

Relevant person	Investigation	Date decision notice was given	Commissioner's findings and determinations
<u>Welsh Ministers</u>	<p>CS1207 I received a complaint from a member of the public regarding an educational event organised by the Seren Academy for school pupils. (The Seren Academy operates according to Welsh Ministers standards.) The educational event was held in English only, and all resources for the session were also in English only. The course was not offered in Welsh before being conducted in English.</p>	05/08/2024	<p>Commissioner's Findings Standard 85 requires Welsh Ministers to ensure that when they offer an education course that is open to the public, and specifically aimed at persons aged 18 or under, the course is offered in Welsh. In this case, the education course was not conducted in Welsh, nor offered in Welsh before being delivered in English. It is therefore judged that the Welsh Ministers have failed to comply with Standard 85.</p> <p>Standard 85 – Failure</p> <p>Further Action</p> <p>1. The Welsh Ministers must create an action plan that will demonstrate the steps they proposed to take to restore full compliance and address the following issues;</p> <ul style="list-style-type: none"> • How the Seren Academy plans to go about offering the courses to pupils in the future; • Review arrangements for the commissioning of educational sessions to ensure that the sessions can be held in accordance with the requirement of the standard; • Review the guidance provided to regional staff to ensure that they are aware of the requirements of the standards and expectations for offering courses in Welsh; • Highlight what steps can be taken to improve Welsh language provision across the programme of activities.

Newport City
Council

CS1199 I received a complaint from a member of the public regarding an alleged failure by the Council to provide information about Cabinet and Council decisions on the Council's Welsh website.

02/08/2024

2. The Welsh Ministers must provide written evidence satisfying the Welsh Language Commissioner that they have completed the enforcement action within 2 months from the date of the final award being published.

Commissioner's Findings

The Council failed to provide information about Council agendas and minutes on the Council's Welsh website contrary to the requirements of standard 41.

Contrary to the requirements of standard 52, not all Welsh pages that were checked were fully functional. Also, several instances were observed where Welsh was treated less favorably than English on these websites.

Furthermore, not all English pages that were checked included a direct link leading to the corresponding Welsh page. This was an example of the Council's failure to comply with the requirements of standard 55.

On the Welsh side of the website, the interface and menus were not available (in Welsh) on some pages that were checked. As a result, the Council also failed to comply with standard 56.

Standard 41 – Failure

Standard 52 – Failure

Standard 55 – Failure

Standard 56 – Failure

Further Action

Denbighshire
County Council

CS1197 & CS1206 I received a complaint from a member of the public who claimed that Denbigh Leisure Centre's Facebook page contained English-only posts/information.

22/07/2024

Standards 41, 52, 55 a 56: Requirement to take action under section 77 Welsh Language (Wales) Measure 2011

1. The Council must ensure that records (including the Decision Register) relating to Cabinet and Council meetings are fully prepared and available on the Council's website in Welsh.
3. The Council must conduct regular audits of its websites to identify and correct any errors and inconsistencies between the Welsh and English websites.
4. The Council must review its content management processes to ensure that it is not possible to publish or update a page (in English) on the English website without also publishing or updating the corresponding page (in Welsh) on the Welsh website simultaneously.
5. The Council must develop (and share with all relevant teams within the organisation) clear protocols and guidelines for creating, translating, and publishing bilingual content on its websites in accordance with the requirements of the standards.
6. The Council must provide written evidence that satisfies the Welsh Language Commissioner that it has completed enforcement action 1 to 5.

Timeline: Within 6 months from the date of issuing the final determination.

Commissioner's Findings

As the complaint and comments touched upon similar issues, I decided to conduct a joint investigation into the two cases.

Separately, I received comments from a member of the public about the Denbighshire Leisure Ltd (DLL) website, which included English-only swimming timetables. I contacted Denbighshire County Council twice regarding the matter, and although I had received confirmation from the Council's Language Officer that corrective work would be completed, the errors remained when the website was checked.

