A ydych chi o'r farn y dylid cynnwys darpariaethau sy'n ymwneud â Chynlluniau Strategol y Gymraeg mewn Addysg yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Ydw	<input type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input checked="" type="checkbox"/>
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Sylwadau ategol

Cwestiwn 21 – Oes yna unrhyw faterion eraill y dylid, yn eich barn chi, eu cynnwys yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Oes	<input type="checkbox"/>	Nac oes	<input type="checkbox"/>	Ansicr	<input checked="" type="checkbox"/>
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Sylwadau ategol

Cwestiwn 22 – A ydych chi'n cytuno y dylai fod gan y Comisiwn arfaethedig bwerau cyffredinol i gynnal ymchwiliadau i sut mae cyrff yn cyflawni eu dyletswyddau o ran y Gymraeg, a fyddai'n cynnwys y Safonau a'r dyletswyddau cynllunio ieithyddol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 23 – A ydych chi'n cytuno â'n cynnig y dylai'r Comisiwn arfaethedig fonitro a chefnogi cyrff mewn perthynas â'u dyletswyddau cynllunio ieithyddol, yn hytrach na'u gorfodi?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol

Cwestiwn 24 – A ydych chi'n cytuno â'n cynnig i roi cyfrifoldeb am osod Safonau ar gyrff i Lywodraeth Cymru, p'un ai drwy hysbysiad cydymffurfio neu drefn arall?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 25 – A ydych chi'n cytuno â'n cynnig y dylai pob un o'r rheoliadau i wneud Safonau fod yn destun ymgynghoriad cyhoeddus llawn cyn gofyn am gymeradwyaeth y Cynulliad?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 26 – A ydych chi'n cytuno â'n cynnig i ddiddymu Ymchwiliadau Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol

Cwestiwn 27 – A ydych chi'n cytuno â'n cynnig y dylid rhoi pwerau i gyhoeddi codau ymarfer neu ganllawiau mewn perthynas â'r Safonau i Lywodraeth Cymru?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol

Cwestiwn 28 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gael pŵer i osod Safonau ar yr holl gyrff mewn sector yn uniongyrchol drwy reoliadau, heb fod angen hysbysiad cydymffurfio neu drefn arall gyffelyb?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input checked="" type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ar y materion y dylem eu hystyried wrth lunio Safonau i'w gosod yn uniongyrchol ar gyrff o fewn sector, p'un a ddylai gyrff unigol barhau â'r hawl i herio Safon sydd wedi'i gosod arnynt, a ph'un a ddylid cael proses ymgynghori fwy trwyadl.

Cwestiwn 29 – Pa ffactorau y dylid eu cymryd i ystyriaeth neu pa weithdrefn y dylid ei dilyn er mwyn sicrhau bod y broses o osod Safonau ar Lywodraeth Cymru yn deg a thryloyw?

Sylwadau ategol

Cwestiwn 30 – A ydych chi'n cytuno â'n cynnig y dylid gorfod delio â chwynion drwy weithdrefn gwyno'r corff perthnasol cyn y caiff y Comisiwn arfaethedig, sef Comisiwn y Gymraeg, ymchwilio i fethiant honedig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Er ein bod yn cytuno, dylai hefyd fod llwybr yn agored i unigolion gwyno'n anhysbys trwy'r Comisiynydd (heb unrhyw ymyrraeth) – a bod y Comisiynydd yn pasio'r gwyn ymlaen i'w ddatrys cyn ateb nôl heb ymchwilio yn gyntaf. Dylai'r Comisiynydd gadw cofnod o'r rhain er mwyn monitro patrymau penodol o ran natur neu sefydliad.

Cwestiwn 31 – A ydych chi'n cytuno â'n cynnig fod yn rhaid i gyrff gadw at weithdrefn gwyno sydd wedi'i chymeradwyo, fel y Polisi Pryderon a Chwynion Enghreifftiol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 32 – A ydych chi'n cytuno â'n cynnig mai dim ond os yw o'r farn fod yr achos honedig o dorri Safon neu weithdrefn gwyno yn un ddifrifol y dylai'r Comisiwn arfaethedig gael cymryd camau gweithredu pellach mewn perthynas â chŵyn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ar ein diffiniad o 'achos difrifol' ym mharagraff 219.

Cwestiwn 33 – A ydych chi'n cytuno â'n cynnig i ganiatáu i'r Comisiwn arfaethedig gynnal ymchwiliad ar ei liwt ei hun?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input checked="" type="checkbox"/>
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Sylwadau ategol

Cwestiwn 34 – A ydych chi'n cytuno fod y camau gweithredu a ddisgrifir ym mharagraff 225 yn darparu amrywiaeth effeithiol o gamau gorfodi?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw syniadau ynghylch camau gorfodi eraill a wrthodwyd neu nad ydynt wedi cael eu hystyried yn y Papur Gwyn.

Cwestiwn 35 – Ar hyn o bryd, mae gan y Comisiynydd bwerau i osod dirwy sifil o hyd at £5,000 ac, mewn rhai amgylchiadau, i ofyn am orchymyn llys i'w gwneud yn ofynnol i gorff gydymffurfio. A ydych chi'n cytuno â'n cynnig y dylid cadw'r pwerau hyn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ynghylch y ddirwy sifil uchaf y dylai'r Comisiwn arfaethedig allu ei gosod (os o gwbl).

Cwestiwn 36 – A ydych chi'n cytuno â'n cynnig i gadw rôl y Tribiwnlys mewn perthynas â phenderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 37 – A ydych chi'n cytuno â'n cynnig y dylai'r Tribiwnlys hefyd ymdrin ag apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 38 – Rydyn ni'n cynnig cyflwyno cam cyntaf gorfodol ar gyfer y Tribiwnlys mewn perthynas ag apelau yn erbyn penderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi Safonau. Byddai'r cam cyntaf yn ei gwneud yn ofynnol i'r Tribiwnlys roi caniatâd ar y sail bod siawns rhesymol y bydd y cais yn llwyddo neu pan fo rheswm cryf arall pam y dylai'r cais gael ei glywed. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 39 – A ydych chi o'r farn y dylai'r cam cyntaf gorfodol arfaethedig fod yn gymwys i apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Ydw	<input type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input checked="" type="checkbox"/>
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Sylwadau ategol

Cwestiwn 40 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 3 y Papur Gwyn?

Rhan 4: Cwmpas y cyrff sy'n ddarostyngedig i ddeddfwriaeth y Gymraeg

Cwestiwn 41 – A ydych chi'n cytuno â'n cynnig i ddileu'r cyfyngiadau yn y Mesur fel bod Llywodraeth Cymru'n meddu ar y pŵer i wneud Safonau'n gymwys i unrhyw gorff o fewn cymhwysedd deddfwriaethol y Cynulliad?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol

Cwestiwn 42 – A ydych chi'n cytuno â'n cynnig mai dim ond mewn perthynas â'r gwasanaethau y maent yn eu cyflenwi i'w cwsmeriaid y dylai busnesau yn y sector preifat fod yn agored i orfod cydymffurfio â Safonau?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol, gan gynnwys eich barn ynghylch unrhyw gyfyngiadau y dylid eu rhoi ar y pwerau i osod Safonau ar fusnesau preifat.

