

SCHEDULE 3

Regulation 2(3)

Operational standards

PART 1

THE STANDARDS

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<b>1</b>	<b>Standards relating to the use of the Welsh language within a body's internal administration</b>
<b>Standard 105:</b>	You must develop a policy on using Welsh internally for the purpose of promoting and facilitating the use of the language, and you must publish that policy on your intranet.
<b>Standard 106:</b>	When you offer a new post to an individual, you must ask that individual whether he or she wishes for the contract of employment or contract for services to be provided in Welsh; and if that is the individual's wish you must provide the contract in Welsh.
<b>Standard 107:</b>	You must — (a) ask each employee whether he or she wishes to receive any paper correspondence that relates to his or her employment, and which is addressed to him or her personally, in Welsh, and (b) if an employee so wishes, provide any such correspondence to that employee in Welsh.
<b>Standard 108:</b>	You must ask each employee whether he or she wishes to receive any documents that outline his or her training needs or requirements in Welsh; and if that is the employee's wish you must provide any such documents to him or to her in Welsh.
<b>Standard 109:</b>	You must ask each employee whether he or she wishes to receive any documents that outline his or her performance objectives in Welsh; and if that is the employee's wish you must provide any such documents to him or to her in Welsh.
<b>Standard 110:</b>	You must ask each employee whether he or she wishes to receive any documents that outline or record his or her career plan in Welsh; and if that is the employee's wish you must provide any such documents to him or to her in Welsh.
<b>Standard 111:</b>	You must ask each employee whether he or she wishes to receive any forms that record and authorise— (a) annual leave, (b) absences from work, and (c) flexible working hours,  in Welsh; and if that is an employee's wish, you must provide any such forms to him or to her in Welsh.
<b>Standard 112:</b>	If you publish a policy relating to behaviour in the workplace, you must publish it in Welsh.

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- Standard 113:** If you publish a policy relating to health and well-being at work, you must publish it in Welsh.
- Standard 114:** If you publish a policy relating to salaries or workplace benefits, you must publish it in Welsh.
- Standard 115:** If you publish a policy relating to performance management, you must publish it in Welsh.
- Standard 116:** If you publish a policy about absence from work, you must publish it in Welsh.
- Standard 117:** If you publish a policy relating to working conditions, you must publish it in Welsh.
- Standard 118:** If you publish a policy regarding work patterns, you must publish it in Welsh.
- 2**                    **Standards relating to complaints made by a member of a body's staff**
- Standard 119:** You must allow each member of staff —
- (a) to make complaints to you in Welsh, and
  - (b) to respond in Welsh to any complaint made about him or about her.
- Standard 119A:** You must state in any document that you have that sets out your procedures for making complaints that each member of staff may —
- (a) make a complaint to you in Welsh, and respond to a complaint made about him or about her in Welsh;
- and you must also inform each member of staff of that right.
- Standard 120:** If you receive a complaint from a member of staff or a complaint about a member of staff, and a meeting is required with that member of staff, you must —
- (a) offer to conduct the meeting in Welsh, and
  - (b) if the member of staff wishes for the meeting to be conducted in Welsh, conduct the meeting in Welsh (without the assistance of a simultaneous or consecutive translation service).
- Standard 121:** If you receive a complaint from a member of staff or a complaint about a member of staff, and a meeting is required with that member of staff, you must —
- (a) ask the member of staff whether he or she wishes to use the Welsh language at the meeting;
  - (b) explain that you will provide a translation service from Welsh to English for that purpose if it is required;
- and if the member of staff wishes to use the Welsh language, you must provide a simultaneous translation service from Welsh to English at the meeting (unless you conduct the meeting in Welsh without translation services).
- Standard 122:** When you inform a member of staff of a decision you have reached in relation to a complaint made by him or by her, or in

relation to a complaint made about him or about her, you must do so in Welsh if that member of staff—

- (a) made the complaint in Welsh,
- (b) responded in Welsh to a complaint about him or about her,
- (c) asked for a meeting about the complaint to be conducted in Welsh, or
- (ch) asked to use the Welsh language at a meeting about the complaint.

### 3

#### **Standards relating to a body disciplining staff**

##### **Standard 123:**

You must allow all members of staff to respond in Welsh to allegations made against them in any internal disciplinary process.

