

Written Response by the Welsh Government to the Culture, Welsh Language and Communications Committee report - “Supporting and Promoting the Welsh Language”

I would like to thank the Members of the Culture, Welsh Language and Communications Committee for their report focussing on arrangements for Supporting and Promoting the Welsh Language. I appreciate that the Committee has taken the time to scrutinise the present arrangements for supporting and promoting the Welsh language, and presented constructive recommendations about future implementation. My responses to each recommendation are included below.

Recommendation 1

We recommend that this Committee, or an equivalent Committee in the Sixth Assembly commit to a full review of standards and duties placed on organisations. This review should also include how usage of the Welsh language is growing.

Response: Accept in principle

This is a matter for the present Culture, Welsh Language and Communications Committee, or the equivalent Committee in the next Assembly. I have welcomed this review, and in principle would be happy to see a similar review being conducted in future. I would welcome a review which considers the effect of Welsh language standards on the use of services through the medium of Welsh, and on the internal use of Welsh in organisations.

Financial Implications: No financial implications for Welsh Ministers.

Recommendation 2

A future review should also include an analysis of developments and modifications made within the existing legislative framework, along with the impact of those changes.

Response: Accept in principle

As above, this is a matter for the present Committee or the equivalent Committee in the next Assembly. In principle I would welcome any review which considers how effectively legislation is being implemented, and the effect of any changes made as a result of this review.

Financial Implications: No financial implications for Welsh Ministers.

Recommendation 3

That the Welsh Government should ensure that any future proposals to amend or replace the Welsh Language (Wales) Measure 2011 is supported by the widest evidence base. This should include a comprehensive public consultation, because it will fundamentally affect the right of Welsh speakers. The evidence should show how such changes will enhance rights for Welsh speakers.

Response: Accept

At present, I have no intention of amending or replacing the Welsh Language (Wales) Measure 2011. It stands to reason that the Welsh Government would conduct a full consultation before making any legislative changes in future. A consultation was held on the White Paper in 2017, when the Government was considering introducing a new Welsh Language Bill. Important lessons were learned during that exercise and the wider discussions held since then, which include this review. The discussions on the White Paper have influenced the way the Government currently develops the next standards and promotes the language.

Financial Implications: No foreseeable financial implications for Welsh Ministers as, at present, there is no intention to amend or replace the Welsh Language (Wales) Measure 2011.

Recommendation 4

We recommend that the Welsh Government explore options to adapt Welsh language standards, within the current legislative framework. This could be done by streamlining or combining multiple standards that have the same aim or outcome. Any changes made should not have a detrimental impact on the provision of services for Welsh speakers.

Response: Accept

I have noted the feedback received during the consultation on the Welsh Language Bill White Paper, and on the evidence received by the Committee during this review. When preparing standards in future we will consider how they can be streamlined and prepared in a way which reduces bureaucracy for the bodies which comply with them, while ensuring that they continue to bestow clear rights on service users.

Financial Implications: No additional financial implications for Welsh Ministers. This work will be achieved within current staffing costs.

Recommendation 5

Any potential changes to standards should only be made for sectors which are not currently implementing the Welsh language standards under the 2011 Measure, such as housing associations, utilities and transport bodies.

Response: Accept

When preparing standards in future we will consider how they can be streamlined and prepared in a way which reduces bureaucracy for the bodies which comply with them, while ensuring that they continue to bestow clear rights on service users. Six sets of Welsh Language Standards Regulations have already been prepared, and this has led to over 120 bodies operating standards as things stand. I do not intend to revisit those regulations at present, therefore I agree that only in the context of Regulations made from now on should changes be made.

Financial Implications: No additional financial implications for Welsh Ministers. This work will be achieved within current staffing costs.

Recommendation 6

We also recommend, where possible within the current legislative framework, that the Welsh Government and the Welsh Language Commissioner explore options to speed up the process for the introduction and implementation of standards in sectors which are not already implementing Welsh language standards. The Welsh Government should publish a time table for this work.

Response: Accept

I aim to prepare appropriate legislation in the most effective and efficient way possible. We hold regular discussions with the Welsh Language Commissioner, and have learned some lessons for the future having considered how previous Welsh Language Standards Regulations were prepared. I will respond to those lessons as I prepare future Standards Regulations. It is, however, difficult to be clear on legislative timetables in the light of Brexit.

Financial Implications: No additional financial implications for Welsh Ministers. This work will be achieved within current staffing costs.

Recommendation 7

The Welsh Government should as soon as possible, but only after taking account of the need to review standards, introduce the next set of regulations on health regulators and water companies.

Response: Accept

Regulations to make standards applicable to health regulators and water companies are being developed. In preparing standards, we will consider how to prepare Regulations appropriate for these sectors whilst streamlining them, and preparing them in a way which reduces bureaucracy on the bodies themselves.

Financial Implications: No additional financial implications for Welsh Ministers. This work will be achieved within current staffing costs.

Recommendation 8

The Welsh Language Commissioner and the Welsh Government must explore options, where flexibility exists within the legislative framework, to speed up the complaints process. This should ensure best use of public resource, and provide the service user with swift resolution of their complaint where possible.