Cwestiwn 43 – A ydych chi'n cytuno â'n cynnig mai dim ond fel rhan o becyn ehangach o weithgarwch sy'n hybu'r Gymraeg ac yn cynyddu ymwybyddiaeth ohoni y dylid gosod Safonau ar fusnesau preifat?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol

Cwestiwn 44 – Os rhoddir pwerau i Lywodraeth Cymru i osod Safonau ar unrhyw gorff o fewn cymhwysedd y Cynulliad, a ydych chi o'r farn y dylai Safonau gael eu gosod ar unrhyw gorff neu sector nad yw ar hyn o bryd o fewn cwmpas deddfwriaeth ynghylch y Gymraeg?

Ydw	<input type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	✓
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Sylwadau ategol

Cwestiwn 45 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 4 y Papur Gwyn?

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Rhan 5: Asesu effaith ein cynigion

Cwestiwn 46 – Rydym wedi asesu effaith ein cynigion ar gydraddoldeb, plant, pobl ifanc a'u teuluoedd, a'r Gymraeg. A oes gennych chi sylwadau ar unrhyw un o'r asesiadau hyn?

Cwestiwn 47 – Hoffem wybod eich barn ar yr effeithiau y byddai'r cynigion yn ein Papur Gwyn yn eu cael ar y Gymraeg, yn benodol ar:

- i) gyfleoedd i bobl ddefnyddio'r Gymraeg
- ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Pa effeithiau fyddai, yn eich barn chi? Sut mae cynyddu effeithiau cadarnhaol neu liniaru effeithiau negyddol?

Sylwadau ategol

Cwestiwn 48 – Eglurwch hefyd sut gellid ffurfio neu newid yr opsiynau arfaethedig:

- i) fel eu bod yn cael effeithiau cadarnhaol neu fwy o effeithiau cadarnhaol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg
- ii) fel nad ydynt yn cael effeithiau andwyol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Sylwadau ategol

Cwestiwn 49 – Rydym wedi gofyn nifer o gwestiynau penodol. Os oes gennych chi faterion perthnasol nad ydym wedi rhoi sylw penodol iddynt, defnyddiwch y blwch isod i roi gwybod i ni amdanynt.

Mae ymatebion i ymgynghoriadau yn debygol o gael eu gwneud yn gyhoeddus, ar y rhynggrwyd neu mewn adroddiad. Os byddai'n well gennych i'ch ymateb aros yn ddienw, ticiwch yma:



Tîm Mesur y Gymraeg
Uned y Gymraeg
Llywodraeth Cymru
Parc Cathays
Caerdydd
CF10 3NQ

16 Hydref 2017

Foneddigion

Y Cyngor Defnyddwyr Dŵr yw'r corff statudol sy'n cynrychioli buddiannau defnyddwyr dŵr a charthffosiaeth ar draws Cymru a Lloegr. Rydym yn croesawi'r cyfle i wneud sylwadau ar Fesur y Gymraeg - y Papur Gwyn.

O ystyried ein cylch gwaith penodol ni, ni fyddwn yn ymateb yn llawn, h.y. nid ydym yn credu ei bod hi'n addas i ni ymateb i rai o'r cwestiynau yn yr ymgynghoriad. Mae'r llythyr felly yn ffurfio ymateb bras gennym i'r ymgynghoriad.

Yn gyntaf, cefnogwn yr amcanion a nodwyd, sef:

- Taro'r cydbwysedd cywir rhwng hyrwyddo a hwyluso'r defnydd o'r Gymraeg a rheoleiddio dyletswyddau yn y Gymraeg;
- Lleihau biwrocratiaeth a sicrhau gwerth am arian.

Ymhellach, cytunwn ei bod hi'n bwysig iawn i gydnabod bod gwahaniaeth rhwng hyrwyddo'r Gymraeg a hwyluso'r defnydd ohoni; a chefnogwn gamau a fydd yn adeiladu consensws ac ewyllys da tuag at y Gymraeg yn hytrach na chamau sy'n awgrymu gorfodaeth neu'n canolbwyntio'n rhy drwm ar gydymffurfio a gorfodi.

Rydym yn nodi'r deg prif gynnig, a'r sail resymegol iddynt, ac nid oes gennym unrhyw wrthwynebiad na phryderon yn ymwneud â nhw.

Ein barn ni yw bod gan bob defnyddiwr hawl i dderbyn gwasanaethau a gwybodaeth yn eu dewis iaith, fel nad ydynt o dan anfantais mewn unrhyw ffordd; fodd bynnag, dylid gwneud hyn yn ôl cyfran yn yr ystyr y dylai'r Comisiwn newydd ystyried y gost a'r effeithiau ehangach o wneud y ddarpariaeth honno a sicrhau bod y datrysiad wrth fynd i'r afael â'r cais yn gyfwerth â defnydd effeithlon o adnoddau a gwerth am arian.

Cytunwn y byddai'n llesol gwella'r ffordd mae'r system safonau yn gweithio a chredwn fod angen rhagor o arweiniad trwy gydol y broses. Cytunwn hefyd y dylid symleiddio'r broses ac mae hi'n bwysig penderfynu pa gyrff ddylai gael safonau penodol wedi eu gorfodi arnynt. Yr allwedd yw sicrhau bod y safonau a orfodir ar y gyrff hyn yn rhesymol ac yn gymesur.

Yn achos Rhan Un yr ymgynghoriad, cytunwn y dylai'r opsiwn sy'n cael ei ffafrio (4) ar dudalen 21, a fyddai'n golygu bod un corff unigol yn gyfrifol am hyrwyddo'r Gymraeg yn ogystal â monitro a gorfodi cydymffurfio â safonau, arwain at drefniadau cliriach a symlach.

Yn achos Rhan Tri yr ymgynghoriad, cytunwn ag opsiwn 2 "ad-drefnu'r system bresennol" ar dudalen 40, gyda'r pwyslais ar symleiddio'r ymagwedd bresennol a sicrhau gwelliant. Credwn ei bod hi'n bwysig iawn bod y system yn cydnabod, er nad yw pob corff yn gallu darparu'r un lefel o wasanaeth, y dylai safon ac ystod gwasanaethau Cymraeg wella dros amser, wrth i gapasiti a gallu'r cyrff hynny i ddarparu'r gwasanaethau hyn wella.

Hyderaf fod ein sylwadau o gymorth.

Yn gywir

Phil Marshall
Dirprwy Brif Weithredwr



Welsh Language Bill Team
Welsh Language Division
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

16 October 2017

Dear Sirs,

The Consumer Council for Water (CCWater) is the statutory body representing the interests of water and sewerage consumers across Wales and England. We welcome the opportunity to comment on the Welsh Language Bill – White paper.

Given our particular remit we will not be responding fully, i.e. we do not believe it is appropriate for us to respond to some of the questions in the consultation. This letter therefore forms our brief response to the consultation.

Firstly, we support the stated objectives, namely to:

- strike the right balance between promoting and facilitating the use of the Welsh language and regulating Welsh language duties;
- reduce bureaucracy and ensure value for money.

Furthermore, we agree that it is very important to recognise that there is a difference between promoting the Welsh language and facilitating its use; and we support steps which build consensus and goodwill toward the Welsh language rather than those which suggest imposition or focus too heavily upon compliance and enforcement.

We note the ten principal proposals, and the rationale for them, and we have no objections or concerns in relation to them.