##### **Standard 123A:**

You must —

- (a) state in any document that you have which sets out your arrangements for disciplining staff that any member of staff may respond in Welsh to any allegations made against him or against her, and
- (b) if you commence a disciplinary procedure in relation to a member of staff, inform that member of staff of that right.

##### **Standard 124:**

If you organise a meeting with a member of staff regarding a disciplinary matter that relates to his or to her conduct you must —

- (a) offer to conduct the meeting in Welsh; and
- (b) if the member of staff wishes for the meeting to be conducted in Welsh, conduct the meeting in Welsh (without the assistance of a simultaneous or consecutive translation service).

##### **Standard 125:**

If you organise a meeting with a member of staff regarding a disciplinary matter that relates to his or her conduct you must —

- (a) ask the member of staff whether he or she wishes to use the Welsh language at the meeting, and
- (b) explain that you will provide a translation service for that purpose if it is required;

and, if the member of staff wishes to use the Welsh language, you must provide a simultaneous translation service from Welsh to English at the meeting (unless you conduct the meeting in Welsh without a translation service).

##### **Standard 126:**

When you inform a member of staff of a decision you have reached following a disciplinary process, you must do so in Welsh if that member of staff—

- (a) responded to allegations made against him or her in Welsh,
- (b) asked for a meeting regarding the disciplinary process to be conducted in Welsh, or
- (c) asked to use the Welsh language at a meeting regarding the disciplinary process.

### 4

#### **Standards relating to a body's information technology and about support material provided by a body, and relating to the intranet**

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- Standard 127:** You must provide staff with computer software for checking spelling and grammar in Welsh, and provide Welsh language interfaces for software (where an interface exists).
- Standard 128:** You must ensure that —
- (a) the text of each page of your intranet is available in Welsh,
  - (b) every Welsh language page on your intranet is fully functional, and
  - (c) the Welsh language is treated no less favourably than the English language on your intranet.
- Standard 129:** You must ensure that —
- (a) the text of the homepage of your intranet is available in Welsh,
  - (b) any Welsh language text on your intranet’s homepage (or, where relevant, your Welsh language intranet homepage) is fully functional, and
  - (c) the Welsh language is treated no less favourably than the English language in relation to the homepage of your intranet.
- Standard 130:** You must ensure that each time you publish a new intranet page or amend a page —
- (a) the text of that page is available in Welsh,
  - (b) any Welsh language version of that page is fully functional, and
  - (c) the Welsh language is treated no less favourably than the English language in relation to the text of that page.
- Standard 131:** If you have a Welsh language page on your intranet that corresponds to an English language page, you must state clearly on the English language page that the page is also available in Welsh, and must provide a direct link to the Welsh language page on the corresponding English language page.
- Standard 132:** You must designate and maintain a page (or pages) on your intranet which provides services and support material to promote the Welsh language and to assist your staff to use the Welsh language.
- Standard 133:** You must provide the interface and menus on your intranet pages in Welsh.
- 5** **Standards relating to a body developing Welsh language skills through planning and training its workforce**
- Standard 134:** You must assess the Welsh language skills of your employees.
- Standard 135:** You must provide training in Welsh in the following areas, if you provide such training in English —
- (a) recruitment and interviewing;
  - (b) performance management;
  - (c) complaints and disciplinary procedures;
  - (ch) induction;
  - (d) dealing with the public; and
  - (dd) health and safety.
- Standard 136:** You must provide training (in Welsh) on using Welsh effectively in—

- (a) meetings;
- (b) interviews; and
- (c) complaints and disciplinary procedures.

**Standard 137:** You must provide training to staff who provide careers advice on the value of Welsh language skills in the employment sector.

**Standard 138:** You must provide opportunities during working hours—  
(a) for your employees to receive basic Welsh language lessons, and  
(b) for employees who manage others to receive training on using the Welsh language in their role as managers.

**Standard 139:** You must provide opportunities for employees who have completed basic Welsh language training to receive further training, free of charge, to develop their language skills.

**Standard 140:** You must provide training courses so that your employees can develop—  
(a) awareness of the Welsh language (including awareness of its history and its role in Welsh culture);  
(b) an understanding of the duty to operate in accordance with the Welsh language standards;  
(c) an understanding of how the Welsh language can be used in the workplace.

