



Llywodraeth Cymru
Welsh Government

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Welsh Government
Consultation – summary of response

Consultation on Adding Bodies to existing Welsh Language Standards Regulations

A consultation was held on proposals to add 6 bodies and Special Health Authorities as a category of persons to existing Welsh Language Standards Regulations between 24 June and 7 October 2024.

28 January 2025

Mae'r ddogfen hon ar gael yn Gymraeg hefyd / This document is also available in Welsh
Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg / We welcome correspondence and telephone calls in Welsh

Overview

The consultation sought views on proposals to bring 6 bodies and 1 category of persons under Welsh language standards ('standards'), and to add 3 of those bodies to Schedule 6 to the Welsh Language (Wales) Measure 2011 ('the Measure'). If made, The Welsh Language Standards (No. 1, No. 2, No. 4, No. 6 and No. 7) Regulations (Amendment) Regulations 2025 ('Regulations') will enable the Welsh Language Commissioner ('Commissioner') to place duties in relation to these 6 bodies and Special Health Authorities who provide services to the public. This report provides a summary of the responses received to the consultation.

Action Required

This document is for information only.

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

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Additional copies

This summary of response and copies of all the consultation documentation are published in electronic form only and can be accessed on the Welsh Government's website.

Link to the consultation documentation: [Adding Bodies to existing Welsh Language Standards Regulations | GOV.WALES](#)

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1. Introduction

This document provides an overview of the responses to the consultation on proposals to bring 6 bodies and Special Health Authorities as a category of persons under Welsh Language Standards ('standards') by adding them to existing Welsh Language Standards Regulations ('Standards Regulations'), and by also adding 3 of those bodies to Schedule 6 to the Welsh Language (Wales) Measure 2011 ('the Measure').

2. The consultation

Views on the policy proposals were invited during a fifteen-week consultation period which began on 24 June 2024 and ended on 7 October 2024.

The consultation was published on the consultation pages of the Welsh Government's website. Respondents were able to submit their views and comments by email or online, and in Welsh or English. A link to the consultation was emailed to a range of stakeholders including bodies that may be directly affected by proposals ('bodies'), and Welsh language policy stakeholders. They were told that they were welcome to contact the Welsh Government if they wanted to discuss the deadline for receiving responses. Some extensions were granted.

3. Who responded to the consultation

The consultation received a total of 28 unique responses. All the responses have been considered and analysed. The responses came from the following interest groups:

Category of Respondent	Number
Members of the public	12
Bodies	9
Welsh Language policy stakeholders	4
Other (unknown)	3

17 responses were received through the online form accessed via the Welsh Government's website, and 11 responses were received by e-mail. Several respondents requested that their response be kept anonymous. 3 of the responses did not specifically answer the questions in the consultation response form. Their comments have been included under the most appropriate question.

This document aims to present the broad views and themes that were provided in responses to the consultation, rather than to summarise every individual response. The responses have been summarised according to the interest groups noted in the above table.

4. Summary of Responses

Question 1 - Do you agree with the proposals set out in paragraph 1.2 of the consultation document? If not, is there another set of existing Welsh language standards regulations that might be more appropriate for a body?

Responses to question 1 can be summarised as follows:

	<i>Agree</i>	<i>Disagree</i>	<i>Neither agreed nor disagreed</i>
Members of the public	3	9	
Bodies	7		2
Stakeholders	4		
Other (unknown)		3	
Total	14	12	2

16 respondents provided comments which related specific to this question.

Members of the public

5 members of the public submitted comments which objected in general to the policy proposal, although 2 of them noted a general support to the Welsh language. Comments suggested that the policy proposal was disproportionate considering the percentage of Welsh language speakers and that funds could be better spent on other priorities like healthcare, housing and education. Some of the responses argued that it would create division within the community, and discourage business investment, ultimately questioning the value and impact of the proposal and language initiatives.

