



**Information Commissioner's Office**

# **Welsh Language Scheme 2006**

**Prepared under the Welsh Language Act 1993**

**Consultation Draft September 2006**

This scheme was prepared in accordance with Sections 12 to 14 of the Act - and in accordance with guidelines issued by the Welsh Language Board under Section 9 of the Act. It came into effect on xxxxx.

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# 1. Introduction

- 1.1 The Information Commissioner's Office (ICO) is the UK's independent public body set up to promote access to official information and to protect personal information.
- 1.2 We regulate and enforce the Data Protection Act, the Freedom of Information Act, the Privacy and Electronic Communications Regulations and the Environmental Information Regulations. We provide guidance to organisations and individuals, rule on eligible complaints and can take action when the law is broken.
- 1.3 Reporting directly to Parliament, the Information Commissioner's powers include the ability to order compliance, using enforcement and decision notices, and prosecution.
- 1.4 The Information Commissioner's Office (ICO) is based in Wilmslow in Cheshire, where staff grouped into areas of specialist expertise deal with data protection issues for the whole of the United Kingdom, and with freedom of information issues for England, Wales and Northern Ireland. In Scotland, freedom of information issues are largely dealt with by the Scottish Information Commissioner. The ICO produces a large quantity of advice and guidance directed at public authorities, businesses and the general public.
- 1.5 As a result of constitutional change through devolution, and in recognition of the importance of local needs and sensitivities being fully integrated into the promotion of good information handling, the decision was taken in 2002 to establish a presence in each of the three UK devolved administrations. The offices are based in Cardiff, Belfast and Edinburgh, and each is headed by an Assistant Commissioner with a local remit. It is estimated that the full staffing compliment of each will be in the region of 8-10 employees. Further information about the ICO can be found on our website at [www.ico.gov.uk](http://www.ico.gov.uk).
- 1.6 Under the Welsh Language Act 1993 every public body providing services to the public in Wales has to prepare a scheme setting out how it will provide those services in Welsh. The ICO has adopted the principle that in the conduct of public business in Wales, the English and Welsh languages will be treated on the basis of equality. This scheme sets out how it will give effect to that principle when providing services to the public in Wales. In drawing up the measures set out in the scheme, account has been taken of what is appropriate in the circumstances and reasonably practicable, bearing in mind that the ICO provides services across the whole of the UK.
- 1.7 The measures outlined in the Scheme will be delivered mainly from the Commissioner's office based in Wales, with input from other departments within the Office as appropriate. Oversight of the Scheme will rest with the Assistant Commissioner for Wales.
- 1.8 In this scheme, the term **public** means individuals, legal persons and corporate bodies. It includes the public as a whole, or a section of the public, as well as individual members of the public. The term includes voluntary organisations and charities. Directors and others representing limited companies are also within the meaning of the term 'public'.

It does not, however, include persons who are acting in a capacity which is representative of the Crown, Government or the State. Consequently, persons who fulfil official functions of a public nature, even though they are legal persons, do not come within the meaning of the word *public* when they are fulfilling those official functions.

- 1.9 Further information about the scope and purpose of Welsh language schemes can be found in the Welsh Language Board's guidelines ([www.Welsh-language-board.org.uk](http://www.Welsh-language-board.org.uk)).

## **2. Service planning and delivery**

### **2.1 Policies and Services**

- 2.1.1 Our policies and services will be consistent with this scheme. They will support the use of Welsh and will, whenever possible, help the public in Wales use Welsh as part of their day to day lives.
- 2.1.2 When contributing to the development or delivery of new ICO policies and services, we will do so in a way which is consistent with this scheme.
- 2.1.3 All employees involved in policy formulation will be made aware of the Scheme, however staff in the Wales office will primarily be responsible for considering whether proposed policies and initiatives will affect any of the commitments given in this Scheme.

### **2.2 Service Delivery**

- 2.2.1 Our normal practice will be to ensure that our services are available to the public in Welsh, and we will let the public know when services are available in Welsh.
- 2.2.2 Service delivery to Welsh speakers will be implemented and co-ordinated mainly through the office in Wales. However, due to the small scale of that office, the ability to respond in Welsh may vary from time to time, according to the Welsh language skills of staff employed at the time.
- 2.2.3 Any agreements or arrangements which we make with third parties will be consistent with the relevant parts of this scheme, when those agreements or arrangements relate to the provision of services to the public in Wales. This will include services which are contracted out.

### **2.3 Quality Standards**

- 2.3.1 Services provided in English or Welsh will be of equal quality and will be provided within the same timescale.