Our view is that all consumers are entitled to receive services and information in the language they choose so that they are not in any way disadvantaged; however this should be done proportionately in the sense that the new Commission should take into account the cost and wider impacts of making that provision and ensure that the solution in addressing the request constitutes an efficient use of resources and value-for-money.

We agree that it would be beneficial to improve the way the standards systems works and believe that more guidance is needed throughout the process. We also agree that the process should be simplified and it is important to determine which

bodies should have certain standards imposed on them. The key is to ensure that the standards imposed on these bodies are reasonable and proportionate.

In respect of Part One of the consultation, we agree that the preferred option (4) on page 21, which would mean having a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards, should result in clearer, more streamlined arrangements.

In respect of Part Three of the consultation, we agree with option 2 “reform the current system” on page 40, with the emphasis on simplifying the current approach and on ensuring improvement. We believe that it is very important that the system recognises that whilst not all bodies can provide the same level of service, the quality of and scope for Welsh language services should improve over time as the capacity and capability of those bodies to deliver these services improves.

I trust that our comments are of help.

Yours faithfully,

Phil Marshall
Deputy Chief Executive

Rhan 1: Hybu'r Gymraeg

Cwestiwn 1 – Ym mharagraffau 49–54, rydym wedi amlinellu'r rôl yr ydym yn cynnig y dylai Llywodraeth Cymru ei chwarae i hybu'r Gymraeg, h.y. swyddogaethau'r Llywodraeth i hybu'r Gymraeg. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys p'un a oes meysydd y dylid eu hychwanegu neu eu tynnu o'r rhestr ym mharagraff 53.

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Cwestiwn 2 – Yn Nhabl 1, rydym wedi amlinellu'r adnoddau mewn perthynas â'r swyddogaethau cyffredinol i hybu'r Gymraeg yr ydym o'r farn y dylent fod ar gael i unrhyw gorff neu gyrff sy'n helpu yn y gwaith o hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Er y byddai cyfanswm o £7.7m ar gael i'r Comisiwn arfaethedig eleni, mae'n werth nodi bod y swm hwn yn cynnwys y £2 filiwn ychwanegol a ddyrannwyd i'r iaith Gymraeg yn 2017-18 a fel canlyniad byddai cyfanswm y gwariant blyneddol arferol mewn perthynas â'r swyddogaethau cyffredinol i hybu'r Gymraeg yn £5.7m. Rydym o'r farn bod angen cynyddu'r swm hwn yn sylweddol os ydym yn ymrwymedig i gynyddu nifer y siaradwyr Cymraeg i filiwn erbyn 2050.
(Ar hyn o bryd mae'r gwariant hwn yn cynrychioli tua 0.03% o holl gyllideb y Llywodraeth)

Cwestiwn 3 – A ydych chi'n cytuno â'r opsiwn a ffefrir gennym (Opsiwn 4), sef un corff i fod yn gyfrifol am hybu'r Gymraeg ac am fonitro a gorfodi cydymffurfiaeth â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Os ydych yn anghytuno, nodwch pa opsiwn (gan gynnwys opsiynau nad ydym wedi'u trafod yn y Papur Gwyn) y dylem ei ystyried yn eich barn chi.

Sylwadau ategol

Er ein bod yn cytuno ag Opsiwn 4, dylid cadw gwybodaeth ac arbenigedd staff Comisiynydd yr Iaith Gymraeg mewn perthynas â Mesur y Gymraeg (Cymru)

2011 a dylid cadw Safonau'r Gymraeg.

Cwestiwn 4 – Rydym wedi seilio ein dewis, sef un corff, ar sail eglurder, cydnawsedd a gwerth am arian. A ydych chi'n cytuno â'n sail resymegol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae'n ymddangos mai'r opsiwn mwyaf cost-ffeithiol fyddai trosglwyddo swyddogaethau hybu presennol Llywodraeth Cymru i Gomisiynydd yr Iaith Gymraeg yn hytrach na'r costau fyddai'n gysylltiedig â sefydlu Comisiwn newydd.

Cwestiwn 5 – Pa faterion perthnasol eraill y dylem eu hystyried wrth wneud ein cynnig terfynol ynghylch pa gorff neu gyrff ddylai hybu'r Gymraeg a monitro a gorfodi cydymffurfiaeth â'r Safonau?

Sylwadau ategol

O'r 4 o opsiynau i'w hystyried, yr opsiwn cyntaf yw 'dim newid', fodd bynnag mae pob un o'r opsiynau hyn 'yn dibynnu ar Lywodraeth Cymru (nid Comisiynydd y Gymraeg) yn gosod a gweithredu safonau', felly mae newid sylweddol o'r trefniadau presennol lle mae'r Comisiynydd yn gosod safonau ar gyrff. Pe byddai Llywodraeth Cymru'n dod yn gyfrifol am hyn, mae gwiriadau angen bod ar waith i sicrhau bod y safonau'n cael eu gosod yn deg ar bob corff perthnasol o fewn sgôp y safonau heb eithriadau, ynghyd â gosod safonau ar Lywodraeth Cymru ei hun.

Cwestiwn 6 – A oes gennych unrhyw sylwadau pellach ar Ran 1 y Papur Gwyn?

Rhan 2: Llywodraethiant ac atebolrwydd

Cwestiwn 7 – Ym mharagraffau 93–95, rydym wedi nodi rhai gofynion cyffredinol yn ymwneud â threfniadau llywodraethu ac atebolrwydd y corff. Beth yw eich barn chi am y gofynion cyffredinol hyn, ac a oes yna fesurau monitro a ffrwyno eraill a ddylai fod yn weithredol ar y corff arfaethedig?

Sylwadau ategol

Cwestiwn 8 – A ydych chi'n cytuno â'r opsiwn a ffefrir gennym (Opsiwn 3), sef i sefydlu Comisiwn y Gymraeg i hybu a hwyluso defnyddio'r Gymraeg a monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 9 – Beth yw eich barn chi am y dadansoddiad rydym wedi'i ddarparu sy'n cefnogi ein dewis ni, sef Opsiwn 3? A oes unrhyw ystyriaethau eraill y dylem eu hystyried wrth wneud unrhyw gynnig terfynol?

Rydym yn cytuno y byddai Opsiwn 3 yn cynnig llywodraethu gwell a mwy o atebolrwydd, ynghyd â chynnig y cyfle gorau i gorff o aelodau gydag ystod o brofiadau a sgiliau i lywio cynllun strategol y corff a'i bolisi gorfodi, i bennu sut bydd adnoddau'r corff yn cael eu defnyddio ac i daro'r cytbwysedd iawn rhwng swyddogaethau amrywiol y corff.

Cwestiwn 10 – A ydych chi'n credu bod Opsiwn 3 yn diogelu annibyniaeth y Comisiwn arfaethedig yn ddigonol yng nghyd-destun arfer swyddogaethau ar gyfer monitro a gorfodi cydymffurfiaeth cyrff â'r Safonau?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 11 – A oes unrhyw faterion ychwanegol i'r rhai a restrir ym mharagraffau 121–122 y dylem eu hystyried wrth ystyried trefniadau i sefydlu'r Comisiwn arfaethedig?

