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13 October 2021

Dear Sir/Madam,

### **Modernising Lasting Powers of Attorney**

Thank you very much for the opportunity to take part in the consultation above. I would like to comment in the context of the Welsh language provision within the proposed revised service. My comments will not, therefore, provide an opinion on the seven proposals put forward in the consultation document. My aim is to emphasise the importance of including the Welsh language from the outset in your plans for the service.

The Welsh Language Scheme of the Office of the Public Guardian<sup>1</sup> contains the following statement:

We have adopted the principle that in the conduct of public business and the administration of justice in Wales, so far as is both appropriate in the circumstances and reasonably practical, the Welsh and English languages should be treated on a basis of equality.

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<sup>1</sup> [20180319 DG S Final version EN OPG WLS \(publishing.service.gov.uk\)](#)

It also contains the following commitments in its action plan (Section 9):

We will include Welsh language as a consideration within equality impact assessments. (Action 2)

We will ensure that any future public facing digital services are available in Welsh and English by default. As part of that, we will ensure that Lasting Power of Attorney (LPA) services are available in Welsh at the first possible opportunity. (Action 4)

There is no reference to the Welsh language in the consultation document or impact assessment published as part of the plans for modernising lasting powers of attorney. However, a letter received from you dated 10 June 2021 discusses the proposed modernisation of lasting powers of attorney and states that, once the modernisation process is complete, users will be able to complete an application in both English and Welsh.

I am anxious to know what developments you have in mind next following the consultation, to ensure that you include the Welsh language in your plans from the outset. In developing bilingual or multilingual digital systems, it is much more efficient and cost-effective to include the linguistic requirements in the initial planning phase, than to try to retrofit a monolingual system at a later date. The Welsh Language Commissioner has published advice on the Welsh language in the context of information technology<sup>2</sup> and the Office of the Public Guardian has committed to considering it in its language scheme:

As we develop or procure ICT systems we will take into account the Welsh language commissioners guidance on Technology, Websites and Software: Welsh Language Considerations. (4.5)

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<sup>2</sup> [technoleg-gwefannau-a-meddalwedd-technology-websites-and-software-1.pdf \(comisiynyddygyymraeg.cymru\)](#)

I would like to receive assurance that you will introduce the revised service in Welsh and English at the same time. This would reflect the principle that the Office of the Public Guardian has adopted regarding treating the Welsh and English languages equally, and would fulfil the commitment to standards of quality in the language scheme:

Services provided in Welsh and English will be of equal quality and provided within the same timescale. (2.4)

You will be aware that I have the power to investigate cases where I suspect a lack of compliance with a Welsh language scheme. In order to avoid reaching such a situation, I would be glad to receive further information from you arising from my comments regarding your plans to modernise lasting powers of attorney.

Yours sincerely



Aled Roberts  
**Welsh Language Commissioner**