The relevant requirements under investigation are standards 58 and 52.

Glossary of terms for organisations concerned:

- Denbighshire County Council – Owner of Denbighshire Leisure Ltd.
- Denbighshire Leisure Ltd (DLL) – An independent legal entity owned by Denbighshire County Council, which provides a leisure service on behalf of the Council.
- Denbigh Leisure Centre – a Leisure Centre managed by DLL.

Standard 58 – Failure

Standard 52 – Failure

Further Action

Standard 58

1. The Council must create a guide or guidance for staff responsible for its social websites regarding the requirements of the Welsh language standards (including standard 58) and distribute it to the relevant staff.
2. The Council must monitor a sample of 10 posts on the Denbigh Leisure Centre Facebook page within a three-month period and contact Denbighshire Leisure Ltd if the Council finds any problems complying with Welsh language standards.

Standard 52

3. The Council must ensure that all timetables on the Denbighshire Leisure Ltd website are available in Welsh

Vale of
Glamorgan
Council

CS1234 I received a complaint from a member of the public who claimed that the consultation on the 2024-25 Vale of Glamorgan Council budget did not include any reference to the Welsh language, nor did it seek public opinion about the possible effects of the proposed budget decisions on the Welsh language.

11/07/2024

(this includes swimming timetables, the junior membership schedule, and class timetables).

4. The Council must monitor a sample of 10 daytime timetables on the Denbighshire Leisure Ltd website (this can include swimming timetables, the junior membership timetable, and a class timetables), within a three-month period.

5. Denbighshire County Council must provide written evidence that satisfies the Welsh Language Commissioner that it has completed enforcement steps 1–4.

Commissioner's Findings

The relevant requirements under investigation are standards 91, 92 and 93.

The investigation showed that there had been no consideration of the impact of the policy decision on the Welsh language, and no questions were asked to seek the views of the public about possible effects on the Welsh language. This showed a failure to comply with standards 91, 92, and 93. Although the Council had intended to carry out an Equality Impact Assessment for the consultation, which would have included consideration of the Welsh language, this did not show compliance with the requirements of the standards.

Standards 91, 92 and 93- Failure

Further Action

1. The Council must create a guidance document (or add to guidance that already exists) which explains

Welsh Ministers

CS1211 I received a complaint from a member of the public who had received a letter in English only from Transport Investigations, a company contracted to Transport for Wales. (Transport for Wales implement the standards of the Welsh Ministers.) The letter related to an incident on a train journey taken by the complainant in May 2023. The letter gave the complainant the opportunity to provide further details about the incident,

09/07/2024

that the views of the public must be considered and sought on opportunities to use the Welsh language, and on not treating the Welsh language less favourably than English within consultation documents. The guidance document must set out all the requirements of standards 91, 92 and 93.

2. The Council must provide training for staff responsible for creating budgetary policy consultation documents. The training must raise staff awareness of all the requirements of standards 91, 92, and 93.

3. All members of staff responsible for creating consultation documents must be made aware of all the requirements of standards 91, 92 and 93.

4. The Vale of Glamorgan Council must provide written evidence that satisfies the Welsh Language Commissioner that it has completed enforcement actions 1-3.

Timetable: Within 3 months from the date of publication of the final determination.

Commissioner's Findings

Standard 5 requires the Welsh Ministers to ensure that a Welsh version of correspondence is provided when correspondence is sent to a person on their behalf, and when they don't know whether the person wishes to receive correspondence in Welsh. As a Welsh version of the correspondence was not provided in this case, it is determined that the Welsh Ministers have failed to comply with standard 5.

and referred her to the Transport Investigations website for further information. The Transport Investigations website is available in English only and this information is not available in Welsh elsewhere.

Standard 52 requires the Welsh Ministers to ensure that the text of each page of their website is available in Welsh. As information relevant to Transport for Wales customers is available on the Transport Investigations website in English only and the information is not available in Welsh elsewhere, it is determined that the Welsh Ministers have failed to comply with standard 52.

