

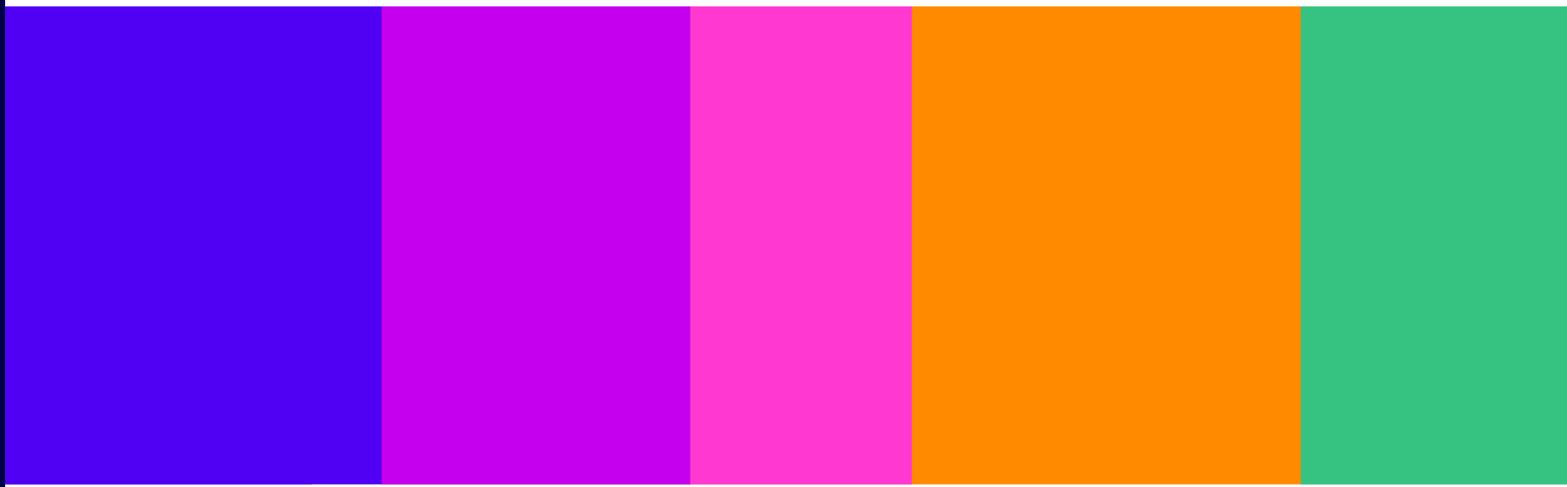


Ofcom's Annual Report to the Welsh Language Commissioner

Our progress complying with the Welsh
Language Standards 2022-23

Report

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Overview

This Annual Report sets out our activity and progress in relation to Welsh language legislation compliance, covering the year 2022-2023.¹

We remain resolute in our commitment to promoting the Welsh language and enabling consumers and citizens to interact with Ofcom in their preferred language – be that Welsh or English. We have achieved this in a way that is proportionate and consistent with our existing duties.

The Welsh language Standards legislation was issued by the Welsh Language Commissioner to Ofcom via its compliance notice in January 2017.² This included 141 Standards, which provided the framework enabling us to increase our work in Welsh, considering the impact of our policy making on the needs of Welsh language speakers and the manner in which we carry out our market research.

We welcome the appointment of Efa Gruffudd Jones as Welsh Language Commissioner from January 2023 and were pleased to have an initial introductory meeting with her, early in her tenure. Separately, we accompanied senior colleagues from our Communications team to a meeting with Efa. We consider our interaction with the Commissioner to be important for our own Welsh language development and for the promotion of the Welsh language as a whole, and look forward to interacting further to this end in the coming year.

Ofcom's Welsh language progress – in brief

Ofcom's final compliance notice from the Welsh Language Commissioner has Ofcom's full attention, support, and approval. We have recently appointed a Senior Welsh Language Advisor and already have an experienced Welsh Language Associate in post, managing Ofcom's work in the Welsh language. This includes advice to colleagues across the organisation on the application of the Welsh Language standards to ensure compliance. A recent addition to the team has been the appointment of a Welsh Language Social Media Associate to take responsibility for our bilingual social media activity, in close liaison with the central Communications department in our London headquarters.

