



Cynulliad Cenedlaethol Cymru The National Assembly for Wales

Y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol The Communities, Equality and Local Government Committee

**Dydd Iau, 1 Mawrth 2012
Thursday, 1 March 2012**

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cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.
In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Janet Finch-Saunders	Ceidwadwyr Cymreig Welsh Conservatives
Mike Hedges	Llafur Labour
Mark Isherwood	Ceidwadwyr Cymreig Welsh Conservatives
Elin Jones	Plaid Cymru (yn dirprwyo ar ran Rhodri Glyn Thomas) The Party of Wales (substitute for Rhodri Glyn Thomas)
Ann Jones	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Eluned Parrott	Democratiaid Rhyddfrydol Cymru (yn dirprwyo ar ran Peter Black) Welsh Liberal Democrats (substitute for Peter Black)
Gwyn R. Price	Llafur Labour
Kenneth Skates	Llafur Labour
Joyce Watson	Llafur Labour

Eraill yn bresennol
Others in attendance

Meirion Prys Jones	Prif Weithredwr, Bwrdd yr Iaith Gymraeg Chief Executive, Welsh Language Board
Gwenith Price	Cyfarwyddwr Gweithrediadau Strategol, Bwrdd yr Iaith Gymfaeg Director of Strategic Operations, Welsh Language Board

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Gwyn Griffiths	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Leanne Hatcher	Dirprwy Glerc Deputy Clerk
Joanest Jackson	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Owain Roberts	Y Gwasanaeth Ymchwil Research Service
Gareth Williams	Clerc Clerk

Dechreuodd y cyfarfod am 9.30 a.m.
The meeting began at 9.30 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Ann Jones:** Good morning, everyone. Welcome to the Communities, Equality and Local Government Committee. I remind Members to switch off their pagers and mobile

phones, because they interfere with the broadcasting equipment. We operate bilingually. If you would like the translation service, channel 1 on the headsets provides the translation from Welsh to English and channel 0 provides the floor language, which may assist you if you have any problems hearing. We are in a formal session, so Members do not need to touch their microphones; they will come on automatically courtesy our support staff in the background.

[2] We are not expecting a fire drill, so, if the fire alarm operates, it is a genuine incident and we will take our directions from the ushers. To remind you, the fire assembly point is by the Pierhead building.

[3] We have had apologies from Rhodri Glyn Thomas and from Peter Black, who are both Commissioners. Given that the Assembly Commission is taking the National Assembly for Wales (Official Language) Bill through, they are not able to be with us. We have also received apologies from Bethan Jenkins.

[4] It is a delight to welcome back Elin Jones. She was here last time, substituting for Rhodri Glyn Thomas. Eluned Parrott is substituting for Peter Black. You are both very welcome to our committee.

9.31 a.m.

**Bil Cynulliad Cenedlaethol Cymru (Ieithoedd Swyddogol): Sesiwn Dystiolaeth
Cyfnod 1: Bwrdd yr Iaith Gymraeg
National Assembly for Wales (Official Languages) Bill: Stage 1 Evidence
Session: Welsh Language Board**

[5] **Ann Jones:** It is my pleasure to welcome Meirion Prys Jones, chief executive, and Gwenith Price, director of strategic operations. You are both very welcome. As we are taking legislation through, I need to ask you to introduce yourselves for the record. If you have any opening comments that you would like to make, please make them and then we will go to questions.

[6] **Mr Jones:** Meirion Prys Jones ydw i—yn wahanol i'r hyn sydd ar yr arwydd o'm blaen i. Fi yw prif weithredwr Bwrdd yr Iaith Gymraeg a Gwenith Price yw'r cyfarwyddwr sy'n gyfrifol am gynlluniau iaith yn y bwrdd.

Mr Jones: I am Meirion Prys Jones—unlike what is on the sign in front of me. I am the chief executive of the Welsh Language Board and Gwenith Price is the director responsible for language schemes in the board.

[7] O ran sylwadau cychwynnol, rydym yn bendant yn croesawu'r Bil newydd hwn. Mae'r hyn sy'n cael ei gynnwys yn y Bil yn cwrdd â nod y Comisiwn o roi dyletswyddau'r Cynulliad mewn cysylltiad â'r Gymraeg ar sail statudol gadarn. Yn sicr, rydym yn croesawu hynny.

In terms of initial comments, we certainly welcome this new Bill. What is included in the Bill meets the aims of the Commission to put the Assembly's duties with regard to the Welsh language on a firm statutory basis. We certainly welcome that.

[8] Rydym hefyd yn falch bod y Comisiwn wedi cymryd ystyriaeth sylweddol, mae'n amlwg, o'r sylwadau wnaeth y bwrdd wrth inni fynd drwy'r cyfnod o ymgynghori. Rydym yn falch o weld bod nifer o'r sylwadau hynny wedi cael eu crynhoi a'u crisialu yn y Bil ei hunan.