**Standard 141:** When you provide information to new employees (for example by means of an induction process), you must provide information for the purpose of raising their awareness of the Welsh language.

**Standard 142:** You must provide wording or a logo for your staff to include in e-mail signatures which will enable them to indicate whether they speak Welsh fluently or whether they are learning the language.

**Standard 143:** You must provide wording for your employees which will enable them to include a Welsh language version of their contact details in e-mail messages, and to provide a Welsh language version of any message which informs others that they are unavailable to respond to e-mail messages.

**Standard 144:** You must make available to members of staff who are able to speak Welsh a badge for them to wear to convey that.

**Standard 144A:** You must promote to members of staff the wearing of a badge that conveys that a member of staff is able to speak Welsh.

## 6

### **Standards relating to a body recruiting and appointing**

**Standard 145:** When you assess the requirements for a new or vacant post, you must assess the need for Welsh language skills, and categorise it as a post where one or more of the following apply —

- (a) Welsh language skills are essential;
- (b) Welsh language skills need to be learnt when appointed to the post;
- (c) Welsh language skills are desirable; or
- (ch) Welsh language skills are not necessary.

**Standard 145A:** If you have categorised a post as one where Welsh language skills are essential, desirable or need to be learnt you must —

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- (a) specify that when advertising the post, and
- (b) advertise the post in Welsh.

**Standard 146:** When you advertise a post, you must state that applications may be submitted in Welsh, and that an application submitted in Welsh will not be treated less favourably than an application submitted in English.

**Standard 146A:** If you publish —

- (a) application forms for posts;
- (b) material that explains your procedure for applying for posts;
- (c) information about your interview process, or about other assessment methods when applying for posts;
- (ch) job descriptions;

you must publish them in Welsh; and you must ensure that the Welsh language versions of the documents are treated no less favourably than any English language versions of those documents.

**Standard 146B:** You must not treat an application for a post made in Welsh less favourably than you treat an application made in English (including, amongst other matters, in relation to the closing date you set for receiving applications and in relation to any timescale for informing individuals of decisions).

**Standard 147:** You must ensure that your application forms for posts provide a space for individuals to indicate that they wish an interview or other method of assessment in Welsh and if an individual so wishes, you must conduct any interview or other method of assessment in Welsh (without the assistance of a simultaneous or consecutive translation service).

**Standard 148:** You must ensure that your application forms for posts —

- (a) provide a space for individuals to indicate that they wish to use the Welsh language at an interview or at any other method of assessment, and
- (b) explain that you will provide a translation service from Welsh to English for that purpose if it is required;

and, if the individual wishes to use the Welsh language at the interview or assessment, you must provide a simultaneous translation service at the interview or assessment (unless you conduct the interview or assessment in Welsh without that translation service).

**Standard 149:** When you inform an individual of your decision in relation to an application for a post, you must do so in Welsh if the application was made in Welsh.

## 7 **Standards relating to signs displayed in a body's workplace**

**Standard 150:** When you erect a new sign or renew a sign in your workplace (including temporary signs), any text displayed on the sign must be displayed in Welsh (whether on the same sign as the corresponding English language text or on a separate sign), and if the same text

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	is displayed in Welsh and in English, you must not treat the Welsh language text less favourably than the English language text.
<b>Standard 151:</b>	When you erect a new sign or renew a sign in your workplace (including temporary signs) which conveys the same information in Welsh and in English, the Welsh language text must be positioned so that it is likely to be read first.
<b>Standard 152:</b>	You must ensure that the Welsh language text on signs displayed in your workplace is accurate in terms of meaning and expression.
<b>8</b>	<b>Standard relating to audio announcements and messages in a body's workplace</b>
<b>Standard 153:</b>	When you make announcements in the workplace using audio equipment, that announcement must be made in Welsh, and if the announcement is made in Welsh and in English, the announcement must be made in Welsh first.