Oes	<input type="checkbox"/>	Nac oes	<input checked="" type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 12 – A ydych chi'n cytuno â'n cynnig i symud y gofyniad ar Lywodraeth Cymru i lunio strategaeth ar gyfer y Gymraeg o Ddeddf Llywodraeth Cymru 2006 i'r Bil y Gymraeg newydd?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 13 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru adrodd i'r Cynulliad ar strategaeth y Gymraeg bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae manteision ac anfanteision o ran adrodd yn flynyddol a bob pum mlynedd. Weithiau mae adroddiadau blynyddol yn digwydd yn rhy fuan fel nad oes modd mapio tueddiadau a mesur canlyniadau o gamau a weithredir dros gyfnod hir o amser. Fodd bynnag, wrth bwyso a mesur, rydym o'r farn y dylai Llywodraeth Cymru barhau i adrodd i'r Cynulliad ar ei Strategaeth y Gymraeg yn flynyddol, er mwyn sicrhau bod sefydliadau perthnasol a'r cyhoedd yn cael gwybod am gynnydd yn y maes yn ystod cyfnod hanfodol i'r iaith Gymraeg. Hefyd, er mwyn sicrhau bod unrhyw ymyriad all fod ei angen er mwyn gwella canlyniadau yn gallu cael ei wneud yn amserol.

Cwestiwn 14 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gyhoeddi cynllun yn nodi sut y bydd yn gweithredu'r strategaeth bob pum mlynedd yn lle bob blwyddyn?

Cytuno	<input type="checkbox"/>	Anghytuno	<input checked="" type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Fel yr uchod.

Cwestiwn 15 – A ydych chi'n cytuno â'n cynnig i ddiddymu Cyngor Partneriaeth y Gymraeg a rhoi'r pŵer i Lywodraeth Cymru geisio cyngor gan y Comisiwn arfaethedig, sef Comisiwn y Gymraeg?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Rydym yn cytuno â'r cynnig hwn cyn belled â bod y Comisiwn arfaethedig yn cyflawni rôl bresennol Partneriaeth y Gymraeg.

Cwestiwn 16 – A oes gennych unrhyw sylwadau eraill ar Ran 2 y Papur Gwyn?

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Rhan 3: Safonau'r Gymraeg

Cwestiwn 17 – Rydym yn cynnig y dylid mabwysiadu model diwygiedig o'r Safonau (Opsiw 2) fel y ffordd orau o sicrhau hawliau pobl i dderbyn gwasanaethau Cymraeg. A ydych chi'n cytuno â'r cynnig hwn?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ddiwygiadau pellach yr hoffech eu gweld i'r system bresennol, neu unrhyw ddulliau gweithredu eraill y dylem eu hystyried yn eich barn chi.

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Cwestiwn 18 – Rydym wedi seilio'r cynnig rydym yn ei ffafrio i ddiwygio'r Safonau (Opsiw 2) ar sail yr eglurder, y capasiti ar gyfer gwella a'r costau newid sy'n gysylltiedig â phob opsiwn (paragraffau 163–165). A ydych chi'n cytuno â'n dadansoddiad?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys (os yn berthnasol) unrhyw ffactorau eraill y dylem eu hystyried wrth lunio unrhyw gynigion terfynol.

Er mai diwygio'r system bresennol yw ein hopsiwn ddewisol, dylai'r opsiwn hwn gynnwys gofyn i sicrhau gwelliant a sicrhau bod yr holl gyrff perthnasol yn glynu at yr un Safonau, ynghyd ag adolygu Safonau penodol a roir ar gyrff er mwyn sicrhau gwelliant parhaus. Er mai bwriad cyflwyno'r system Safonau newydd oedd sicrhau bod siaradwyr Cymraeg yn gallu disgwyl yr un lefel o wasanaeth a safon ledled Cymru, oherwydd niferoedd uchel yr eithriadau a wneir o ganlyniad i heriau, mae gofynion y Safonau'n amrywio'n helaeth drwy Gymru a chyrrff gwahanol.

Cwestiwn 19 – A ydych chi'n cytuno â'r cynnig i ddiddymu'r dosbarthiadau presennol o Safonau, a gwahaniaethu rhwng 'Safonau' (a fyddai'n berthnasol i wasanaethau) a 'dyletswyddau cynllunio ieithyddol' (a fyddai'n berthnasol i ddyletswyddau corfforaethol)?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Byddem yn falch o weld unrhyw leihad yn nifer y safonau, wrth barhau ag egwyddor y safonau cyflawni gwasanaeth, gan sicrhau eu bod nhw'n cyflawni'r holl agweddau ar sicrhau y gall siaradwyr Cymraeg ddisgwyl yr un safon o wasanaeth â siaradwyr Saesneg yng Nghymru.

Cwestiwn 20 – A ydych chi o'r farn y dylid cynnwys darpariaethau sy'n ymwneud â Chynlluniau Strategol y Gymraeg mewn Addysg yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Sylwn bod Llywodraeth Cymru wedi ymgorffori ei Strategaeth Addysg Gymraeg i mewn i'r Strategaeth y Gymraeg, fodd bynnag, dylai Adrannau Addysg o fewn Awdurdodau Lleol barhau i fod yn gyfrifol am y Cynlluniau Strategol Cymraeg Mewn Addysg gan mai nhw sy'n bennaf gyfrifol am gynllunio sefydliadol ysgolion ac ati.

Cwestiwn 21 – Oes yna unrhyw faterion eraill y dylid, yn eich barn chi, eu cynnwys yn y ddeddfwriaeth newydd fel dyletswyddau cynllunio ieithyddol?

Oes	<input type="checkbox"/>	Nac oes	<input checked="" type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

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Cwestiwn 22 – A ydych chi'n cytuno y dylai fod gan y Comisiwn arfaethedig bwerau cyffredinol i gynnal ymchwiliadau i sut mae cyrff yn cyflawni eu dyletswyddau o ran y Gymraeg, a fyddai'n cynnwys y Safonau a'r dyletswyddau cynllunio ieithyddol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

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Cwestiwn 23 – A ydych chi'n cytuno â'n cynnig y dylai'r Comisiwn arfaethedig fonitro a chefnogi cyrff mewn perthynas â'u dyletswyddau cynllunio ieithyddol, yn hytrach na'u gorfodi?

Cytuno	<input type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	✓
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Sylwadau ategol

Dylai'r Comisiwn arfaethedig fonitro a chefnogi cyrff mewn perthynas â dyletswyddau cynllunio ieithyddol, ynghyd â chael yr opsiwn o orfodi os oes angen.

Cwestiwn 24 – A ydych chi'n cytuno â'n cynnig i roi cyfrifoldeb am osod Safonau ar gyrff i Lywodraeth Cymru, p'un ai drwy hysbysiad cydymffurfio neu drefn arall?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 25 – A ydych chi'n cytuno â'n cynnig y dylai pob un o'r rheoliadau i wneud Safonau fod yn destun ymgynghoriad cyhoeddus llawn cyn gofyn am gymeradwyaeth y Cynulliad?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 26 – A ydych chi'n cytuno â'n cynnig i ddiddymu Ymchwiliadau Safonau?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 27 – A ydych chi'n cytuno â'n cynnig y dylid rhoi pwerau i gyhoeddi codau ymarfer neu ganllawiau mewn perthynas â'r Safonau i Lywodraeth Cymru?

Cytuno	✓	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Byddem yn falch o weld hyn cyn belled ag y byddai codau ymarfer yn cael eu cyflwyno.