### **3. Dealing with the Welsh speaking public**

#### **3.1 Written Correspondence**

- 3.1.1 A high percentage of the ICO's work is conducted via written correspondence, whether in hard copy or electronic. The ICO welcomes correspondence in either Welsh or English, and all replies will be in the language of the original letter or email.
- 3.1.2 Correspondence in Welsh may be addressed to any of the Commissioner's Offices, although replies in Welsh are likely to be co-ordinated through the office in Wales.
- 3.1.3 When someone writes to us in Welsh we will issue a reply in Welsh (if a reply is required). Our target time for replying will be the same as for replying to letters written in English.
- 3.1.4 The Wales office will initiate correspondence in Welsh with those who are known to prefer corresponding in Welsh. In order to fulfil this commitment, a record will be kept of those who prefer to correspond in Welsh.
- 3.1.5 All circulars issued to the public in Wales will be bilingual, unless we know that all recipients would prefer to receive them in Welsh or English only.
- 3.1.6 If the Welsh and English versions of any correspondence have to be published separately, our normal practice will be to ensure that both versions are available at the same time.
- 3.1.7 Unless the respondent has requested otherwise, all written correspondence following a face to face or telephone communication in Welsh will be in that language.
- 3.1.8 Enclosures sent with bilingual letters will be bilingual, when available.
- 3.1.9 Enclosures sent with Welsh letters will be Welsh or bilingual, when available.
- 3.1.10 The above will apply to e-mail correspondence as well as paper correspondence.
- 3.1.11 All hard copy Welsh correspondence that we issue which requires signature will be signed.
- 3.1.12 We will use a scoring system, to be agreed with the Board, to identify objectively any standard correspondence which need not be published in Welsh, or bilingually (for instance, when the correspondence is very technical or lengthy).

## **3.2 Telephone Communication**

- 3.2.1 The office in Wales welcomes telephone calls in Welsh or in English, and staff answering our main contact number in Wales will answer with a bilingual greeting. We will encourage our Wales based staff to answer their direct telephone lines with a bilingual greeting and use bilingual messages on their personal answer-phones.
- 3.2.2 If a caller wishes to speak Welsh, we will try to connect the call to a Welsh speaker qualified to deal with the enquiry.
- 3.2.3 If no Welsh speaker qualified to deal with the enquiry is available, the caller will be given the choice, as appropriate, of having a Welsh speaker phone back as soon as possible (provided one is available), continuing the call in English or submitting their query in Welsh, by letter or e-mail.

## **3.3 Public Meetings**

- 3.3.1 The ICO is likely to hold events in Wales with a wide range of organisations, including meetings and seminars with public or private sector organisations, community groups, and the media.
- 3.3.2 When a meeting for the public is arranged, we will provide simultaneous translation from Welsh into English, unless we have established that all participants are likely to use the same language.
- 3.3.3 Invitations and advertisements for public meetings will be bilingual and will either note that translation facilities will be available, or will invite the public to let us know in advance in which language they wish to speak. We will let those attending public meetings know when translation facilities are available and encourage contributions in Welsh and English.
- 3.3.4 Our normal practice will be to provide papers and other information for public meetings in Welsh and English – and for reports or papers produced following public meetings to be published in Welsh and English.
- 3.3.5 The conduct of any other dealings with the public in Wales will be based on the same principles of equality as set out above.

## **4. The public face of the Information Commissioner in Wales**

### **4.1 Corporate Identity in Wales**

- 4.1.1 The ICO will adopt a bilingual corporate identity in respect of its office located within Wales.
- 4.1.2 All official stationery, such as letter headers, compliments slips, fax cover sheets and business cards used by the office in Wales will be bilingual.
- 4.1.3 Where documents are produced bilingually or in Welsh the name of the Office will appear in Welsh on the Welsh version.

- 4.1.4 Our normal policy will be to ensure that all of our permanent and temporary signs in public areas at the Wales office will be bilingual, and will respect the principle of equality in terms of their size, quality and prominence.

## **4.2 Published and Printed Material**

- 4.2.1 A key role of the ICO is to publish advice and guidance to its public throughout the UK via guides, codes of practice, reports, consultation documents and promotional material. Some are of general applicability, but many are specialised and aimed at a well-defined audience, for example much of the FOI guidance is targeted at public authorities. Most of the former are made available both in hard copy and via the Commissioner's web-site, while the latter often appear only on the web-site.

- 4.2.2 All new and revised ICO publications will be assessed to determine whether it would be appropriate in the circumstances and reasonably practicable for them to be issued bilingually in their entirety. The office in Wales will be involved in this assessment. Where it is not appropriate or reasonably practicable to do so, consideration will be given as to whether an extract or summary should be published in Welsh. It is not reasonably practicable to produce Welsh versions of all documents because of the numbers involved and the fact that many are specialist in nature. Technical documents where the circulation is restricted to the technical community will generally be produced in English only.