Even with the lifting of the Covid-19 restrictions, we have continued to adapt our events programme successfully and continue to offer a hybrid option for certain events to ensure ongoing compliance with the legislation. We have held several virtual (hybrid) events in the past year, using technology platforms that support simultaneous interpretation to ensure contributors can use the Welsh language with no impediment. In-person events are all organised and held bilingually and we actively encourage participation in Welsh, assisted by simultaneous interpretation using qualified, experienced interpreters.

When producing our Welsh language communications, we tailor our approach to ensure that content is relevant to our audiences in Wales and communicated in an engaging way. Our key activities working in the Welsh language over the past year include:

- Ofcom's key publications are published bilingually as a clear indication of our commitment to including our Welsh speaking stakeholders and audiences.

¹ From September 2022-September 2023.

² https://www.ofcom.org.uk/data/assets/pdf_file/0034/96919/Hysbysiad-Cydymffurfio44-Y-Swyddfa-Gyfathrebiadau-en.pdf

- Providing advice and support to organisation-wide colleagues on compliance requirements and the need to consider the Welsh language from the outset.
- Continuing to populate as much of our website bilingually as possible. Plans are currently afoot to move to a new website in 2024 and this is a key consideration in formulating technical requirements.
- Increasing our Welsh Language Helpline capacity – we now have 5 members of staff able to answer calls and a shared mailbox to capture and deal with voicemails left.

Full details of our Welsh language activities over the past year are available in Section 2.

1. About Ofcom

- 1.1 Ofcom is the independent communications regulator in the UK. Headquartered in London, with offices in each UK nation, we regulate the TV, radio and video on demand sectors, fixed line and mobile telecoms, postal services, plus the airwaves over which wireless devices operate. Earlier in September 2023 the UK Government's [Online Safety Bill](#) completed its passage through both houses of Parliament, setting out Ofcom's new responsibilities that will help to ensure people are kept safe when they are online. This new area of responsibility will increase our activity in online safety, including the publication of consultation documents and codes of practice.
- 1.2 Ofcom ensures that people in the UK get the best from their communications services. We also help to make sure people don't get scammed and are protected from bad practices. This is particularly important for vulnerable and older people. Our duties come from the UK Parliament.

Ofcom in Wales

- 1.3 While Ofcom's headquarters are in London, we ensure that we have a perspective across the nations and regions of the United Kingdom. We have a statutory duty to have regard to, among other things, the views, and interests of those who live across the UK. Our operations in the nations are led by senior Directors in Belfast, Cardiff, Edinburgh, and London. Our national offices can draw on the full resources of the whole organisation to tackle issues that affect one part of the UK.
- 1.4 The Ofcom Wales office is based in Cardiff, consisting of seven members of staff, only one of whom is not a Welsh speaker. Welsh is the predominant language of the office. Ofcom provides information to encourage staff to learn Welsh via our intranet and offers Welsh lessons funded by the organisation if the ability to speak Welsh fulfils a business need. We offer placements to individuals on our Ofcom graduate scheme (who move around our offices in rotation) and since September 2023 we have welcomed a Welsh speaking graduate to our midst.

Engaging with the Welsh Language Commissioner's office and officers

- 1.5 Ofcom has engaged constructively with the Welsh Language Commissioner's office for many years, ensuring that we have a thorough understanding of the Commissioner's requirements and clear two-way communication on an ongoing basis. We appreciate officers' willingness to support and advise and are currently involved in our biennial monitoring – a process we value and find constructive and informative.
- 1.6 We have attended briefing sessions arranged by the Commissioner and found the session led by Gwion Lewis KC particularly insightful and useful. We will continue to attend such sessions in future.