Cwestiwn 28 – A ydych chi'n cytuno â'n cynnig y dylai Llywodraeth Cymru gael pŵer i osod Safonau ar yr holl gyrff mewn sector yn uniongyrchol drwy reoliadau, heb fod angen hysbysiad cydymffurfio neu drefn arall gyffelyb?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ar y materion y dylem eu hystyried wrth lunio Safonau i'w gosod yn uniongyrchol ar gyrff o fewn sector, p'un a ddylai gyrff unigol barhau â'r hawl i herio Safon sydd wedi'i gosod arnynt, a ph'un a ddylid cael proses ymgynghori fwy trwyadl.

Dylai fod hawl i herio gorfodi safon.

Cwestiwn 29 – Pa ffactorau y dylid eu cymryd i ystyriaeth neu pa weithdrefn y dylid ei dilyn er mwyn sicrhau bod y broses o osod Safonau ar Lywodraeth Cymru yn deg a thryloyw?

Sylwadau ategol

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Cwestiwn 30 – A ydych chi'n cytuno â'n cynnig y dylid gorfod delio â chwynion drwy weithdrefn gwyno'r corff perthnasol cyn y caiff y Comisiwn arfaethedig, sef Comisiwn y Gymraeg, ymchwilio i fethiant honedig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Mae'n ymddangos fod y system weithdrefn gwynion yn rhy fiwrocrataidd, ac hefyd nid yw'n cynnig datrysiad boddhaol i'r achwynydd oherwydd y broses hir a'r amserlen sydd ynghlwm. Rydym yn croesawu'r cynnig hwn yn fawr iawn.

Cwestiwn 31 – A ydych chi'n cytuno â'n cynnig fod yn rhaid i gyrff gadw at weithdrefn gwyno sydd wedi'i chymeradwyo, fel y Polisi Pryderon a Chwynion Enghreifftiol?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Os yw'r weithdrefn wedi bod yn destun ymgynghoriad.

Cwestiwn 32 – A ydych chi'n cytuno â'n cynnig mai dim ond os yw o'r farn fod yr achos honedig o dorri Safon neu weithdrefn gwyno yn un ddifrifol y dylai'r Comisiwn arfaethedig gael cymryd camau gweithredu pellach mewn perthynas â chŵyn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ar ein diffiniad o 'achos difrifol' ym mharagraff 219.

Cwestiwn 33 – A ydych chi'n cytuno â'n cynnig i ganiatáu i'r Comisiwn arfaethedig gynnal ymchwiliad ar ei liwt ei hun?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 34 – A ydych chi'n cytuno fod y camau gweithredu a ddisgrifir ym mharagraff 225 yn darparu amrywiaeth effeithiol o gamau gorfodi?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw syniadau ynghylch camau gorfodi eraill a wrthodwyd neu nad ydynt wedi cael eu hystyried yn y Papur Gwyn.

Cwestiwn 35 – Ar hyn o bryd, mae gan y Comisiynydd bwerau i osod dirwy sifil o hyd at £5,000 ac, mewn rhai amgylchiadau, i ofyn am orchymyn llys i'w gwneud yn ofynnol i gorff gydymffurfio. A ydych chi'n cytuno â'n cynnig y dylid cadw'r pwerau hyn?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys unrhyw sylwadau ynghylch y ddirwy sifil uchaf y dylai'r Comisiwn arfaethedig allu ei gosod (os o gwbl).

Cwestiwn 36 – A ydych chi'n cytuno â'n cynnig i gadw rôl y Tribiwnlys mewn perthynas â phenderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi cydymffurfiaeth cyrff â'r Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 37 – A ydych chi'n cytuno â'n cynnig y dylai'r Tribiwnlys hefyd ymdrin ag apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 38 – Rydyn ni'n cynnig cyflwyno cam cyntaf gorfodol ar gyfer y Tribiwnlys mewn perthynas ag apelau yn erbyn penderfyniadau'r Comisiwn arfaethedig ynghylch gorfodi Safonau. Byddai'r cam cyntaf yn ei gwneud yn ofynnol i'r Tribiwnlys roi caniatâd ar y sail bod siawns rhesymol y bydd y cais yn llwyddo neu pan fo rheswm cryf arall pam y dylai'r cais gael ei glywed. A ydych chi'n cytuno â'n cynnig?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 39 – A ydych chi o'r farn y dylai'r cam cyntaf gorfodol arfaethedig fod yn gymwys i apelau yn erbyn penderfyniad gan Lywodraeth Cymru i osod Safonau ar gorff?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 40 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 3 y Papur Gwyn?

Rhan 4: Cwmpas y cyrff sy'n ddarostyngedig i deddfwriaeth y Gymraeg

Cwestiwn 41 – A ydych chi'n cytuno â'n cynnig i ddileu'r cyfyngiadau yn y Mesur fel bod Llywodraeth Cymru'n meddu ar y pŵer i wneud Safonau'n gymwys i unrhyw gorff o fewn cymhwysedd deddfwriaethol y Cynulliad?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 42 – A ydych chi'n cytuno â'n cynnig mai dim ond mewn perthynas â'r gwasanaethau y maent yn eu cyflenwi i'w cwsmeriaid y dylai busnesau yn y sector preifat fod yn agored i orfod cydymffurfio â Safonau?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol, gan gynnwys eich barn ynghylch unrhyw gyfyngiadau y dylid eu rhoi ar y pwerau i osod Safonau ar fusnesau preifat.

Cwestiwn 43 – A ydych chi'n cytuno â'n cynnig mai dim ond fel rhan o becyn ehangach o weithgarwch sy'n hybu'r Gymraeg ac yn cynyddu ymwybyddiaeth ohoni y dylid gosod Safonau ar fusnesau preifat?

Cytuno	<input checked="" type="checkbox"/>	Anghytuno	<input type="checkbox"/>	Ddim yn cytuno nac yn anghytuno	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 44 – Os rhoddir pwerau i Lywodraeth Cymru i osod Safonau ar unrhyw gorff o fewn cymhwysedd y Cynulliad, a ydych chi o'r farn y dylai Safonau gael eu gosod ar unrhyw gorff neu sector nad yw ar hyn o bryd o fewn cwmpas deddfwriaeth ynghylch y Gymraeg?

Ydw	<input checked="" type="checkbox"/>	Nac ydw	<input type="checkbox"/>	Ansicr	<input type="checkbox"/>
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Sylwadau ategol

Cwestiwn 45 – A oes gennych unrhyw sylwadau ychwanegol ar Ran 4 y Papur Gwyn?

Rhan 5: Asesu effaith ein cynigion

Cwestiwn 46 – Rydym wedi asesu effaith ein cynigion ar gydraddoldeb, plant, pobl ifanc a'u teuluoedd, a'r Gymraeg. A oes gennych chi sylwadau ar unrhyw un o'r asesiadau hyn?

Cwestiwn 47 – Hoffem wybod eich barn ar yr effeithiau y byddai'r cynigion yn ein Papur Gwyn yn eu cael ar y Gymraeg, yn benodol ar:

- i) gyfleoedd i bobl ddefnyddio'r Gymraeg
- ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Pa effeithiau fyddai, yn eich barn chi? Sut mae cynyddu effeithiau cadarnhaol neu liniaru effeithiau negyddol?