Standard 5 - Failure
Standard 52 – Failure

Further Action

The Welsh Ministers must prepare a draft action plan to ensure that they comply with the requirements of standard 5. The action plan must detail the discussions between Transport for Wales and Transport Investigations and:

- describe the steps they will take in order to comply with the requirements of Standard 5, and ensure that any correspondence sent on their behalf by Transport Investigations is sent in Welsh;
- describe the steps they will take in order to comply with Standard 52, and ensure that information relevant to Transport for Wales customers on the Transport Investigations website is available in Welsh, and that the information is as easily found in Welsh as in English;
- include a timeframe for carrying out the above steps.

Timeline:

The Welsh Ministers must produce an initial draft of the action plan and present it to the Commissioner within 2 months of the publication date of the Commissioner's final determination.

CS1170 A complaint was received from a member of the public about Aneurin Leisure Trust's (the Trust) lack of use of the Welsh language:

- on its websites
- on its social media
- on some signs at sites which it manages.

The Trust delivers services which are promoted on these websites and social media accounts on behalf of Blaenau Gwent County Borough Council (the Council). It also controls the site where the signs were erected on behalf of the Council. The Council therefore has a duty to ensure that this provision complies with the Welsh language standards.

04/06/2024

Commissioner's Findings

In this case, the following websites did not have Welsh language pages, contrary to the requirements of standard 52:

- the Trust's corporate website (www.aneurinleisure.org.uk)
- the website for BG Life leisure centres and services (www.bglife.co.uk)
- the Parc Bryn Bach website (www.parcbrynbach.co.uk)
- the Bedwellty House and Park website (www.bedwelltyhouseandpark.com)

The Trust's social media accounts published information and posts in English only. This was contrary to the requirements of standard 58.

Some English-only signs were placed at Parc Bryn Bach. This was contrary to the requirements of standard 61.

During the investigation, the Trust published a Welsh language version of its corporate website (www.aneurinleisure.org.uk) and the BG Life website (www.bglife.co.uk).

The Trust also replaced the English-only signs with bilingual ones and corrected the erroneous Welsh language text on the other signs.

Enforcement action was imposed to ensure that the Council addressed the other failures to comply, where it had not done so voluntarily.

Standards 52, 58 and 61 – Failure
Standard 55 – No failure

Further Action

Requirement to take steps in accordance with section 77 of the Welsh Language Measure

1. The Council must undertake a review to establish which of the following are delivered on its behalf by the Trust:

- Pages and information published on its websites
- Posts on its social media accounts
- Signs on display

Requirement to prepare an action plan in accordance with section 77 of the Welsh Language Measure

2. Based on the findings of the review, the Council must prepare an action plan to ensure compliance with standards 52, 58 and 61.

3. The action plan must include the following information:

- A description of the steps that the Council will take to comply with the standards
- A timetable for completing the steps that the Council will take to comply with the standards.

The timetable should be no longer than 6 months from the date of approval of the plan.

- An explanation of who will be responsible and accountable for taking each step identified in the plan.
- Assurance that members of the Senior Management Team have a role in scrutinising progress.

Timetable: Within 3 months of issuing the final Determination.