We are also pleased that the Commission has clearly taken into consideration the comments made by the board as we went through the consultation period. We are pleased to see that many of those comments have been summarised and crystallised in the Bill itself.

[9] Mae'r Bil yn syml ac yn hawdd i'w ddeall. Mae'n gosod allan y statws ar gyfer y Gymraeg yn glir a hefyd, yn ddiddorol iawn, mae'n cynnig hawliau yng nghyd-destun y Bil o safbwynt y defnydd o'r Gymraeg. Felly, yn hynny o beth, rydym yn croesawu'r datblygiad hwn ac yn awyddus iawn heddiw, os gallwn, i gyflwyno unrhyw awgrymiadau neu sylwadau a fydd o fudd wrth fynd ati i gryfhau'r Bil. Felly, rydym yn croesawu'r cyfle hwn yn fawr.

The Bill is simple and easy to understand. It sets out the status for the Welsh language clearly and also, interestingly, it provides rights in the context of the Bill regarding the use of the Welsh language. So, in that respect, we welcome this development and are keen today, if we can, to make any suggestions or comments that will be of benefit as we proceed to strengthen the Bill. Therefore, we greatly welcome this opportunity.

[10] **Ann Jones:** Thank you very much. I think that you have answered the first question. Ken has the next question.

[11] **Kenneth Skates:** I will read out something that was in your written evidence. You said that you believed that

[12] 'provision through an Official Languages Scheme is appropriate for the Commission under the circumstances. However, we must bear in mind the risk of confusion among the public as other organisations go about implementing a system of language standards.'

[13] Could you expand on why the Commission's duty to produce an official languages scheme could cause 'confusion among the public' and how such confusion could be avoided?

[14] **Mr Jones:** Mae'r bwrdd yn credu bod darparu cynllun ieithoedd swyddogol yn briodol ar gyfer y Comisiwn o dan yr amgylchiadau. Dyna rydym yn teimlo, ar hyn o bryd, yw'r dull gorau o wneud hynny. Wrth gwrs, ar yr un pryd, mae cyrff eraill a fydd yn mynd ati, maes o law, i greu ac i weithredu o fewn safonau iaith. Felly, o reidrwydd, mae elfen o ddryswch yn gallu digwydd oherwydd bod dwy system ar waith. Credaf mai'r ffordd orau o ddelio â hynny yw, wrth lansio'r cynllun hwn, bod esboniad clir yn cael ei gynnig o beth yn union yw'r cynllun. Credaf mai edrych ar y peth o gyfeiriad y defnyddiwr sy'n bwysig yn y cyd-destun hwn. Yng nghyd-destun y corff hwn, ein teimlad yw mai'r Bil hwn, gyda'r bwriad i gael cynllun ieithoedd swyddogol, yw'r un mwyaf priodol.

Mr Jones: The board believes that the provision of an official languages scheme is appropriate for the Commission under the circumstances. We feel that that is currently the best method of doing so. Of course, at the same time, other organisations will, in due course, proceed to create standards and to operate within language standards. So, of necessity, an element of confusion can occur because there are two systems in operation. I believe that the best way to deal with that is that, in launching this scheme, a clear explanation is given of what exactly the scheme is. I think that it is important to look at it from the perspective of the user in this context. In the context of this body, our feeling is that this Bill, with the intention of having an official languages scheme, is the most appropriate.

[15] **Kenneth Skates:** Turning to equality of treatment, do you believe that the provisions included in new subparagraph (6) are consistent with the duties included in section 1(2) and section 2(2) of the Bill that relate to treating both English and Welsh on a basis of equality in the conduct of Assembly proceedings?

[16] **Ms Price:** Nid wyf yn credu bod ein barn wedi newid ar y mater hwn. Gwnaethom ymateb i'r ymgynghoriad gwreiddiol drwy roi sylwadau ar gymal ynglŷn â'r Cofnod. Rydym yn deall bod y Comisiwn y dymuno

Ms Price: I do not think that our views have changed on this issue. We responded to the original consultation by providing comments on a clause on the Record. We understand that the Commission wishes to have

cael hyblygrwydd yn y Bil, ond yng nghyswllt Cofnod y Trafodion, rydym yn credu ei bod yn bwysig rhoi sicrwydd ynghylch statws dwyieithog y Cofnod hwnnw. Credaf mai un ffordd o ddatrys y broblem yw cael cymal ychwanegol penodol am y Cofnod yn datgan y bydd y Cofnod ar gael yn y ddwy iaith, a hynny ar wyneb y Bil.

flexibility within the Bill, but in the context of the Record of Proceedings, we believe that it is important to provide assurance on the bilingual status of that Record. I believe that one way of solving the problem is to have an additional specific clause about the Record, stating on the face of the Bill that the Record will be available in both languages.