Sylwadau ategol

Cwestiwn 48 – Eglurwch hefyd sut gellid ffurfio neu newid yr opsiynau arfaethedig:

- i) fel eu bod yn cael effeithiau cadarnhaol neu fwy o effeithiau cadarnhaol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg
- ii) fel nad ydynt yn cael effeithiau andwyol ar gyfleoedd pobl i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Sylwadau ategol

Cwestiwn 49 – Rydym wedi gofyn nifer o gwestiynau penodol. Os oes gennych chi faterion perthnasol nad ydym wedi rhoi sylw penodol iddynt, defnyddiwch y blwch isod i roi gwybod i ni amdanynt.

Mae ymatebion i ymgynghoriadau yn debygol o gael eu gwneud yn gyhoeddus, ar y rhyngrwyd neu mewn adroddiad. Os byddai'n well gennych i'ch ymateb aros yn ddienw, ticiwch yma: ☐

Part 1: Promoting the Welsh language

Question 1 – In paragraphs 49–54, we have set out the role we propose the Welsh Government should play in promoting the Welsh language, i.e. the Government promotional functions. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including whether any fields should be added or taken away from the list in paragraph 53.

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Question 2 – In Table 1 we have outlined the resources related to general promotional functions which we think should be available to any body or bodies involved in promoting the Welsh language and monitoring and enforcing compliance with Standards. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Whilst the total available to the proposed Welsh Language Commission would be £7.7m this year, it is worth noting that this figure is as a result of the additional £2m allocated to the Welsh language in 2017-18 and as such the overall expenditure per annum on the promotional functions relating to the Welsh language would normally be £5.7. This figure needs to be significantly increased if we are committed to increasing the number of Welsh speakers to a million by 2050. (Currently this spend represents 0.03% of overall WG spend)

Question 3 – Do you agree with our preferred option (Option 4) to have a single body responsible for promoting the Welsh language as well as monitoring and enforcing compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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If not, please state which option (including options we have not discussed in the White Paper) you believe we should consider.

Supporting comments

Whilst we agree with Option 4, the knowledge and expertise of Welsh Language Commissioner's staff in relation to the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards should be retained.

Question 4 – We have based our preference for a single body on the grounds of clarity, synergy and value for money. Do you agree with our rationale?

Agree	<input checked="checked" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

It would seem that the *most* cost effective option would be to transfer the Welsh Government's current promotional functions to the Welsh Language Commissioner rather than the costs associated with setting up a new Commission.

Question 5 – What other relevant issues should we consider in making our final proposal as to which body or bodies should carry out work to promote the Welsh language and monitor and enforce compliance with Standards?

Supporting comments

Of the 4 options to be considered, the first option is 'no change', however all these options are 'predicated on the Welsh Government (not the Welsh Language Commissioner) having the function of setting and imposing standards', therefore there is a significant change from current arrangements whereby the Welsh Language Commissioner imposes standards on bodies. Should the Welsh Government become responsible for this then checks need to be in place to ensure that the standards are imposed fairly on all relevant bodies within the scope of the standards without exception, as well as when imposing standards on Welsh Government itself.

Question 6 – Do you have any further comments on Part 1 of the White Paper?

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Part 2: Governance and accountability

Question 7 – In paragraphs 93–95 we have set out some general requirements regarding the body’s governance and accountability arrangements. What are your views on these general requirements, and are there other checks and balances you believe should apply to the proposed body?

Supporting comments

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Question 8 – Do you agree with our preferred option (Option 3), to establish a Welsh Language Commission to promote and facilitate the use of the Welsh language and monitor and enforce bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 9 – What are your thoughts on the analysis we have provided which supports our preference for Option 3? Are there any other considerations we should take into account in making any final proposal?

We agree that Option 3 would provide improved governance and increased accountability, as well as providing the greatest opportunity for a body of members with a breadth of experience and skills to shape the body’s strategic plan and its enforcement policy, to determine how the body’s resources are used and to strike the right balance between the body’s different functions.

Question 10 – Do you believe Option 3 provides sufficient safeguards in relation to the independence of the proposed Commission in exercising its functions in monitoring and enforcing bodies’ compliance with Standards?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 11 – Are there any additional matters to those listed in paragraphs 121–122 that we should consider regarding arrangements to establish the proposed Commission?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 12 – Do you agree with our proposal to move the requirement on the Welsh Government to produce a Welsh language strategy from the Government of Wales Act 2006 to the new Welsh Language Bill?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 13 – Do you agree with our proposal that the Welsh Government should report to the Assembly on the Welsh language strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

There are pros and cons to reporting annually and every five years. Sometimes annual reports happen too soon to be able to map trends and measure outcomes from actions taken over a longer period of time. However, on balance we are of the opinion that Welsh Government should continue to report to the Assembly on their Welsh Language Strategy on an annual basis, not least in order to ensure that relevant organisations and the public are made aware of progress within this field at such a crucial time for the language in Wales. Also, in order to ensure that any intervention that may be required in order to improve outcomes can be made in a timely manner.

Question 14 – Do you agree with our proposal that the Welsh Government should publish a plan setting out how it will implement the strategy every five years instead of annually?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

As above.

Question 15 – Do you agree with our proposal to abolish the Welsh Language Partnership Council and provide the Welsh Government with a power to request advice from the proposed Welsh Language Commission?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

We agree with this proposal as long as the proposed Commission would fulfil the Welsh Language Partnership's current role.

Question 16 – Do you have any further comments on Part 2 of the White Paper?

Part 3: The Welsh Language Standards

Question 17 – We propose that a reformed model of the Standards (Option 2) should be adopted as the best way to ensure people's rights to receive Welsh language services. Do you agree with this proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any further reforms you would like to see made to the current system, or any alternative approaches you think we should consider.

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Question 18 – We have based our preferred proposal for reformed Standards (Option 2) on the grounds of the clarity, capacity for improvement and the costs of change associated with each option (paragraphs 163–165). Do you agree with our analysis?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including (if relevant) any other factors we should take into account in making any final proposals.

Whilst reforming the current system is our preferred option, this option should include a requirement to secure improvement and ensure that all relevant bodies converge towards the same Standards, as well as reviewing specific Standards imposed on bodies in order to ensure continuous improvement. Although the purpose of the introduction of the new system of Standards was to ensure that Welsh speakers could expect the same level of service and standard throughout Wales, due to the very large number of exceptions made as a result of challenges, the requirements of the Standards vary greatly across Wales and different bodies.

Question 19 – Do you agree with the proposal to abolish the current classes of Standards and differentiate between 'Standards' (which would relate to services) and 'language planning duties' (which would relate to corporate duties)?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

We would welcome any reduction in the number of standards whilst continuing with the principle of the service delivery standards in so far as they cover all aspects of ensuring Welsh speakers can expect to receive the same standard of service as English speakers in Wales.

Question 20 – Are you of the opinion that provisions relating to the Welsh in Education Strategic Plans should be included within the new legislation as language planning duties?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

We note that the Welsh Government has incorporated its Welsh Education Strategy into its Welsh Language Strategy, however, Education Departments within Local Authorities should continue to be responsible for the WESPs as they are primarily responsible for schools organisational planning etc.

Question 21 – Are there any other matters which you believe should be included in the new legislation as language planning duties?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 22 – Do you agree that the proposed Commission should have general powers to conduct examinations into how bodies meet their Welsh language duties, which would include both the Standards and the language planning duties?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 23 – Do you agree with our proposal that the proposed Commission should monitor and support bodies in relation to their language planning duties, rather than enforce them?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

The proposed Commission should monitor and support bodies in relation to language planning duties, as well as having the option of enforcement should it be required.