<u>Cardiff Council</u>	<p>CS1213 A complaint about a lack of Welsh language service on more than one occasion at the reception of Cardiff Central Library.</p>	04/06/2024	<p>Commissioner's Findings The relevant requirement for the investigation is standard 64. The Council confirms that there isn't a Welsh speaker working at the library reception at all times, and therefore it is not always possible to provide a reception service in Welsh. This is a failure to comply with standard 64. The Council has already put steps in place to encourage staff to learn Welsh, and a recruitment plan has been prepared for the coming months. As a result, I will not be taking further action in relation to the failure.</p> <p>Standard 64 – Failure</p> <p>Further Action <u>Standard 64</u> No further action as a result of steps already in place by the Council to correct the failure.</p>
<u>The City and County of Swansea Council</u>	<p>CS1209 I received a complaint from a member of the public alleging that she had received an email from Swansea Grand Theatre, containing a link to a survey in Welsh, which led to a web page in English. After this, the survey was removed from the website, and an English-only message appeared on the page stating that the window for responding to the survey had closed.</p>	13/05/2024	<p>Commissioner's Findings The relevant requirement in question is standard 50. As the Council submitted evidence confirming that a Welsh language version of the survey had been available, there had been no failure to comply with standard 50. However, I encourage the Council to ensure that it clearly states on the English versions of forms for public use that a Welsh version is also available.</p> <p>Standard 50 – No failure</p>
<u>Wrexham County Borough Council</u>	<p>CS1195 A complaint was received from the complainant regarding the registration process for registering a child in a school</p>	10/05/2024	<p>Commissioner's Findings In this case, the website, the website options and the dropdown options on the application form for a place in a</p>

within the Council's catchment area. The registration process contained a number of errors when the complainant submitted the application on the Council's Welsh electronic registration form and website.

In particular, the complainant stated:

- That the Council's website and the application process for registering a child in a school were not available entirely in Welsh, although choosing Welsh schools was an option;
- She received confirmation of her child's enrollment in a Welsh-medium school in English only;
- The complainant's home address appeared on the fall curtain in English only, without a Welsh option; a
- That the Council only submitted standard correspondence in English without any correspondence in Welsh, even though the complainant submitted the application in Welsh on the Council's website

school on the Council's website treat the Welsh language less favorably and are contrary to the requirements of standard 52. The website and the application process for a place in a school within the Council's catchment area is also contrary to the requirements of standard 56. In addition, the correspondence the complainant received confirming a place for her child, despite completing the form in Welsh, is in English only and contrary to the requirements of standard 4.

Standard 4 – Failure

Standard 50 and 50B – Failure

Standard 52 and 56 – Failure

Further Action

Standard 4:

1. Wrexham County Borough Council must raise staff awareness of the need to send correspondence to more than one person bilingually on all occasions.

Standard 50 and 50B:

2. Wrexham County Borough Council must check all its e-forms to ensure that all forms are available in Welsh and that the forms do not treat Welsh less favorably than English.

Standard 52 and 56:

3. Wrexham County Borough Council must take steps to ensure that the Council's online services are published on its website in Welsh and English, including drop

CS1172 I received a complaint alleging that new road markings in the County contained text in English only. The text in question was 'Town Centre', 'East' and 'West'.

down options and headings on sections of the Council's website and any online forms used by the Council.

All Standards:

Wrexham County Borough Council must carry out a review of its arrangements and procedures and the way it checks and proofreads websites, online forms and any registration process ensuring accuracy and consistency in the Welsh version and the Version English from the same document.

Following the review, I require Wrexham County Borough Council to prepare a findings report and include a section about the lessons learned from carrying out the review and what changes need to be introduced to the Council's procedures in preparing and reviewing announcements and options/drop down menus on the Council's website. Practical advice must also be produced explaining to staff how to plan and operate in Welsh when providing such services to the public.

Commissioner's Findings

This created a suspicion of failure to comply with standard 61. A standard translation for 'Town Centre' is prescribed in the Welsh Government guidelines. By not using that translation, the Council has failed to comply with standard 61. There is no Welsh version of 'East' and 'West' in the guidelines, and therefore the Council has no right to use 'Gorllewin' and 'Dwyrain'. This is because that would be contrary to the relevant Legislation, and

CS1201 The complainant alleges that a Welsh-language electoral registration notice sent by Carmarthenshire County Council included his home address in English. A screenshot was provided of the notice in question which confirmed this.

Carmarthenshire
County Council

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therefore the Council is exempt from the requirements of the standard in accordance with paragraph 25 of Part 3 of Schedule 1 of the Welsh Language Standards (No.1) Regulations 2015.

Standard 61 – Failure (No further action).