- 4.2.3 If the Welsh and English versions have to be published separately (for instance, where a single document would be too lengthy or bulky), both versions will be of equal size and quality - and our normal practice will be to ensure that both versions are available at the same time and are equally accessible. Each version will note clearly that the material is available in the other language.

- 4.2.4 We will use a scoring system, agreed with the Board to identify objectively when material should be published in Welsh, whether as bilingual documents or as separate Welsh and English versions.

- 4.2.5 At present, charges are not usually made for the Office's publications, but where a charge is made then the price of the Welsh version will not be greater than the price of the English version. Similarly, where a priced document is issued bilingually, then its price will not be greater than a single language version.

## **4.3 Forms**

- 4.3.1 Forms and explanatory materials in English and Welsh will be available from the office in Wales or via the website. We will use a scoring system, agreed with the Board to identify objectively when material should be published in Welsh, whether as bilingual documents or as separate Welsh and English versions.

- 4.3.2 If the Welsh and English versions have to be published separately (for instance, where a single document would be too lengthy or bulky), both versions will be of equal size and quality - and our normal practice will be to ensure that both versions are available at the same time and are equally accessible. Each version will note clearly that the material is available in the other language.

#### **4.4 Press Releases and Contact with the Media**

- 4.4.1 Press releases to the Welsh language press and broadcasting media in Wales, about Welsh-based cases, will be issued in Welsh where deadlines permit.
- 4.4.2 Our press releases will be posted on our website.
- 4.4.3 If the need is identified the ICO will seek to ensure that a Welsh speaking contact is available at all its media conferences in Wales.

#### **4.5 Advertising, Marketing and Market Research Campaigns in Wales**

- 4.5.1 Marketing, advertising and market research campaigns within Wales will be conducted bilingually, and will treat the two languages equally.
- 4.5.2 Advertisements placed in English-language newspapers distributed wholly or mainly in Wales will be bilingual, and advertisements placed in Welsh language publications will appear in that language only.
- 4.5.3 Exhibitions and display material prepared by the ICO for use in Wales will be bilingual.
- 4.5.4 When we undertake public surveys our normal practice will be to ensure that all aspects of communication with the public will be bilingual.
- 4.5.5 Wherever practicable, respondents will be asked if they wish to respond to the survey in Welsh or English.
- 4.5.6 Telephone surveys undertaken with individuals based in Wales will wherever possible be conducted in the language of the participant's choice.
- 4.5.7 Response mechanisms for activities and campaigns that have made provision for Welsh speakers will enable communication through the medium of Welsh.

#### **4.6 Official Notices, Public Notices and Staff Recruitment Advertisements in Wales**

- 4.6.1 Official notices, public notices and staff recruitment notices placed in English language newspapers, or similar media distributed mainly or wholly in Wales, will be bilingual, or appear as separate Welsh and English versions. Notices will be in Welsh in Welsh language publications. The Welsh and English versions will be equal in terms of format, size, quality and prominence – whether produced as a single bilingual version, or as separate Welsh and English notices.

## **4.7 Website**

- 4.7.1 The ICO website is currently provided in English. A 'Cymraeg' page has been created leading to material which has been produced in Welsh.
- 4.7.2 We will prepare a programme, to be agreed with the Welsh Language Board, setting out how we will develop the Welsh language content of our website, over time.
- 4.7.3 Whenever we post English language publications on our websites, the Welsh versions will be posted at the same time, if available.
- 4.7.4 Where forms are presented on the website, English and Welsh versions will be made available in line with the commitments made under the publications section of the scheme.
- 4.7.5 Visitors to the site are welcome to send Welsh language e-mails to the ICO. These will be responded to in accordance with the measures outlines in 'written communication'.

## **5.0 Implementing and monitoring the scheme**

### **5.1 Staffing and Recruitment**

- 5.1.1 We aim to recruit sufficient Welsh speakers to ensure the provision of a full service through the medium of Welsh without excessive recourse to translators, however, it should be noted that the ICO in Wales is unlikely to exceed eight to ten employees.
- 5.1.2 We will identify service areas where the ability to speak Welsh is desirable or essential. This requirement may be defined as a component of a work stream or team, rather than being attached to a particular job.
- 5.1.3 When fluency in Welsh is considered to be desirable or essential this will be stated in job competencies and advertisements.
- 5.1.4 A candidate unable to speak Welsh may be appointed to a post for which Welsh is considered essential, but where time can be allowed to learn the language. In these cases, learning the language to the required level of competence within a reasonable agreed period will be a condition of employment.
- 5.1.5 When no suitable Welsh speaking candidates can be found for a post where Welsh is essential (or whilst a candidate unable to speak Welsh has been appointed and is learning the language) we will make temporary arrangements under which the Welsh language service can be provided (by using, for example, Welsh speaking staff from elsewhere in our organisation to deliver parts of the service).
- 5.1.6 Information packs and application forms will be provided in Welsh and English for all jobs in the Wales office.