Question 24 – Do you agree with our proposal for the Welsh Government to be responsible for imposing Standards on bodies either through a compliance notice or other mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 25 – Do you agree with our proposal that all regulations to make Standards should be subject to a full public consultation before seeking the approval of the Assembly?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 26 – Do you agree with our proposal to abolish Standards Investigations?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 27 – Do you agree with our proposal that the Welsh Government should be given powers to issue codes of practice or guidance relating to the Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

We would welcome this as long as codes of practice were then issued.

Question 28 – Do you agree with our proposal that the Welsh Government should have a power to impose Standards on all the bodies in a sector directly through regulations without the need for a compliance notice or other such mechanism?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on the factors we should take into account in drafting Standards to be imposed directly on bodies within a sector, whether individual

bodies should retain the right to challenge the imposition of a Standard, and whether there should be an enhanced consultation process.

There should be the right to challenge the imposition of a standard.

Question 29 – What factors should we take into account or what procedure should we follow in order to ensure the process for imposing Standards on the Welsh Government is fair and transparent?

Supporting comments

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Question 30 – Do you agree with our proposal that complaints should have to be dealt with through the relevant body's complaints procedure first before the proposed Welsh Language Commission can investigate an alleged failure?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

The complaints procedure system has now been shown to be overly bureaucratic whilst simultaneously not providing a satisfactory resolution for the complainant due to the overly long process and timeframe involved. We very much welcome this proposal.

Question 31 – Do you agree with our proposal that bodies must adhere to an approved complaints procedure, such as the Model Concerns and Complaints Policy?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Provided the procedure has been subject to consultation.

Question 32 – Do you agree with our proposal that the proposed Commission should only take further action regarding a complaint if it believes the alleged breach of a Standard or complaints procedure is serious?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on our definition of a ‘serious breach’ in paragraph 219.

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Question 33 – Do you agree with our proposal to allow the proposed Commission to conduct an investigation of its own initiative?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 34 – Do you agree that the actions set out in paragraph 225 provide an effective range of enforcement action?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any thoughts on alternative enforcement actions that have been rejected or not considered in the White Paper.

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Question 35 – Currently, the Commissioner has powers to impose a civil fine of up to £5,000 and in some circumstances to request a court order to require a body to comply. Do you agree with our proposal that these powers should be retained?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including any comments on the maximum civil fine that the proposed Commission should be able to impose (if at all).

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Question 36 – Do you agree with our proposal to retain the Tribunal’s role in relation to the proposed Commission’s decisions regarding enforcing bodies’ compliance with Standards?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 37 – Do you agree with our proposal that the Tribunal should also deal with appeals against a decision of the Welsh Government to impose Standards on a body?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 38 – We propose to introduce a mandatory first stage for the Tribunal in relation to appeals against the proposed Commission's decisions concerning enforcing Standards. The first stage would require the Tribunal to give permission on the grounds that an application has a reasonable chance of success or another compelling reason why the application should be heard. Do you agree with our proposal?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

Question 39 – Do you believe that the proposed mandatory first stage should apply to appeals against a decision of the Welsh Government to impose Standards on a body?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

Question 40 – Do you have any further comments on Part 3 of the White Paper?

Part 4: The scope of bodies covered by Welsh language legislation

Question 41 – Do you agree with our proposal to remove the constraints in the Measure so that the Welsh Government has the power to make Standards applicable to any body within the Assembly’s legislative competence?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 42 – Do you agree with our proposal that private sector businesses should only be liable to comply with Standards that relate to the services they provide to their customers?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments, including your views on any limits that should be placed on the powers to impose Standards on private businesses.

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Question 43 – Do you agree with our proposal that Standards should only be imposed on private businesses as part of a wider package of promotional and awareness raising initiatives?

Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

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Question 44 – If the Welsh Government is given powers to impose Standards on any body within the Assembly’s competence, do you believe that Standards should be imposed on any body or sector that is not currently within the scope of Welsh language legislation?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Supporting comments

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Question 45 – Do you have any further comments on Part 4 of the White Paper?

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Part 5: Assessing the impact of our proposals

Question 46 – We have assessed the impact of our proposals on equality, children, young people and their families, and the Welsh language. Do you have comments on any of these assessments?

Question 47 – We would like to know your views on the effects that the proposals in our White Paper would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

Question 48 – Please also explain how you believe the proposed options could be formulated or changed so as to have:

- iii) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- iv) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Question 49 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

☐

Papur Gwyn "Taro'r Cydbwysedd lawn" – Cynigion Llywodraeth Cymru ac ymateb
Cyngor Bro Morgannwg

1. Dylid sefydlu un prif gorff i fod yn gyfrifol am hybu'r Gymraeg ac am fonitro a gorfodi cydymffurfiaeth â'r Safonau.
2. Y corff hwnnw fydd Comisiwn y Gymraeg ac felly dylid diddymu Comisiynydd y Gymraeg.
3. Dylai Llywodraeth Cymru fod yn gyfrifol am strategaeth genedlaethol y Gymraeg, polisi cenedlaethol, rheoli a chyllido rhai cyrff sydd o arwyddocâd cenedlaethol, a rhai meysydd gwaith penodedig. Dylai Llywodraeth Cymru drosglwyddo'r gyllideb a'r adnoddau ar gyfer gwaith penodedig arall y mae'n ei wneud ar hyn o bryd i hybu'r Gymraeg i Gomisiwn y Gymraeg.

Comment:Sylw: We would support the establishment of a single body – current roles and responsibilities between Welsh Government and the Welsh Language Commissioner are blurred and can be confusing when we seek information, clarification or advice about Welsh language matters.Byddem yn cefnogi sefydlu un prif gorff – mae rolau a chyfrifoldebau presennol rhwng Llywodraeth Cymru a Chomisiynydd y Gymraeg yn annelwig a gallant fod yn ddryslyd wrth i ni geisio gwybodaeth, eglurhad neu gyngor ar faterion Cymraeg. We would have no objection in principle to seeing the abolition of the Commissioner's role, and establishing a new Commission to be responsible for both promotion and regulation is supported.Ni fyddem mewn egwyddor yn gwrthwynebu diddymu rôl y Comisiynydd, a sefydlu Comisiwn newydd i fod yn gyfrifol am hyrwyddo a rheoleiddio. Nevertheless, there will continue to be a split between the responsibilities of Welsh Government and the new Commission, and the potential for overlap and confusion remains, particularly in respect of the split between the setting and monitoring of Standards.Ta waeth, bydd rhaniad yn parhau rhwng cyfrifoldebau Llywodraeth Cymru a'r Comisiwn newydd, ac mae'n bosibl y bydd gorgyffwrdd a dryswch yn parhau, yn enwedig o ran y rhaniad rhwng pennu a monitro Safonau. Transferring even more powers to the Commission to simplify matters needs further exploration/consideration.Mae angen archwilio/ystyried ymhellach drosglwyddo mwy o bwerau i'r Comisiwn er mwyn symleiddio materion.