[17] **Kenneth Skates:** New subparagraph (6) states that the Act does not necessarily require the scheme to provide interpretation and translation both from Welsh into English and from English into Welsh in all situations. What is your view on this?

[18] **Ms Price:** Credaf fod angen rhoi sicrwydd i'r cyhoedd y bydd y Cofnod ar gael yn y ddwy iaith. Mae angen rhywbeth; dyma'n prif sefydliad democrataidd. Credaf fod cael Cofnod dwyieithog yn rhywbeth symbolaidd bwysig ac mae dadl gref dros wahaniaethu ar y pwynt hwnnw a rhoi cymal yn y Bil.

Ms Price: I think that we need to reassure the public that the Record will be available in both languages. We need something; this is our main democratic institution. I believe that having a bilingual Record is symbolically important and that there is strong argument for differentiating on that point and putting a clause in the Bill.

[19] **Mr Jones:** Credaf ei bod yn deg inni nodi ein bod yn croesawu'r hyn y mae'r Comisiwn wedi ei wneud yn ddiweddar o ran sicrhau bod y Cofnod bellach ar gael yn ddwyieithog ac o ran adfer y sefyllfa i'r hyn a oedd yn digwydd gynt.

Mr Jones: I think that it is fair for us to note that we welcome what the Commission has done recently to ensure that the Record is now available bilingually and in returning to the position that used to exist.

[20] **Elin Jones:** Eto, ar is-baragraff (6), ac yn dilyn yr hyn rydych newydd ei ddweud a'r hyn a nodwyd yn eich tystiolaeth, a ydych yn credu bod y Bil fel y'i drafftwyd ar hyn o bryd yn rhoi cyfle i Gomisiwn y Cynulliad yn y dyfodol i beidio â darparu Cofnod y Trafodion cwbl ddwyieithog?

Elin Jones: Again, on subparagraph (6) and following what you have just said and what you noted in your written evidence, do you believe that the Bill as drafted provides an opportunity for a future Assembly Commission not to provide a fully bilingual Record of Proceedings?

[21] **Ms Price:** Mae'n agored i gael ei ddehongli felly. Fodd bynnag, rwy'n ymwybodol bod y Comisiwn wedi gwneud ymrwymiad y byddai'n rhaid i unrhyw newid gael sêl bendith y Cynulliad llawn. Felly, ni fyddai newid heb iddo gael ei drafod yn y Senedd, ond mae'n agored i gael ei ddehongli felly. Dyna pam rydym yn galw am gael cymal penodol ar wyneb y Bil.

Ms Price: It is open to such interpretation. However, I am aware that the Commission has made a commitment that any change must be approved by the full Assembly. So, no change would take place without it being debated in the Senedd, but it is open to such an interpretation. That is why we are calling for a specific clause on the face of the Bill.

[22] **Elin Jones:** Yn dilyn hynny, pa fath o gyfeiriad at y Cofnod y byddech am weld ar wyneb y Bil?

Elin Jones: Following on from that, what kind of reference to the Record would you want to see on the face of the Bill?

[23] **Ms Price:** Yn dilyn yr is-baragraff rydym yn ei drafod nawr, sef is-baragraff (6), gellid cael is-baragraff penodol yn gwahaniaethu rhwng Cofnod o'r Trafodion

Ms Price: Following the subparagraph that we are discussing now, namely subparagraph 6, one could have a specific subparagraph differentiating between the Record of

yn y Cyfarfod Llawn a Chofnod o'r Trafodion mewn pwyllgorau'r Cynulliad Cenedlaethol. Felly, nid wyf yn gweld unrhyw anhawster wrth roi cymal neilltuol i mewn am y Cofnod.

[24] **Elin Jones:** Nid wyf yn gwybod a ydych yn ymwybodol o hyn, ond dywedodd cynghorydd cyfreithiol y Cynulliad wrth y pwyllgor hwn y gallai hynny godi statws y Cofnod i lefel sy'n wahanol i'r gwasanaethau dwyieithog eraill a ddarperir gan y Cynulliad ar hyn o bryd, fel cyfieithu ar y pryd a chyfieithu dogfennau ysgrifenedig eraill. Hynny yw, byddai'n rhoi statws gwahanol i weithgareddau dwyieithog gwahanol. A oes gennych unrhyw ymateb i'r safbwynt hwnnw?

[25] **Ms Price:** Fel rwyf wedi dweud, rwy'n meddwl bod statws gwahanol i'r Cofnod, gan mai dyna'r brif drafodaeth ddemocrataidd, felly mae sail ar gyfer rhoi statws arbennig iddo. O ran yr effaith negyddol bosibl ar waith arall y Cynulliad, gallai rhywun ychwanegu at y cymal ynghylch y Cofnod i ddweud nad yw'r ffaith ei fod yn cael ei baratoi'n ddwyieithog yn ymgais i danseilio unrhyw arferion eraill mewn cyd-destunau eraill. O bosibl, mynd yn ôl at gyfreithwyr i gael atebion a datgan ar y Bil nad yw'n ymgais i danseilio arferion mewn cyd-destunau eraill yw'r ateb.