Commissioner's Findings

The relevant requirements in question are standards 4 and 6. After receiving evidence from the Council, the correspondence in question treats the Welsh language less favourably as the complainant's address is not listed in Welsh, despite the fact that the street where the complainant's home is located is registered in Welsh by the Council. This is contrary to the requirements of standard 6.

Having considered the Council's evidence, it appears that the complainant's complaint is due to an issue with the postal addresses used by the Council's software providers. This is beyond the Council's control. As a result, the most practical way of addressing the issue highlighted by the Council is to enter into a settlement agreement and find a way of ensuring the most positive change in relation to the software.

Consequently, despite finding a failure, I will not take further action or impose enforcement action on the Council. I will ask my officers to contact the software company, IDOX as well as the Royal Mail for their response to these findings and to consider a solution to the situation that will ensure the Council's compliance with

CS1202 I received a complaint from a member of the public who claimed that the Welsh names of electoral wards were misspelled on the Council's website, and English-only text appeared on pages that provided information about the Council's councillors. This is the second time the complainant has submitted a complaint about this matter. It was decided not to investigate the first complaint following commitments from the Council to tackle the issue.

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the Welsh Language Standards. I also recommend that my officers carry out an exercise to gather information from all local authorities in Wales regarding their current arrangements when preparing electoral registration correspondence in order to understand how local authorities prepare and create electoral registration correspondence which complies with the Welsh Language Standards.

Standard 4 – Failure

Standard 6 – No failure

Commissioner's Findings

The relevant requirement under investigation is standard 52. In this case, the page in question on the Council's website has treated the Welsh language less favourably than the English language for the reasons stated by the complainant in the complaint, contrary to the requirements of standard 52.

Standard 52 – Failure

Further Action

Standard 52:

1. Flintshire County Council must check the correct spelling of the name of each County electoral ward on its website.
2. The Council must once again distribute its support package for bilingual software developers to all relevant members of staff, drawing the specific attention of staff to the requirement to ensure that

Powys County
Council

CS1171 There are two elements to this complaint. Firstly, the complainant alleges that there were English-only announcements on the public address system of a Traws Cymru bus between Newtown and Cardiff on 05/07/2023, as well as announcements where the Welsh language followed the English language on the public address system. Secondly, the complainant alleges that the Welsh language appeared after the English language on the digital screen of the bus service between Newtown and Cardiff.

10/04/2024

"linguistic quality should be at the same level for both languages" (clause 1.3 of the package).

3. The Council must monitor a sample of 10 pages on its website within a year, to ensure that the Welsh content is correct in accordance with the requirements of standard 52.
4. Flintshire County Council must provide written evidence that satisfies the Welsh Language Commissioner that it has completed enforcement steps 1-3.

Commissioner's Findings

The relevant requirements under investigation relate to Standards 87, 61 and 62. In this case, the Welsh language has been treated less favourably than the English language in the public address system announcements of the bus service between Newtown and Cardiff, which is contrary to the requirements of standard 87. Furthermore, the Welsh language was treated less favourably than the English language due to incorrect Welsh text on the bus service's digital screens, contrary to the requirements of standard 61. There was however no failure to comply with standard 62 as the text was displayed on a loop.

Standard 87 – Failure
Standard 61 – Failure
Standard 62 – No failure

Further Action

Standard 87:

1. Powys County Council must create a guidance document for its staff and bus service contractors which explains the requirements of standard 87 in relation to public address system announcements, and draw the attention of the relevant staff and contractors to that document.
2. The Council must create a checking procedure for observing the compliance of the bus service with the requirements of the Welsh language standards, including standards 87 and 61.
3. The Council must check the accuracy of a sample of the names of fifteen bus-stops displayed on the digital screens of the T4 bus service, within a period of 3 months. This is relevant only to bus-stops on the T4 service which fall under the responsibility of the Council.

Standard 61:

4. The Council must check the accuracy of the Welsh names of all bus-stops on the T4 bus service within a period of three months, and correct any incorrect names that are identified. This is relevant only to bus-stops on the T4 service which fall under the responsibility of the Council.