Regardless of detailed structures, what really matters from our perspective is that there is clarity about who is responsible for what.Ni waeth am strwythurau manwl, yr hyn sy'n bwysig o'n safbwynt ni yw y ceir eglurder o ran pwy sy'n gyfrifol am beth. It is also essential that, rather than the current legalistic and literal approach being adopted by the Commissioner's Office (inevitable given its policing role), its successor should aim to be collaborative, flexible, supportive and encouraging to those covered by the legislation.Mae hefyd yn hanfodol, yn hytrach na'r dull cyfreithiol a llythrennol presennol a fabwysiedir gan Swyddfa'r Comisiynydd (anochel o ystyried ei rôl blismona), y dylai ei

olynydd geisio bod yn gydweithredol, yn hyblyg, yn gefnogol ac annog y rhai hynny a gwmpesir gan y ddeddfwriaeth.

4. Dylid cadw cysyniad Safonau'r Gymraeg.

Comment:Sylw: Agreed.Cytuno. Consistently applied standards across Wales is the most effective and equitable approach.Safonau a gymhwysir yn gyson ar draws Cymru yw'r dull mwyaf effeithiol a theg.

5. Dim ond i wasanaethau y dylai'r Safonau fod yn berthnasol. Dylid galw dyletswyddau corfforaethol eraill sy'n rhan o system y Safonau ar hyn o bryd, nad ydynt yn creu hawliau y gellir eu gorfodi ar gyfer unigolion, yn 'ddyletswyddau cynllunio ieithyddol' a dylent fod yn ddyletswyddau statudol ar gyrff a nodir yn y ddeddfwriaeth.

Comment:Sylw: Agreed.Cytuno. It would be useful to differentiate between what the public can expect by way of service delivery and what planning needs to be undertaken by organisations to achieve those service standards.Byddai'n ddefnyddiol i wahaniaethu rhwng yr hyn y gall y cyhoedd ei ddisgwyl o ran darpariaeth gwasanaeth a pha waith cynllunio sydd angen i sefydliadau ei wneud i gyflawni'r safonau gwasanaeth hynny.

6. Dylid adolygu'r Safonau y mae gofyn i gyrff gydymffurfio â nhw o bryd i'w gilydd a, lle bo'n briodol, dylid gosod Safonau ychwanegol ar gyrff neu gael gwared ag eithriadau a ganiateir i gyrff ar hyn o bryd.

Comment:Sylw: Agreed.Cytuno.

7. Dylai Llywodraeth Cymru fod yn gyfrifol am greu a gosod Safonau ar gyrff, ac am gyhoeddi canllawiau a chodau ymarfer. Dylai'r Comisiwn fod yn gyfrifol am fonitro a gorfodi cydymffurfiaeth â'r Safonau.

Comment:Sylw: This raises the same issue as in 1-3 above.Mae hyn yn codi'r un mater ag yn 1-3 uchod. The aim should be for as many responsibilities as possible to be within the remit of a single body rather than generating confusion by splitting functions.Dylai'r nod fod i gael cymaint o gyfrifoldebau ag sy'n bosibl i fod o fewn cylch gwaith un corff yn hytrach na pheri dryswch drwy rannu swyddogaethau.

8. Dylai fod yn ofynnol i'r gyrff eu hunain ddelio â chwynion mewn perthynas â'r Safonau yn y lle cyntaf. Dim ond mewn achosion difrifol y dylai'r Comisiwn ymchwilio i gwynion.

Comment:Sylw: Strongly support.Cefnogi'n gryf. It is a significant weakness of current arrangements that complaints go automatically to the Commissioner before Councils get the opportunity to reply/remedy, and that trivial complaints take up an inordinate amount of time.Gwendid mawr y trefniadau presennol yw bod cwynion yn mynd yn awtomatig i'r Comisiynydd cyn i'r Cyngor gael cyfle i ateb/mynd i'r afael â nhw, ac mae cwynion dibwys yn cymryd llawer gormod o amser. Councils already have robust complaints procedures which should be the first resort.Mae gan Gynghorau eisoes weithdrefnau cwyno cadarn a ddylai fod yn cael eu defnyddio'n gyntaf.

9. Dylid cadw Tribiwnlys y Gymraeg. Dylai cyrff allu apelio i'r Tribiwnlys yn erbyn bwriad gan Lywodraeth Cymru i osod Safon arnynt.

Comment:Sylw: Agreed.Cytuno.

10. Dylid gallu cymhwyso'r Safonau i unrhyw gorff, cyn belled â bod y gofynion yn rhesymol ac yn gymesur ac o fewn pwerau Cynulliad Cenedlaethol Cymru.

Comment:Sylw: There seems no reason why they should not be so applied; but the requirement for more private sector businesses to comply with Standards, and the effects of doing that, should be considered carefully.Ymddengys nad oes unrhyw reswm pam na ddylid eu cymhwyso; ond dylai'r gofyniad i fwy o fusnesau'r sector preifat gydymffurfio â'r Safonau, ac effeithiau gwneud hynny, gael ei ystyried yn ofalus.

Additional CommentsSylwadau Ychwanegol

The context for the proposed legislation is the Welsh Government's vision – which the Vale of Glamorgan Council endorses – to achieve a million Welsh speakers by 2050. It is important to point out that the onus for putting this vision into reality will be largely on Councils and schools.Cyd-destun y ddeddfwriaeth arfaethedig yw gweledigaeth Llywodraeth Cymru – a gymeradwyir gan Gyngor Bro Morgannwg - o gael miliwn o siaradwyr Cymraeg erbyn 2050. Mae'n bwysig nodi mai cyfrifoldeb Cynghorau ac ysgolion yn bennaf fydd gwireddu'r weledigaeth hon. It will be through the teaching of Welsh that additional speakers are achieved, and the number of teachers currently able to do so that is insufficient.Drwy addysgu Cymraeg y sicrhewr rhagor o siaradwyr Cymraeg, ac mae nifer yr athrawon sy'n gallu gwneud hynny ar hyn o bryd yn annigonol. It will be incumbent on the Welsh Government therefore to provide adequate funding so that the number of teachers is adequate for the task.Bydd hi'n ddyletswydd ar Lywodraeth Cymru felly i roi cyllid digonol fel bod digon o athrawon ar gyfer y dasg.

Also crucial to increasing the number of speakers is the encouragement and promotion of the use of Welsh.Hefyd yn hanfodol i gynyddu nifer y siaradwyr yw annog a hyrwyddo defnydd o'r Gymraeg. It is to be hoped that the proposed Welsh Language Commission will actively address this issue and fully support the activities locally of Councils and the Mentrau Iaith with which we work.Gobeithir y bydd Comisiwn y Gymraeg arfaethedig yn mynd i'r afael â'r mater hwn ac yn cefnogi'n llawn weithgareddau lleol Cynghorau a'r Mentrau Iaith yr ydym yn cydweithio â nhw. In the Vale of Glamorgan joint working between the Council and Menter Bro Morgannwg to promote the social use of Welsh by events such as the annual Gwyl Fach y Fro is an example of such a partnership, and future financial support by the Commission and Welsh Government for initiatives such as these would be particularly welcome.Ym Mro Morgannwg, mae cydweithio rhwng y Cyngor a Menter Bro Morgannwg i hyrwyddo'r defnydd cymdeithasol o Gymraeg drwy ddigwyddiadau megis Gŵyl Fach y Fro flynyddol yn enghraifft o bartneriaeth o'r fath, a byddai

**cymorth ariannol yn y dyfodol gan y Comisiwn a Llywodraeth Cymru ar
gyfer mentrau fel y rhain yn cael ei groesawu.**