Response: Accept in principle

Determining a process for dealing with complaints is a matter for the Welsh Language Commissioner., I agree that complaints should be dealt with in the most effective way possible, implementing the Measure whilst making the best use of public resources. I wrote to the previous Commissioner in November 2018 about the process of resolving complaints, introducing some observations about how complaints could be investigated differently without affecting the rights of the complainant or the Commissioner's powers. I am pleased to note that the Commissioner has taken steps to introduce changes in the procedure for investigating complaints. I receive regular updates from the Commissioner on the effect of those changes.

Financial Implications: No financial implications for Welsh Ministers.

Recommendation 9

The Welsh Language Commissioner should keep its complaints procedures under constant review both in terms of its effectiveness and its impact on the service user.

Response: Accept in principle

This is a matter for the Welsh Language Commissioner, but I support the recommendation in principle. As noted above in response to recommendation 8, I am pleased to report that the Commissioner is currently implementing changes to the procedure for investigating complaints.

Financial Implications: No financial implications for Welsh Ministers.

Recommendation 10

The Welsh Government should set out clear demarcation of roles and responsibility between itself and the Welsh Language Commissioner, and that is communicated clearly with stakeholders and the public.

Response: Accept

The Commissioner and I have agreed a new Memorandum of Understanding between the Welsh Government and the Welsh Language Commissioner. Between the Welsh Language Measure and the Memorandum, I am confident that the functions of the Government and Commissioner are clear in the context of

implementing Welsh language policy. I will arrange for the Memorandum to be published on the Welsh Government's website.

Financial Implications: No financial implications for Welsh Ministers.

Recommendation 11

The Welsh Government should move to enhance the status and role of the Welsh Language Unit. The Unit, in addition to its current responsibilities, would be responsible for drawing together external knowledge and expertise that will provide a strategic overview of language planning nationally. The Unit should also have an increased cross-governmental role, ensuring internal arrangements for effective implementation of *Cymraeg 2050* is undertaken across government departments.

Response: Accept

Since the decision not to continue with the introduction of a new Welsh Language Bill, the Government has been considering how to place more of a focus on language planning within the Government and beyond. To provide greater focus and rigour in language planning, promotion and behaviour change, both within the Welsh Government and externally, I have made funding available to employ experts to lead and advise *Prosiect 2050*, a new multi-disciplinary delivery unit within the Welsh Government which will be responsible for driving *Cymraeg 2050*.

The funding of nearly £30,000 from January-March 2019, followed indicatively with around £115,000 in 2020-21, will be used to enhance the language planning expertise within Welsh Government by funding a new civil service post to head *Prosiect 2050*, and to commission a panel of up to four external expert advisers on language planning and related disciplines such as behaviour change.

Prosiect 2050 will be tasked with:

- co-ordinating the planning for our route to a million speakers, from early years through Welsh-medium statutory education provision to post-compulsory education to Welsh for adults;
- creating new initiatives, and evaluating current initiatives, specifically aimed at achieving our target of doubling the use of Welsh; and
- supporting policy areas across the Welsh Government to contribute to the maintenance of our Welsh-speaking communities and to the increased use of Welsh, in alignment with *Cymraeg 2050*.

I am confident that establishing *Prosiect 2050* will be an important step forward in implementing *Cymraeg 2050*.

Financial Implications: Establishing *Prosiect 2050* is affordable within the present budget for the Welsh language.

Recommendation 12

The Welsh Government must ensure adequate funding for promotional activities undertaken by Government, the Commissioner or external agencies if it is to succeed in its aim for a million Welsh speakers by 2050.

Response: Accept in principle

The Welsh language budget is reviewed annually during the process of setting the Welsh Government budget. Through funding plans I encourage bodies to spend the budget allocated to them in the most effective way possible.

Financial Implications: The Welsh language budget is determined annually. The work of promoting the language already happens as part of the present budget.

Recommendation 13

The Welsh Government should work closely with those conducting research in academia to identify gaps in knowledge, and develop programmes of research to support the Cymraeg 2050 Strategy.

Response: Accept

We already plan research carefully through an annual Evidence Plan, sharing information and cooperating with the Welsh Language Commissioner and researchers in the academic world. This work will continue under *Prosiect 2050*.

Financial Implications: No financial implications for Welsh Ministers. This work will be done within the present budget.

Recommendation 14

The Welsh Government should review urgently how it can develop the Welsh Language Partnership Council to provide the expertise required for supporting policy development and language planning in Wales.

Response: Accept

The current membership was appointed at a time when the Welsh Government was beginning to implement the *Cymraeg 2050* strategy. Members were appointed specifically so that Ministers could benefit from their expertise and advice in relation to the themes contained in *Cymraeg 2050*, as well as what were considered to be the main challenges to implementation. That being so, the members include individuals with expertise in a very wide range of areas.

It is the Partnership Council members' work to advise the Welsh Ministers in relation to the Welsh Ministers' Welsh language strategy. The Council's role is determined by

the Welsh Language Measure, and it has a clear remit. I review the Council's terms of reference and contribution on an ongoing basis to ensure that it contributes in an effective manner.

Financial Implications: No additional financial implications for Welsh Ministers. This work will be achieved within current staffing costs.