

SCHEDULE 3

Regulation 2(3)

Operational standards

PART 1

THE STANDARDS

1	Standards relating to the use of the Welsh language within a body's internal administration
Standard 79:	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.
Standard 80:	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.
Standard 81:	<p>You must ask each employee ("A") whether A wishes to receive any of the following in Welsh, and if A wishes to receive one or more in Welsh you must provide it (or them) to A in Welsh—</p> <ul style="list-style-type: none">(a) any paper correspondence that relates to A's employment, and which is addressed to A;(b) any documents that outline A's training needs or requirements;(c) any documents that outline A's performance objectives;(ch) any documents that outline or record A's career plan;(d) any forms that record and authorise annual leave;(dd) any forms that record and authorise absences from work;(e) any forms that record and authorise flexible working hours.
Standard 82:	<p>If you publish any of the following, you must publish it in Welsh—</p> <ul style="list-style-type: none">(a) a policy relating to behaviour in the workplace;(b) a policy relating to health and well-being at work;(c) a policy relating to salaries or workplace benefits;(ch) a policy relating to performance management;(d) a policy relating to absence from work;(dd) a policy relating to working conditions;(e) a policy relating to work patterns.
2	Standards relating to complaints made by a member of a body's staff
Standard 83:	<p>You must allow and state in any document that you have that sets out your procedures for making complaints that each member of staff may—</p> <ul style="list-style-type: none">(a) make a complaint to you in Welsh, and(b) respond to a complaint made about him or about her in Welsh; <p>and you must also inform each member of staff of that right.</p>

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- Standard 84:** 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 or, if necessary, provide a translation service from Welsh to English for that purpose; and
 - (b) if the member of staff wishes for the meeting to be conducted in Welsh, conduct the meeting in Welsh or, if necessary, with the assistance of a simultaneous or consecutive translation service from Welsh to English.

- Standard 85:** When you inform a member of staff (“A”) of a decision you have reached in relation to a complaint made by A, or in relation to a complaint made about A, you must do so in Welsh if A—
- (a) made the complaint in Welsh,
 - (b) responded in Welsh to a complaint about A,
 - (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 86:** You must—
- (a) allow and 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 87:** 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 or, if necessary, provide a translation service from Welsh to English for that purpose; and
 - (b) if the member of staff wishes for the meeting to be conducted in Welsh, conduct the meeting in Welsh, or if necessary with the assistance of a simultaneous or consecutive translation service from Welsh to English.

- Standard 88:** When you inform a member of staff (“A”) of a decision you have reached following a disciplinary procedure, you must do so in Welsh if A—
- (a) responded to allegations made against A in Welsh,
 - (b) asked for a meeting regarding the disciplinary procedure to be conducted in Welsh, or
 - (c) asked to use the Welsh language at a meeting regarding the disciplinary procedure.

4

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

- Standard 89:** 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 90:** 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 91:** 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 92:** 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 93:** 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 94:** 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 95:** 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 96:** You must assess the Welsh language skills of your employees.
- Standard 97:** You must provide opportunities for 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 98:** You must provide opportunities for training in Welsh on using Welsh effectively in—

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

Standard 99:

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 100:

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 101:

You must provide opportunities for employees to receive training, free of charge, to improve their Welsh language skills.

Standard 102:

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; and
- (c) an understanding of how the Welsh language can be used in the workplace.

Standard 103:

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 104:

You must provide—

- (a) 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, and
- (b) 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 105:

You must—

- (a) make available to members of staff who are able to speak Welsh a badge for them to wear to convey that; and
- (b) promote the wearing of the badge to members of staff.

6

Standards relating to a body recruiting and appointing

Standard 106:

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 106A: If you have categorised a post as one where Welsh language skills are essential, desirable or need to be learnt you must—
(a) specify that when advertising the post, and
(b) advertise the post in Welsh.

Standard 107: 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 107A: 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; or
(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 107B: 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 applicants of decisions).