Bodies

7 bodies responded favourably to the proposal noting their support to the policy proposals with 4 bodies (National Heritage Lottery Fund ('NHLF'), Boundary Commission for Wales ('BCW'), Welsh Revenue Authority ('WRA') and one other body) specifically confirming that they agreed or deemed the proposal appropriate for their body. BCW and WRA's responses noted that they already provide Welsh language services in accordance with existing Standards Regulations. Qualifications Wales commented that it is committed to the Welsh language whilst the Future Generations Commissioner for Wales's response recognised the vital role the Welsh language plays in their work. 2 bodies (both Special Health Authorities) neither agreed nor disagreed with the proposal. One Special Health Authority ('SHA') provided comments which related more to question 2 so we have considered their comments under that question instead.

Stakeholders

All 4 stakeholders agreed with the proposals; 3 provided comments to support their views. The President of Welsh Tribunals specifically supported the inclusion of the Adjudication Panel for Wales ('APW') to Schedule 6 to the Welsh Language (Wales)

Measure and No.4 Regulations, to bring it in line with other Tribunals already under standards and support the equal treatment of Welsh throughout the Welsh Tribunal system.

Cymdeithas yr Iaith hopes that the proposals will have a positive impact on Welsh-language services provision, and that there will be more opportunities for people to use Welsh in the workplace. They also noted that it was regretful that it had taken so long to start the process of bringing very few bodies under standards. There were also calls to bring more categories of persons under standards, namely gas and electricity providers, postal services, rail service providers and telecommunication providers. They believe that these sectors are important in enabling the public to use the Welsh language in their everyday lives.

The Royal College of Nursing ('RCN') believes that the proposal complements the proposal in question 2 as some of the bodies (e.g. the Future Generations Commissioner for Wales (given their role in promoting "A Healthier Wales") and Qualifications Wales) are indirectly relevant to nursing or health policy.

Other

2 of the 3 other respondents provided comments. 1 respondent disagreed with the proposal but queried whether Development Bank of Wales and the Education Tribunal for Wales were subject to Welsh Language Standards, suggesting that they should be if they weren't already. The other respondent noted similar comments to members of the public who were opposed to the proposal.

Question 2 - Do you agree with the proposal set out in paragraph 1.3 of the consultation document? If not, is there another set of existing Welsh language standards regulations that might be more appropriate for special health authorities?

Responses to question 2 can be summarised as follows:

	<i>Agree</i>	<i>Disagree</i>	<i>Neither agreed nor disagreed</i>
Members of the public	3	9	
Bodies	2	1	2
Stakeholders	3		1
Other (unknown)		2	1
Total	8	12	4

4 respondents (4 bodies) did not express an opinion on the proposal.

11 respondents provided comments to this question.

Members of the public

5 members of the public provided comments which objected to the general policy proposal. They noted similar comments to those who objected to the proposal under question 1, although some comments were more specific to the health sector. There

were also comments regarding financial strain and administrative burden on bodies. Some comments did not necessarily relate directly to the proposal. 1 respondent repeated their response to question 1, with the same response provided for other questions also.

Bodies

3 bodies provided comments on the proposal; all 3 are classed as a SHA. 2 of the SHAs responded favourably to the proposal with both confirming their eagerness to come under standards. One SHA commented that it wanted standards to reflect its unique role as an educator in the health sector, proposing that it should be subject to a mix of standards from both the No.6 Regulations (education sector) and the No.7 Regulations (health sector). It also noted that it should not be subject to standards that relate to student accommodation (No.6 Regulations) and standards relating to patients (No.7 Regulations) as it does not deal directly with patients.

1 SHA did not support the proposal stating that its existing provision proportionately meets the demand for Welsh language services although it would remain open to expanding Welsh language services further, subject to appropriate funding adjustments. It believes that its operational context differs significantly from other SHA and other healthcare providers already covered by the Welsh Language Standards (No. 7) Regulations 2018. It noted that its primarily administrative role does not warrant the same Welsh language requirements as front-line healthcare providers, and that the cost of implementing standards would be disproportionate.