2. Our approach

- 2.1 Ofcom seeks to treat the Welsh and English languages equally. When providing a service in the Welsh language, we ensure that the Welsh language is treated on the same basis as English in Wales. This applies to:
- the visual presentation of material
 - when and how the material is published, provided or exhibited
 - the size, position, and prominence of the material in any public place and its publication format.

Our approach is designed to allow people to engage with our work through the Welsh language. We offer a dedicated Welsh language helpline (0300 123 2023) between the hours of 0900 and 1700 and have increased our bilingual staff capacity able to deal with calls to 5 members. Work on this development was recently carried out with no reduction in service whatsoever. In addition, we have built into our system a shared storage facility for all 5 members to listen to messages left out of hours to enable a prompt and comprehensive response.

- 2.2 We aim to innovate in our communications, and always welcome and encourage greater engagement from Welsh speakers. This includes inviting a range of external Welsh speaking contributors to take part in our stakeholder events, producing Welsh language interactive content and engaging Wales related content on social media.
- 2.3 In deciding when to provide a Welsh language service, we apply a consistent criterion. If the issue in question relates to matters that affect – or are likely to be of relevance to citizens and businesses in Wales, then we will provide a Welsh language service as standard practice.

Our progress over the past year

- 2.4 Our new Welsh Language Social Media Associate is a fluent Welsh speaking experienced communications professional and has been in post since July 2023. This new role will be the main lead on all matters related to Welsh language social media and communications, working closely with the Senior Welsh Language Advisor and Welsh Language Associate and the Head of Digital News and Creative within Ofcom’s Communications team. Training in the role involves full induction in the Welsh Language Standards requirements, background to our compliance and recent developments, and the formulation of a bilingual social media strategy in light of our action plan recently agreed with the Welsh Language Commissioner.
- 2.5 Several members of Ofcom’s Advisory Committee for Wales are fluent Welsh speakers along with Ofcom’s Content Board Member for Wales. We have recently advertised for a Communications Consumer Panel Member for Wales along with an Ofcom Board Member for Wales. Both recruitment campaigns were bilingual.
- 2.6 We issue all correspondence with stakeholders bilingually, respond to correspondence in the language used to write to us and record language preference as a matter of course.

- 2.7 Ofcom published its key documents of interest and relevance to our Welsh audience bilingually; these included Connected Nations,³ with bilingual interactive Power BI report,⁴ Equity, Diversity and Inclusion in television and radio,⁵ Media Nations Wales 2023,⁶ Online Nation,⁷ as well as consultation documents,⁸ publications, news releases, update emails and webpages.
- 2.8 We have given interviews in Welsh on BBC Radio Cymru and Newyddion S4C following publication of research and reports such as those above, and are always happy to appear to share information and perspectives through the medium of Welsh.
- 2.9 At the request of the Welsh Language Commissioner, we conducted a review of our procedures and processes in relation to our policy making standards. We have amended our guidance for formulating, reviewing or adapting policies and publishing consultation documents to ensure they consider fully the impact of each policy on the Welsh language in accordance with the standards. We have made changes to ensure that the Welsh language is considered at the outset in Ofcom's policy decision making – this has included Ofcom Wales colleagues being a part of the Policy Profession Hub.
- 2.10 We supported the Making Sense of Media Team with their 2023 roadshow which included a bilingual event at Bangor University on Immersive Technology and Generative Artificial Intelligence (AI). We welcomed some 40 stakeholders to this event and presentations were delivered in both Welsh with simultaneous interpretation and English.
- 2.11 Our Wales events include bilingual participants and presentations, with stakeholders choosing to speak Welsh in the Q and A sessions. During the year we have hosted stakeholder engagement events on Ofcom's Plan of Work 2023/24 and Ofcom's Media Nation 2023 report – sharing the findings of our research with a cross section of industry stakeholders. We provide simultaneous interpretation at our Wales events allowing participants to contribute using the language in which they are most comfortable and always open events bilingually inviting anyone present to use the language of their choice.
- 2.12 We have an interactive training module on the Welsh language on our intranet site, the Learning and Development Hive, which colleagues across the UK can complete as part of a suite of wide-ranging courses to deepen knowledge and raise awareness.
- 2.13 To celebrate St David's Day, Ofcom's regular Monday all-colleague fifteen-minute session with our Chief Executive - Good Morning Ofcom or in this case 'Bore da Ofcom' promoted Ofcom's work in the Welsh language. Colleagues at our head office were treated to homemade Welsh cakes. During our slot we highlighted the importance of the Welsh Language to Ofcom's day to day operations and the need to consider the Welsh language in our daily business. We are pleased to note that Good Morning Ofcom is opened with a, 'Bore da. Good morning' greeting repeatedly, every week.
- 2.14 The number of Wales-based staff who have attended Welsh language training during the year is two. These are the two newly appointed staff members referenced above. If new starters are appointed, they are encouraged to follow this training module for awareness