5.1.7 From time to time, we will undertake audits to establish the number, ability level and location of staff who can speak, read and write Welsh (including staff who are learning Welsh). We will also identify those staff who wish to learn Welsh. We will respond to any shortages through our recruitment and training activities.

## **5.2 Learning Welsh and Vocational Training**

5.2.1 The ICO will encourage and support staff working in Wales who wish to learn Welsh or to improve their existing linguistic abilities, and financial support will be considered where appropriate. Resources (within reason) will be made available to facilitate this support, for example, the provision of Welsh language spell-checkers and dictionaries, and staff will generally be allowed to attend courses during working hours.

5.2.2 Appropriate local courses will be identified for all levels of language learning, and details will be circulated to all staff based in Wales.

5.2.3 More specific vocational training will also be provided where this is considered necessary to implement the Scheme. For example, further training may be required in the use of Welsh in specialist fields, in translation work, or in telephone skills.

## **5.3 Administrative Arrangements**

5.3.1 The measures in this scheme carry the full authority, support and approval of our organisation.

5.3.2 Managers will have the responsibility of implementing those aspects of the scheme relevant to their work. However, overall responsibility for implementing and monitoring the Scheme will rest with the Assistant Commissioner for Wales, with the Scheme co-ordinated by a senior member of staff based in the Wales office.

5.3.3 We will prepare, and continuously update, a detailed action plan, to be agreed with the Board, setting out how we will ensure that we will operate in accordance with this scheme. The action plan will come into effect on the date on which the scheme comes into effect. The plan will include targets, deadlines and a report on progress against each target.

5.3.4 We will produce desk instructions, or similar guidance, for our staff to ensure that they know how to implement the measures contained in this scheme.

5.3.5 Existing desk instructions, or similar guidance, used by our staff, will be amended to reflect the measures contained in this scheme.

5.3.6 We will arrange briefing and training sessions for our staff to increase awareness of this scheme - and to explain how it will affect their day to day work.

- 5.3.7 The ICO IT systems will be utilised as much as possible to facilitate bilingual service delivery for example, through use of the website, downloadable Welsh language leaflets and forms and standard templates, and the need to operate in accordance with this scheme will be borne in mind as we develop or purchase information and communications technology products and services.
- 5.3.8 Where external translators are employed, the ICO will ensure they are suitably qualified and able to provide a service of sufficient quality.

#### **5.4 Monitoring the Scheme**

- 5.4.1 The implementation of the Scheme will be monitored to ensure quality and compliance with its requirements. We will monitor progress against our action plan and the Scheme itself.
- 5.4.2 We will send monitoring reports to the Welsh Language Board, when requested by them, outlining progress in delivering this scheme.
- 5.4.3 The targets set by ICO's published performance standards will apply equally to services in English and Welsh. Any differences in standards between the two will be included in the monitoring process.

#### **5.5 Reviewing and Amending the Scheme**

- 5.5.1 We will review this scheme within three years of its coming into effect.
- 5.5.2 We may need to review this scheme from time to time, or to propose amendments, because of changes to our functions, or to the circumstances in which we undertake those functions, or for any other reason.
- 5.5.3 No changes will be made to this scheme without the Welsh Language Board's approval.

#### **5.6 Suggestions/Complaints**

- 5.6.1 The ICO welcomes suggestions for improvements to its measures for dealing with the Welsh-speaking public. Any suggestions or complaints should be addressed to the Welsh Language Scheme Co-ordinator (see 7.00 Contact Details)
- 5.6.2 In the first instance, any complaints concerning our services in Welsh will be dealt with by the designated officer based in the Wales office. Subsequently, the matter may be taken up by the Assistant Commissioner for Wales or the Information Commissioner himself.

## **6.0 Publicising the scheme**

- 6.1 The Scheme will be publicised to our staff, and to the public in Wales on a continuing basis through ICO publications and website.
- 6.2 All ICO employees will be made aware of the existence of the Scheme during their induction training. Employees with a specific role to play in the Scheme's implementation, for example those based at the Wales office, will receive more detailed instruction and guidance.
- 6.3 The Scheme itself will be accessible in hard copy or from the Information Commissioner's website at [www.ico.gov.uk](http://www.ico.gov.uk)

## **7.0 Contact details**

For more information regarding this Welsh Language Scheme, please contact:

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