Stakeholders

2 stakeholders provided comments to support their agreement to the proposal. Cymdeithas yr Iaith repeated their response to question 1. RCN's response focused primarily on HEIW and DHCW, although it also noted that other SHA such as NHS Blood and Transplant and the NHS Business Authority should also be subject to standards. It believes that applying standards to these bodies would improve healthcare services, support the rights of Welsh-speaking patients, and enhance the overall effectiveness of the NHS in Wales.

Other

1 other person suggested that money would be better spent on improving access to dental services and other tangible benefits to public health.

Question 3 - Do you have any comments on the service delivery standards within the relevant regulations? (Please note to which body or set of regulations your comments refer to)

Members of the public

6 members of the public submitted comments which objected to the general principle of Welsh language standards and offering services in Welsh. Comments argued that Welsh Government's efforts to promote the Welsh language are misguided and do not improve educational standards or the performance of government functions.

Another noted that resources spent on translating documents and promoting the Welsh language could be better used to improve healthcare and other essential services with some suggesting that the focus on the Welsh language detracts from addressing other issues.

Bodies

6 bodies responded to this question specifically. Of those 6 bodies, 2 (BCW and NHLF) were confident that they already meet many service delivery standards with one body claiming that standards will help deliver bilingual customer services more effectively. Qualifications Wales noted that there may be some implementation challenges, increased costs and resource implications depending on interpretation of standards but accepted that this was a discussion to have with the Welsh Language Commissioner.

1 SHA suggested that service delivery standards in the No.7 Regulations which relate to patient care and primary care (65-68) are not relevant to them whilst another SHA referred to their response to question 2 stating that some standards (e.g. those relating patients) should not be imposed. Another SHA suggested that there should be bespoke standards, tailored to its administrative role and the actual demand for Welsh language services to avoid an overextension of resources so that they could continue to focus on improving service effectiveness and efficiency.

Stakeholders

2 stakeholders responded to this question. Cymdeithas yr Iaith suggested that there should be a standard in relation to providing services through live online chat and chat bots. The RCN believes that the No.7 Regulations that relate to in-patients and case conferences (standards 23 to 25) and standards relating to primary care (standards 65 to 68) should apply to SHA, arguing that it would likely ensure that more patients are able to receive care through the medium of Welsh.

Other

1 other person described the proposed legislation as absurd and the product of irrational thinking.

Question 4 - Do you have any comments on the policy making standards in the relevant regulations? (Please note to which body or set of regulations your comments refer to)

Members of the public

3 members of the public submitted comments which objected to the general principle of Welsh language standards; 2 of those repeated a response to previous questions. The other respondent commented that policy making should be a matter for organisations.

Bodies

6 bodies responded to this question specifically; the other 3 did not use the consultation response form.

BCW noted that it currently operates on the same policy-making standards as its sister organisation, the Democracy and Boundary Commission Cymru (previously known as The Local Democracy and Boundary Commission for Wales). The NLHF supports the policy making standards within Regulations No.2, recognising the importance of considering the impact of decisions on the Welsh language. It aims to promote and support the Welsh language, ensuring that funded projects are accessible to Welsh speakers and align with the Welsh Government's Cymraeg 2050 strategy. Qualifications Wales noted no difficulties in the policy making standards, while noting that delivery of its specific legal functions and statutory principal aims would always take precedence at law.

1 SHA stated that it has no responsibility for policy-making functions within the scope of the relevant Standards Regulations, and therefore had no specific comments to provide on the policy-making standards. Another SHA commented that the policy making standards for the No.7 Regulations are appropriate apart from standards 78 and 78A. A third SHA referred to their response to question 2.

Stakeholders

2 stakeholders responded to this question; both stated that all the policy making standards should apply to all applicable bodies. RCN also noted that SHAs should have to comply with standards 78 to 78A arguing that it would help encourage these bodies to ensure that they treat Welsh no less favourably than English in their primary care services; that they must consider opportunities to promote the use of Welsh in their primary care services; and that progress can be monitored and publicly securitised (via standard 78A).