**PART 2**  
**STANDARDS THAT ARE RELIANT ON OTHER**  
**STANDARDS – SPECIAL CONDITIONS**

<b>9</b>	When a compliance notice requires a body to comply with one of the standards listed on a specific row in column 1 of Table 1, that compliance notice must also require that body to comply (in whatever way the Welsh Language Commissioner considers appropriate) with the standard or standards listed in column 2 of that row.
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**TABLE 1**

<i>Row</i>	<b>Column 1</b> <i>Main standard</i>	<b>Column 2</b> <i>Reliant standard</i>
(1)	<b>Complaints procedures</b> Standard 119	Standard 119A
(2)	<b>Complaints procedures</b> Standard 119A	Standard 119
(3)	<b>Disciplining staff</b> Standard 123	Standard 123A
(4)	<b>Disciplining staff</b> Standard 123A	Standard 123
(5)	<b>Intranet</b>	Standard 131

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<i>Row</i>	<b>Column 1</b>	<b>Column 2</b>
	<i>Main standard</i>	<i>Reliant standard</i>
	Standard 128, 129 or 130	
(6)	<b>Raising awareness of Welsh language badge</b> Standard 144	Standard 144A
(7)	<b>Raising awareness of Welsh language badge</b> Standard 144A	Standard 144
(8)	<b>Recruitment and appointments</b> Standard 145	Standard 145A
(9)	<b>Recruitment</b> Standard 146	Standard 146A Standard 146B Standard 149
(10)	<b>Internal signs</b> Standard 150	Standard 152

## PART 3

### INTERPRETING THE STANDARDS

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- 10** The standards specified in Part 1 of this Schedule must be interpreted as follows.
- 11**
- (1) A body is not required to translate into Welsh any text that it has not produced (“text A”).
  - (2) A body will not be treating the Welsh language less favourably if it does not translate text A into Welsh but see subparagraph (3).
  - (3) A body must use the Welsh version of text A if another person has produced text A in Welsh in accordance with—
    - (a) its Welsh Language Scheme;
    - (b) a duty to comply with standards;
    - (c) Standing Orders of the Assembly;
    - (ch) section 35(1C) of the 2006 Act; or
    - (d) the Assembly Commission’s Official Languages Scheme.
  - (4) In this paragraph—



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- (a) “Welsh Language Scheme” means a Welsh language scheme produced in accordance with Part 2 of the Welsh Language Act 1993;
- (b) “a duty to comply with standards” means a duty to comply with a standard under section 25 of the Welsh Language (Wales) Measure 2011;
- (c) “the 2006 Act” means the Government of Wales Act 2006;
- (ch) “Standing Orders of the Assembly” means standing orders made under section 31 of the 2006 Act;
- (d) “the Assembly Commission’s Official Languages Scheme” means the Scheme adopted and published under paragraph 8 of Schedule 2 to the 2006 Act.

**12**

For the purposes of standards 128, 129 and 130 (a body’s intranet), references to treating the Welsh language no less favourably than the English language include, amongst other matters (and in addition to specific matters referred to in any individual standard), treating the Welsh language no less favourably as regards—

- (a) the visual presentation of the material (for example in relation to the colour, size, font and format of any text);
- (b) when material is published on the intranet;

but it does not mean that the Welsh language material must appear on the same page as the English language material, or on a page that is likely to open before the corresponding English language version of a page.

**13**

For the purposes of standards 146A (recruitment) and 150 (internal signs), references to treating the Welsh language no less favourably than the English language includes, amongst other matters (and in addition to specific matters referred to in any individual standard), treating the Welsh language no less favourably as regards —

- (a) the visual presentation of the material (for example in relation to the colour or font of any text);
- (b) the size of the material;
- (c) the position and prominence of the material in any public area;
- (ch) when and how material is published, provided or exhibited;
- (d) the publication format of the material.

**14**

For the purposes of the standards a requirement to publish, provide or display any written material in Welsh does not mean that material should be published, provided or, displayed in Welsh only, nor does it mean that the material should be produced in Welsh first (unless that is specifically stated in the standard).

**15**

Standards 128 to 131 (intranet) do not apply to—

- (a) documents to which a link is provided on the intranet, advertising material on the intranet, or to video and audio

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clips on the intranet (see standards 112 to 118 for specific provision in relation to documents);

- (b) information presented by persons on an interactive page published on a body's intranet (for example on a section for comments or on a discussion forum).

**16**

For the purposes of standards 145 and 145A only—

- (a) “post” includes a public appointment;
- (b) “public appointment” means any appointment to a public body or public office.

**17**

Standard 153 does not apply when the message that you announce over a public address system is made during an emergency or an emergency drill.

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