³ [Connected Nations 2022 - UK report \(ofcom.org.uk\)](https://www.ofcom.org.uk/connected-nations-2022-uk-report)

⁴ [Interactive report - Ofcom](#)

⁵ [Equity, diversity and inclusion in television and radio: 2021-22 \(ofcom.org.uk\)](https://www.ofcom.org.uk/equity-diversity-inclusion-television-radio-2021-22)

⁶ [Media Nations: Wales 2023 \(ofcom.org.uk\)](https://www.ofcom.org.uk/media-nations-wales-2023)

⁷ [https://www.ofcom.org.uk/_data/assets/pdf_file/0023/238361/online-nation-2022-report.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0023/238361/online-nation-2022-report.pdf)

⁸ [Consultation: Ofcom's proposed plan of work 2023/24](#)

and any new posts advertised are assessed for Welsh language skills requirements to meet business needs prior to beginning the recruitment process.

- 2.15 The number of vacant posts advertised during the course of the year is two, both of which were deemed Welsh essential posts requiring candidates to possess fluent Welsh language skills at CEFR C2 fluency level. These posts were the Welsh Language Advisor post and the Welsh Language Social Media Associate post noted above. Applications were invited in Welsh or English as part of these recruitment campaigns; advertisements and person specifications were produced in Welsh and English and the interview and appointment process was conducted bilingually, with interviews for one post including a Welsh to English interpreter.

Complaints

- 2.16 The Welsh Language Commissioner launched an investigation (CS048) into Ofcom's consultation on the way it would license small scale DAB. Having been found in breach of its standards relating to policy making, Ofcom was required to conduct a review of its processes and guidance for formulating, reviewing or adapting policies to ensure that it considers the impact of each policy on the Welsh language. The Welsh Language Commissioner has confirmed that she is content with the written evidence provided to her by Ofcom following this review.

A related complaint was received by the Welsh Language Commissioner on 15/02/23 (CS1113) relating to Ofcom's decision to award a radio licence to Gwent Digital Broadcasting though this was not pursued as it was deemed to be a matter related to that noted above and that the conclusions of the former complaint would be equally pertinent to the latter.

- 2.17 In June 2022 the Welsh Language Commissioner launched an investigation (CS1024) into Ofcom's use of the Welsh Language on social media (standard 54) and the fact that Ofcom was allegedly not treating Welsh and English on the basis of equality when producing podcasts. Ofcom was required to prepare a draft action plan for the purpose of ensuring compliance with the requirements of standard 33 and standard 54. These actions have been completed and approved by the Welsh Language Commissioner.
- 2.18 An earlier complaint received was inadvertently omitted from last year's Annual Report to the Welsh Language Commissioner. We wish to apologise once again to the complainant for this error.
- 2.19 A summary of complaints received is included below in accordance with the requirement of standard 164.