Other

1 other person referred to their response to question 3.

Question 5 - Do you have any comments on the operational standards in the relevant regulations? (Please note to which body or set of regulations your comments refer to)

Members of the public

3 members of the public submitted comments which objected to the general principle of standards and offering services in Welsh; 2 of those repeated a response to previous questions. The other respondent commented that focus should be on service provision and not the Welsh language.

Bodies

6 bodies responded to this question specifically; the other 3 did not use the consultation response form.

BCW noted that it currently operates on the same operational standards as its sister organisation, the DBCC (previously LDBCW). The NLHF responded that it already provides opportunities for colleagues to use their 'Cymraeg', noting that the culture of its workplace in Wales is already bilingual. It noted a commitment to implement the operational standards in the No.2 Regulation across the organisation to develop best practise and ensure compliance. Qualifications Wales referred to its response to question 3.

1 SHA commented that imposing the same operational standards as those applied to bodies who primarily operate in Wales may not be appropriate or proportionate, and suggested that the operational standards should also be tailored to reflect the specific nature of its services. It noted that it was open to further discussions on how these standards could be applied in a way that ensures compliance while remaining efficient and proportionate. Another SHA considered that the operational standards in the No.7 Regulations were appropriate except for standards 110 and 110A as they would only support health boards with their compliance. A third SHA referred to their response to question 2.

Stakeholders

2 stakeholders responded to this question; both stated that all the operational standards should apply to all of the bodies. RCN also noted that SHA should have to comply with standards 110 and 110A stating that it would ensure effective monitoring and public scrutiny of the progress made by these bodies against the Regulations, as well as help provide a roadmap for future progress.

Other

1 other person referred to their response to question 4.

Question 6 - Do you have any comments on the record keeping standards and standards dealing with supplementary matters in the relevant regulations? (Please note to which body or set of regulations your comments refer to)

Members of the public

4 members of the public submitted comments which objected to the general principle of Welsh language standards and offering services in Welsh; 2 of those repeated a response to previous questions. The other 2 respondents saw no value and suggested that the focus should be on service priorities and effectiveness, rather than bureaucracy.

Bodies

6 bodies responded to this question specifically; the other 3 did not use the consultation response form. No specific concerns were noted, with many bodies confirming that they were already compliant with these standards or that these standards were relevant to them. One SHA recommended that the standards should not be "*overly burdensome*" and welcomed clarity on the specific expectations. Another SHA referred to their response to question 2.

Stakeholders

2 stakeholders responded to this question; both stated that the record keeping standards and standards dealing with supplementary matters should apply to all of the bodies.

Other

1 other person referred to their response to question 5.

Question 7 - What, in your opinion, would be the likely effects of amending the relevant Welsh language standard regulations on the Welsh language? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the Welsh language less favourably than English.

**Do you think that there are opportunities to promote any positive effects?
Do you think that there are opportunities to mitigate any adverse effects?**

Members of the public

6 members of the public submitted comments which objected to the general principle of standards and promoting services in Welsh; 2 of those repeated a response to previous questions. Comments related to costs and potential negative impacts with a suggestion to delay implementation of new standards until financial conditions improve. 2 other members of the public submitted comments suggesting that there would be positive effects with one stating that it is likely to improve levels of services available to individuals in Welsh.

Bodies

5 bodies responded to this question specifically. Responses suggest a general support and positive effect on Welsh language. Some bodies emphasised the need for a balanced approach to implementing standards. One body did not consider that the standards would have a significant impact on its ability to provide services however commented that there may be additional costs should it not be already fully compliant with standards.

Stakeholders

2 stakeholders responded to this question; one stated that the proposed changes will positively impact the Welsh language by enabling public engagement and workplace use of Welsh. The other respondent considered that there would be more opportunities to use Welsh in everyday life and in the workplace.

Question 8 - In your opinion, could any of the proposals be formulated or changed so as to:

- **have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English or**

- **mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English?**

Members of the public

6 members of the public submitted comments which objected to the general principle of standards and promoting services in Welsh; 2 of those repeated a response to previous questions. Other comments noted objection to timing and that focus should be on improving services.