Standard 108: You must ensure that your application forms for posts provide a space for applicants to indicate that they wish an interview or other method of assessment in Welsh and if an applicant so wishes, you must conduct any interview or other method of assessment in Welsh, or, if necessary, provide a simultaneous or consecutive translation service from Welsh to English for that purpose.

Standard 109: When you inform an applicant 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 a plan dealing with offering to carry out clinical consultations in Welsh**

Standard 110: You must publish a plan for each 5 year period setting out—
(a) the extent to which you are able to offer to carry out a clinical consultation in Welsh;
(b) the actions you intend to take to increase your ability to offer to carry out a clinical consultation in Welsh;
(c) a timetable for the actions that you have detailed in (b).

Standard 110A: Three years after publishing a plan in accordance with standard 110, and at the end of a plan's 5 year period you must—
(a) assess the extent to which you have complied with the plan; and
(b) publish that assessment within 6 months.

8 **Standards relating to signs and notices displayed or published in a body's workplace**

Status: This is the original version (as it was originally made).

Standard 111:	<p>When you—</p> <p>(a) erect a new sign or renew a sign in your workplace (including temporary signs), or</p> <p>(b) publish or display a notice in your workplace;</p> <p>any text displayed on the sign or notice must be displayed in Welsh (whether on the same sign or notice as the corresponding English language text or on a separate sign or notice), and if the same text is displayed in Welsh and in English, you must not treat the Welsh language text less favourably than the English language text.</p>
Standard 112:	<p>When you—</p> <p>(a) erect a new sign or renew a sign in your workplace (including temporary signs); or</p> <p>(b) publish or display a notice in your workplace;</p> <p>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.</p>
Standard 113:	You must ensure that the Welsh language text on signs and notices displayed in your workplace is accurate in terms of meaning and expression.
9	Standard relating to audio announcements and messages in a body's workplace
Standard 114:	When you make a recorded announcement 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

10	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>Column 1</i>	<i>Column 2</i>
<i>Row</i>	<i>Main standard</i>	<i>Reliant standard</i>
(1)	Intranet	Standard 93
	Standards 90, 91 or 92	

	<i>Column 1</i>	<i>Column 2</i>
<i>Row</i>	<i>Main standard</i>	<i>Reliant standard</i>
(2)	Recruiting and appointing	Standard 106A
	Standard 106	
(3)	Recruiting and appointing	Standard 107A
	Standard 107	Standard 107B
		Standard 109
(4)	Plan relating to clinical consultations	Standard 110A
	Standard 110	
(5)	Plan relating to clinical consultations	Standard 110
	Standard 110A	
(6)	Internal signs and notices	Standard 113
	Standard 111	

PART 3

INTERPRETING THE STANDARDS

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- 11** The standards specified in Part 1 of this Schedule must be interpreted as follows.
- 12**
- (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—
 - (a) “Welsh Language Scheme” means a Welsh language scheme produced in accordance with Part 2 of the Welsh Language Act 1993⁽¹⁾;

(1) 1993 c. 38.

- (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(2);
- (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.

13

For the purposes of standards 90 to 92 (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); or
- (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.

14

For the purposes of standards 107A (recruitment) and 111 (internal signs and notices), 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; or
- (d) the publication format of the material.

15

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).

16

Standards 90 to 92 (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 clips on the intranet (see standard 82 for specific provision in relation to documents); or

(2) 2006 c. 32.

- (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).

17

For the purposes of standards 106 and 106A only—

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

18

For the purposes of standards 107 to 109 only “post” includes a voluntary post.

19

In standard 110 the “5 year period” means—

- (a) 5 years beginning with the imposition date, and
- (b) each subsequent 5 year period.

20

In paragraph 19 the “imposition date” means the day from which a person is required to comply with standard 110 or to comply with it in a particular respect.

21

Standard 114 does not apply when the message that you announce over a public address system is made during an emergency or an emergency drill.