Complaint	Number of complaints including category of standard subject to the complaint			
	Service Delivery	Policy Making	Operational	Record Keeping
Standards 84 – 89 SSDAB Policy consultation (CS048) (CS1113) In relation to Gwent Digital Broadcasting – this was an associated complaint dealt with under the same procedure.		1 1		
Standards 33 and 54 (CS1024) Social Media	1			
Standard 158 (received historically – this is a remedial record)		1 (supplementary)		

- 2.20 No internal complaints were received during 2022-23.
- 2.21 In June 2022 we launched a [new bilingual complaints form](#) using Salesforce, a system that Ofcom uses to manage complaints, for members of the public who wish to complain about our work in Welsh. This ensures that these complaints are dealt with in the same manner as other complaints sent to Ofcom. This form is available on our website.
- 2.22 Ofcom’s Complaints Procedure explains how we aim to deal with complaints about our service delivery standards. The Complaints Procedure can be viewed on our website and is also available as a hard copy in the Ofcom Wales office. Members of the public can contact us to discuss Welsh language matters or related complaints, and we encourage them to do so on the website.

As stated in our Plan of Work⁹ for 2023-24, we are currently undertaking a full review of our Compliance Notice, determining a RAG status for each grouping of standards. Our Policy Profession will be running ‘Policy Essentials’ training in the autumn prior to a relaunch of the Policy Profession Hub for the attention of all staff and policy professionals in particular. The Hub is an open-access repository of useful guidance and tools to provide information and advice to colleagues involved in policy making, research and publications.

⁹ [Statement: Ofcom's plan of work 2023-24 - Ofcom](#)

3. Contact details

If you wish to contact us regarding our Welsh language Standards or the content of this annual report, please email us at: wales@ofcom.org.uk

A1. Our standard procedure for translating documents

- A1.1 **Assessing the need for translation.** If a document, (for example a consultation, report, executive summary, news release, web page, tweet, or stakeholder-update email), relates to matters that affect – or are likely to be of relevance to – consumers and citizens in Wales, then we will publish a Welsh language version of the document simultaneously with the English.
- A1.2 **Regular discussion about translation requirements.** Decisions regarding Welsh translation are discussed and agreed through regular meetings between Ofcom’s Nations teams, including our Welsh language team, and our main communications team based in London.
- A1.3 **Working closely with policy teams.** The person leading a project is informed by the communications team, and the Welsh language team, of the need to publish a Welsh language version of the document. Policy teams can also highlight the Welsh language requirement. This requirement is then incorporated into our publication schedule, to ensure the Welsh version is treated on an equal basis and published simultaneously with the English version.
- A1.4 **Working closely with translators.** Ofcom has a positive working relationship with our translators. They are alerted as far as possible in advance of forthcoming translation requirements, and a timetable for turnaround is agreed to coincide with the publication date. An approximate word count is also provided when possible. Our translators consistently translate Ofcom documents to the highest standard on a timely basis and in conjunction with our Welsh language team. They also maintain a glossary of complex Ofcom terms, to ensure consistency across translations. They seek to ensure that Welsh translations are as clear and comprehensible as possible, by following “Cymraeg Clir” (“Clear Welsh”) principles.
- A1.5 **Checking for quality.** Ofcom’s Welsh language team proof-reads and edits documents translated externally to ensure consistency, style, and tone appropriate to the organisation as well as technical accuracy. The documents are then forwarded to the digital team for simultaneous publication alongside the English versions. Communication channels between all involved are kept open throughout, to ensure timeliness and accuracy.

A2. Welsh Language impact assessment form

Welsh Language impact assessment form

Welsh language duties relating to our Policy and Research work issued to Ofcom in a compliance notice effective from 25 January 2017 (under the Welsh Language (Wales) Measure 2011).

Introduction

The Welsh Language (Wales) Measure 2011 established a legal framework to impose duties on certain organisations to comply with standards in relation to the Welsh language. The standards issued to Ofcom are listed in Ofcom's compliance notice effective from 25 January 2017.

The Measure has established official status for the Welsh language in Wales, as well as the general principle that Welsh should not be treated less favourably than the English language in Wales. Failure to comply with the legislation can lead to an investigation by the regulator, the Welsh language Commissioner, and a possible £5k fine per breach.

Ofcom's commitment to the Welsh Language

We are committed to supporting the Welsh language and engaging fully with the Welsh Language Commissioner. Ofcom's compliance notice carries Ofcom's full authority, support and approval.

The purpose of this form is to note the key information required to comply with the Welsh Policy and Research standards and record-keeping requirements.