Bodies

5 bodies responded to this question specifically; 2 bodies suggested they were content without seeking any changes, with one claiming that the proposal would provide strategic direction and accountability. One body assumed that there was no scope to change wording of standards and welcomed a discussion with the Commissioner on some definitions. One SHA suggested the need for tailored requirements.

Stakeholders

1 stakeholder responded to this question stating that it was unclear whether the proposals could be significantly improved in this way within the confines of the Measure.

Question 9 - We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use response form to report them.

Members of the public

3 members of the public submitted comments which objected to the general principle of standards and promoting services in Welsh; all 3 either provided the same response as provided for previous questions or referred to a response to previous questions.

Bodies

3 bodies responded to this question specifically. BCW's response notes that it is a reserved authority and suggests that Secretary of State consent is required before before the Senedd can amend Regulations. Qualifications Wales commented that it intends to make use of technology to improve efficiency and mitigate some compliance costs. One SHA welcomed the opportunity to formalise commitments in its Welsh language scheme by coming under standards.

Stakeholders

3 stakeholders responded to this question. Hywel Dda University Health Board commented that it works closely with a number of these bodies and the fact that they will all be working towards the same set of standards can only be positive for collaborative working and for service users. RCN's response expressed the limitation of the Measure along with some issues, including the lack of confidence amongst

Welsh-speaking healthcare professionals, insufficient consideration of Welsh language needs in workforce planning, and the allocation of staff without regard to Welsh language skills. RCN suggested that Health Boards should have a duty to increase the number of healthcare professionals who can practice in Welsh, focusing on areas with the greatest need, and also recommends extending standards to privately-run health or care services contracted by Local Authorities or other public bodies. Cymdeithas yr Iaith believes the Commissioner should be able to impose promotion standards on WRA, and requested that more categories of bodies should come under standards, including the private sector e.g. banks and supermarkets.

5. Welsh Government Response

The Welsh Government is grateful to everyone who has submitted a response. As a summary document, not all issues outlined in responses may have been reflected fully, but each response has been considered carefully. The absence of specific issues or suggestions in this summary does not mean they have been disregarded. The following summarises changes that have been made to the policy proposals consulted upon:

- The Regulations do not authorise the Commissioner to issue APW with operational standards, nor record keeping standards relating to operational standards, and supplementary standards which relate to operational standards. APW is a tribunal administered by Welsh Government staff and so we've concluded that it should be treated in the same manner as the other four tribunals administered by Welsh Government.
- The Regulations will make standards 90 and 90A (standards relating to submitting written work in Welsh) within No.6 Regulations specifically applicable to HEIW, as well as all standards within the No.7 Regulations. We consider and agree that it would be appropriate for HEIW to be subject to a small number of standards within the No.6. This is because there are no equivalent standards within the No.7 Regulations that would cover this activity. We note that HEIW's Welsh language scheme also includes other standards or similar standards from the No.6 Regulations. We have considered these and consider that there are either equivalent or similar standards within the No.7 Regulations that would have the same policy impact. This will avoid potential duplication of requirements. It also does not prevent HEIW from considering other requirements within the No.6 Regulations alongside its duty to comply with standards within the No.7 Regulations.
- The definitions a "national health service clinic" ("clinig gwasanaeth iechyd gwladol") and a "national health service hospital" ("ysbyty gwasanaeth iechyd gwladol") within the No.7 Regulations have also been amended to include SHAs. This is to ensure that the Regulations are future proofed and enable the Commissioner to impose appropriate standards on any new SHA that may be created in the future that provide those services in relation to Wales.

