

Ministerial Advice

To: 1. [hepgorwyd adran 40(2)]
2. Minister for the Welsh Language & Lifelong Learning.

From: [hepgorwyd adran 40(2)], Uned y Gymraeg.

Date: 23 November 2017

Subject: Response to correspondence from the Culture, Welsh Language and Communications Committee regarding Welsh Language Standards

MATS Reference number: MA – L /EM/0750/17.

When is a decision required from the Minister? The usual deadline for responding to correspondence from Committee Chairs is within four weeks of receipt. Therefore, the cleared response should be with the Committee by **Thursday 30th November**.

1. What is the issue you are asking the Minister to consider?

1.1 To respond to the Chair of the Culture, Welsh Language and Communications Committee as drafted at Doc 1.

2. What action(s) are you recommending to the Minister?

2.1 That you:

- i. Note the correspondence received from the Chair of the Culture, Welsh Language and Communications Committee (CWLCC) on 2 November at doc 2;
- ii. Note the progress of the health sector regulations
- iii. Approve the bilingual draft response at doc 1.

3. Deputy Director, Statement of Assurance

3.1 X I, [hepgorwyd adran 40(2)] confirm that I have quality assured this advice.

3.2 I am satisfied that the recommended decision or action, if agreed, would be lawful and affordable. Welsh Government policy priorities and cross portfolio implications have been fully considered in line with delivery of the [government objectives](#) in [Prosperity for All: the national strategy](#).

4. Context - What is the situation that has led to this advice?

4.1 The Commissioner's evidence is in line with statements issued by the previous Minister responsible for the Welsh language, who told the Assembly on two occasions that the health Regulations would be laid before the end of 2017. In a Written Statement to Assembly Members on 19 June 2017, when discussing the White Paper on proposed legislation, the previous Minister noted:

*The consultation will run for 12 weeks until the end of October. I look forward to the opportunity to discuss the content of the white paper in the Senedd when we reconvene in September. My intention is to seek the widest possible support for my proposals. Following that, **I will be laying Standards regulations for health bodies before the end of the year.** It is important that the rolling programme of making standards continues and that Assembly Members make a decision on the regulations in the light of our proposals for the future.*

4.2 Then, in a Plenary debate on the White Paper on 3 October 2017 the previous Minister said:

I intend to replace [introduce] health standards before the end of the year, but, if there is support for the proposals in the White Paper, we will have to take that into account before making further regulations.

4.3 The previous Minister also stated in a number of public events to discuss the White Paper in the summer that the Regulations for health sector bodies would be laid before the end of 2017.

5. What is your advice to the Minister?

5.1 Taking the above into account (4.1-4.4) there is an expectation amongst stakeholders, including the health sector bodies themselves, the Welsh Language Commissioner and lobby groups that the Regulations making standards for health bodies will be laid by the end of 2017. However, officials understand that you want to ensure that you are content with the policy direction of the proposed standards for health sector bodies before they are laid. We therefore advise that you respond noting that you intend to ensure that you are satisfied with the Regulations before they are laid. You have not repeated the previous Minister's commitment since coming into post.

5.2 MA-L/EM/0764/17 was submitted to you on 22 November 2017, which seeks your approval to the policy direction of Regulations to make standards applicable to health sector bodies. If you approve that advice, you will be in a position to lay those Regulations before the Assembly during the week beginning 11 December. Officials will advise that a Plenary slot should be booked to debate those Regulations in February 2018. This will allow time for scrutiny by the CWLCC if they wish to look at the Regulations in detail.

6. What legal or policy obligations are relevant to this advice?

[hepgorwyd adran 42]

Welsh Language Standards

6.1 This advice is regarding developing Welsh language standards which should result in more bodies being under the standards system.

The Well-being of Future Generations (Wales) Act

6.2 This advice supports the aims of the Welsh Government's Well-being of Future Generations (Wales) Act 2015. Developing standards Regulations contributes to the goals of *A Prosperous Wales - a skilled and well-educated population* and *A Wales of Vibrant Culture and Thriving Welsh language - protects culture, heritage and the Welsh language* by promoting and developing services through the medium of Welsh, which directly supports the Welsh language.

Sustainable Development Principles

6.3 The implementation of standards will help provide long term stability for the Welsh Language, enabling the bodies that come under standards to plan strategically for the needs of Welsh speakers and learners.

Equality and Human Rights

6.4 Equalities Impact Assessments are prepared for each set of Regulations. Regulations prepared reinforce the principle that no one, in any part of Wales, should be denied opportunities to use the Welsh language, nor denied the opportunity to learn Welsh because of their race, ethnicity, disability, gender, sexual orientation, age or religion. Welsh language services should be available to, and accessed by, all communities.

United Nations Convention on the Rights of the Child (UNCRC)

6.5 A Children's Rights Impact Assessment is been prepared for each set of Regulations.

Promoting Economic Opportunity for All -Tackling Poverty Agenda

6.6 The tackling poverty agenda is considered in the context of each set of Regulations when they are prepared.

Statistics

6.7 No statistical information has been included in this submission.

7. What are the financial implications of Ministers agreeing to this advice and which budget will this be paid through?

Cost: There are no financial implications arising from this advice as the Minister for Welsh Language and Lifelong Learning is asked to agree to a response to the CWLC Committee.

Any associated administrations costs of preparing standards Regulations can be met from within the EPS Delegated Running Cost budget.

The EPS Operations Team is content this MA complies with Interim Finance Notice 01/2015 (EPS/EM/3/17).

8. What communication or media activity is planned following this decision?

8.1 None.

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Annex A: Copy Recipients [hepgorwyd adran 40(2)]
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