The Commissioner can request this paperwork at any time. Therefore, it's important that we complete these forms if a policy or research project has an impact on the Welsh language.

What are the Welsh Policy making standards?

The aim of a Welsh Language Impact Assessment is to make sure that an Ofcom policy/project pays due regard to the Welsh Language Standards on Policy Making (Standards 84 – 93) as outlined in the compliance notice. The policy making standards are applicable at the point of where they will have an impact regardless of where the policy decision is made.

Policy making standards

When **Ofcom formulates a new policy or revises an existing policy**, we must consider:

1. what effects, if any (whether positive or adverse) the policy decision would have on:
2. how the policy could be formulated (or existing policy changed), so that the policy decision would have positive effects, or increased positive effects on:
3. how the policy could be formulated (or existing policy changed), so that the policy decision would not have adverse effects, or so that it would have decreased adverse effects on:
 - opportunities for persons to use the Welsh language, and
 - treating the Welsh language, no less favourably than the English language.

4. When Ofcom **publishes a consultation document** which relates to a policy decision, the document must consider, and seek views on,
 - a. the effects (whether positive or adverse) that the policy decision under consideration would have on:
 - b. how the policy under consideration could be formulated or revised so that it would have positive effects, or increased positive effects, on:
 - c. how the policy under consideration could be formulated or revised so that it would not have adverse effects, or so that it would have decreased adverse effects, on:
 - opportunities for persons to use the Welsh language, and
 - treating the Welsh language, no less favourably than the English language
5. When Ofcom **commissions or undertakes research** that is intended to assist in making a policy decision, Ofcom must ensure that the research considers:
 - a. what effects, if any (whether positive or adverse) the policy decision under consideration would have on:
 - b. how the policy decision under consideration could be made so that it would have positive effects, or increased positive effects on:
 - c. how the policy decision under consideration could be made so that it would not have adverse effects, or so that it would have decreased effects, on:
 - opportunities for persons to use the Welsh language, and
 - treating the Welsh language, no less favourably than the English language

Name of Policy/Project (note if new/existing project):		
Project Code:		
Policy/Project Group:		
Policy/Project Steering Group:		
Date of Assessment:		
Policy/Project runs	From:	To:
Assessment completed by:		Role:

Formulation of a new policy OR a change in an existing policy	Opportunities for persons to use the Welsh language	Treating the Welsh language no less favourably than the English language
How could the policy be formulated (or existing policy changed) in order to have a positive effect or increased positive effects?		
How could the policy be formulated or existing policy changed) so that the policy decision would not have adverse effects, or decreased adverse effects?		

Publication of a consultation document which relates to a policy decision

Effects of the policy decision - positive or adverse		
How could the policy be formulated (or existing policy changed) in order to have a positive effect or increased positive effects?		
How could the policy be formulated (or existing policy changed) so that the policy decision would not have adverse effects, or decreased adverse effects?		

Commissioning research intended to assist in a policy - does the research consider:

Effects of the policy decision - positive or adverse		
How could the policy decision under consideration be made so that it would have positive effects or increased positive effects?		
How could the policy decision under consideration be made so that it would not have adverse effects, or decreased adverse effects?		
Please summarise your analysis of the impact on the Welsh Language of this policy decision.		

Section 1: Aim and Approach

1a. Aim: What do you want to achieve through your project or policy? This could come from your completed Clarity from the Start document.

1b. Method: Describe the main stages of your chosen approach to considering Welsh language impacts. Have you evaluated alternate approaches?

Section 2: Monitoring

Monitoring: Please outline how many mitigating actions you plan to take will be monitored to ensure effectiveness.

What's next?

Once you've completed the form, you should:

Send the form to the Welsh language team at cymru@ofcom.org.uk

- The Welsh team will review and approve your form.
- Save the completed form in the project SharePoint site and make sure the team know where this is.
- Keep the form under review if the project changes (or if it's a long project).

If you need advice when completing the form, please contact the Welsh language team who'll be happy to help.

Diolch yn fawr/Many thanks