In addition to the above, below is our response to specific comments provided in consultation responses:

Online chat facilities

- Welsh Government notes that there are no specific standards for online chat facilities in No.1, No.2, No.4, No.6 and No.7 Regulations; online chat facilities were not as common when standards were first introduced in 2016. However, the [code of practice for No.1 Regulations](#) (para 4.1.37) and the [code of practice for No.7 regulations](#) (para 4.1.42), both of which have received Welsh Ministers' consent, include live online chat facilities as an example of correspondence. We therefore do not propose to add specific standards in relation to online chat facilities to existing Standard Regulations. In preparing future regulations, we will consider whether having separate standards for online chat facilities is more appropriate.

Additional duties

- The promotion standards within the No. 1 Regulations cannot be made potentially applicable to the WRA unless they have given consent. Such consent has not been sought as promotion standards are not relevant to the WRA's work. As a result, the Regulations do not make standards 145, 146, 173 and 174 (all of which relate to promotion standards) specifically applicable to Welsh Revenue Authority.
- In response to comments that Health Boards should have a duty to increase the number of healthcare professionals who can practice in Welsh, focusing on areas with the greatest need, the No.7 Regulations already include standards relating to implementing and publishing a 5-year plan to increase capacity to offer clinical consultations in Welsh. There are also other standards within the No.7 Regulations to help support bodies develop Welsh language skills through workforce planning and training, assessing the need for language skills when advertising posts, providing opportunities for staff to access Welsh language learning and keeping a record of their Welsh language skills.

Calls to tailor or disapply some standards to SHA

- Welsh Government recognises that the services delivered by SHAs are varied and has considered whether it should disapply certain standards for some of the individual SHAs on the basis that they do not provide these services or activities. The No. 7 Regulations make standards specifically applicable to categories of bodies, for example, 'Local Health Boards' and 'National Health Service Trusts in Wales'. Individual Health Boards are not named in the No.7 Regulations. The Regulations follow this precedent and make standards specifically applicable to 'Special Health Authorities' as opposed to naming SHAs individually. This approach will future proof and ensure that the Commissioner can impose appropriate standards on any new SHA that may be created in the future that provide those services in relation to Wales. The fact that standards are specifically applicable to a SHA does not mean that it

will be required to comply with a particular standard. For example, if a SHA does not provide the service the standards relate to it is very likely that the standards will either not be imposed on them or will not apply. A body is not required to comply with a standard unless the Commissioner has given that person a compliance notice which requires the person to comply with that standard.

Calls to bring more bodies or categories of persons under standards

- The Development Bank of Wales and the Education Tribunal for Wales are already subject to standards. The Development Bank of Wales comes under standards imposed on Welsh Ministers and [The Special Educational Needs Tribunal for Wales' compliance notice](#) continues to apply to the Education Tribunal for Wales following its name change.
- With regards to calls to extend standards to other sectors, including the private sector, the Welsh Government is currently prioritising bringing under standards bodies already identified in Welsh Government's Programme for Government for this Senedd term. There are ongoing discussions regarding which sectors should be prioritised beyond this Senedd term however it will be for the next Government to set priorities during the next Senedd term and prepare an implementation plan.

Boundary Commission for Wales

- Having considered BCW's response we are content that BCW is already within a category listed in Schedule 5 to the Measure and that there is no need for Secretary of State approval before it can be added to Schedule 6 to the Measure.

6. Next Steps

An Order and Regulations will be laid before the Senedd and must be approved in a Plenary vote. The Order and Regulations, if they come into force, will not have a direct effect on bodies and they will not, by themselves, create rights for members of the public. The Order will add 3 bodies to Schedule 6 to the Measure so that those bodies can be added via Regulations to existing Regulations. The Welsh Language Standards (No. 1, No. 2, No. 4, No. 6 and No. 7) Regulations (Amendment) Regulations 2025 will add 6 bodies and Special Health Authorities to existing Regulations. This will enable the Commissioner to require these bodies to comply with the standards. It will be for the Commissioner to choose which standards to impose on bodies by way of a compliance notice. The Regulations set the range of standards which could be imposed on a body. A body may have to comply with the standard only in some circumstances and not in others – depending on what is stated in their compliance notice. The compliance notice will also set the date by which the body is required to comply with a standard.