

Cardiff Third Sector Council

Your local county voluntary council



2. Running your organisation

2.10 Welsh language - legal context

Background

The principle of treating Welsh and English on the basis that both languages are equal was established and enshrined in the [Welsh Language Act of 1993](#) (the 1993 Act).

Legislation

Following the passing of The Welsh Language Act, the Welsh Language Board was formed and given responsibility for promoting and facilitating the use of the Welsh language. The Welsh Language Board was then abolished on 31 March 2012 as a result of the introduction of the [Welsh Language \(Wales\) Measure 2011](#) (the 2011 Measure), and since then the Board's duties have been divided between the [Welsh Language Commissioner](#) (the Commissioner) and the Welsh Government.

The 1993 Act established that **public bodies** must develop a Welsh language scheme, setting out the Welsh language services that they will provide, how and when those services will be available, and how they will ensure that the English and Welsh languages will be treated on an equal basis in public services. The definition of what is meant by the term 'public body' is set out in section 6 of the Act.

Crown bodies are also required to prepare schemes, but there is no statutory requirement that third sector organisations should draw up a Welsh language scheme. The 2011 Measure does, however, impose a duty on some third sector organisations to comply with standards, and gives the Commissioner the power to require that an organisation complies with a standard ('standards' will replace language schemes in time). Schedules 5-8 of the 2011 Measure set out a list of the types of third sector organisations that come under the 2011 Measure, and you should also receive a compliance notice from the Commissioner if you are required to comply with a standard(s).

While there is no legal requirement for third sector organisations to have a Welsh language scheme in place, the sector as a whole has recognised that providing a quality service in both English and Welsh is good practice and of benefit to many. With this in mind many organisations have decided to adopt an appropriate language scheme voluntarily, to publically show their dedication to the principle of equality of treatment. And while standards will eventually replace language schemes, it is advisable that organisations to continue to deliver the language scheme that they have in place in the meantime as this will help to create the foundations required to progress to complying with standards when the final changes take place.

Welsh Language Strategy 2012 – 2017

The Welsh Minister has set out a five-year strategy for the promotion and facilitation of the Welsh language, called [A living language: a language for living](#) (this supersedes *laith Pawb that was published in 2003*). The strategy has been drafted in accordance with section 78 of the Government of Wales Act 2006, and it explains that the Government's vision is to see the Welsh language thriving in Wales. To achieve that, the strategy aims to see an increase in the number of people who both speak and use the language.

Promoting equality and diversity

During recent years voluntary organisations have come to recognise the importance of promoting equality and diversity. This affirms the Welsh Government's vision outlined in the [Third Sector Scheme](#), which recognises that everyone has a right to participate and be included in the life of their community through volunteering. In order to respect equality and ensure social inclusion here in Wales, organisations are increasingly looking to operate bilingually.

Although the main argument for promoting diversity and equality is one of social justice, by operating bilingually your organisation can also benefit by:

- Adopting good practice -giving a client real choice regarding the use of language is the essence of good practice
- Improving its image as a Welsh organisation
- Reflecting the community it serves
- Appealing to a wider spectrum of volunteers
- Improving its chances of attracting funding from bodies who look favourably on an organisation with a policy of attracting volunteers from a cross section of society
- Improving its quality of services to the public.

Further information

Welsh Language Commissioner

Tel: 0845 6033 221

post@welshlanguagecommissioner.wales

<http://www.comisiynyddygybraeg.cymru/english/Pages/Home.aspx>

Disclaimer

The information provided in this sheet is intended for guidance only. It is not a substitute for professional advice and we cannot accept any responsibility for loss occasioned as a result of any person acting or refraining from acting upon it.

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