[26] **Mr Jones:** Yn y cyd-destun hwn, credaf ein bod yn ymwybodol o'r drafodaeth sydd wedi digwydd. Oherwydd natur y drafodaeth gyhoeddus honno, mae angen rhyw fath o ymdrech i danlinellu'r ffaith bod gofal bellach yn cael ei gymryd i sicrhau bod y Cofnod yn ddwyieithog. Credaf mai am y rheswm hwnnw'n benodol y byddem yn dymuno gweld sylw arbennig yn cael ei roi i natur y Cofnod.

[27] **Elin Jones:** Rydych yn sôn am Gofnod ysgrifenedig yn unig; fodd bynnag, mae cofnod sain a fideo dwyieithog hefyd yn bodoli sy'n gofnod hanesyddol. Rydych yn rhoi statws gwahanol i'r ddau gofnod; rydych yn codi un goruwch y llall.

[28] **Mr Jones:** Credaf fod datblygiadau yn y dyfodol sy'n mynd i ofyn am newidiadau o safbwynt y dechnoleg a

Proceedings in Plenary and in the National Assembly's committees. So, I do not see any difficulty in including a specific clause on the Record.

Elin Jones: I do not know whether you are aware of this, but the Assembly's legal adviser told this committee that that could raise the status of the Record to a different level from that of the other bilingual services currently provided by the Assembly, such as simultaneous translation and text translation. That is, it would give a different status to different bilingual activities. How do you respond to that point of view?

Ms Price: As I have already said, I think that the Record has a different status, because that is the main democratic discussion and, therefore, there is a basis for giving it a special status. On the possible negative effects on the other work of the Assembly, one could add to the clause in relation to the Record to say that the fact that it is prepared bilingually is not an attempt to undermine any other practices in other contexts. Going back to the lawyers to request answers and stating on the face of the Bill that it is not an attempt to undermine practices in other contexts is, perhaps, the answer.

Mr Jones: In this context, I believe that we are aware of the discussion that has taken place. Due to the nature of that public debate, there needs to be some sort of effort to underline the fact that due care is taken to ensure that the Record is bilingual. I believe that it is for that specific reason that we would wish to see particular attention being given to the nature of the Record.

Elin Jones: You talk only about a written Record; however, an audio visual bilingual record also exists, which is a historical record. You assign a different status to the two records; you raise one above the other.

Mr Jones: I believe that future developments will require changes to the technology used; there is no doubt about that. However, at

dddefnyddir; nid oes amheuaeth am hynny. Fodd bynnag, ar hyn o bryd, oherwydd natur y drafodaeth gyhoeddus, ein teimlad ni yw bod angen cadarnhad ar y cyhoedd y bydd y Cofnod ar gael yn ddwyieithog.

present, due to the nature of the public debate, we feel that the public requires confirmation that the Record will be available bilingually.

[29] **Janet Finch-Saunders:** In your written evidence, you state that further consideration is needed to ensure the Commission's accountability in implementing this scheme. You also propose that a Members' committee should be responsible for scrutinising the delivery of the bilingual services scheme, and that there should be a duty on the Commission to report to that committee. Do you think that such provision should be included on the face of the Bill, or alternatively included as a commitment in the scheme?

[30] **Mr Jones:** Nid oes amheuaeth y bydd mwy o gyfrifoldeb o safbwynt craffu a monitro ar Aelodau'r Cynulliad yn sgîl y Bil. Mae'r bwrdd yn credu bod angen cael trefniadau sefydlog yn eu lle i sicrhau bod hynny'n digwydd. Mae angen egluro'r drefn honno yn y cynllun. Rwy'n credu mai mater i chi yw penderfynu a oes angen rhoi hynny ar wyneb y Bil ai peidio. Ein teimlad ni yw bod angen sicrhau bod y drefn honno yn glir yn y cynllun ei hun.

Mr Jones: There is no doubt that greater responsibility for scrutiny and monitoring will fall on Assembly Members in the wake of the Bill. The board believes that fixed arrangements need to be in place to ensure that that happens. Those arrangements need to be explained in the scheme. I believe that it is a matter for you to decide whether to state that on the face of the Bill or not. We feel that there is a need to ensure that that arrangement is clearly stated in the scheme itself.

[31] **Janet Finch-Saunders:** In your written evidence, you state that Assembly staff will need to ensure that Members are fully aware of their responsibilities and the duty on them due to the absence of an external regulatory body in the process. How can Assembly staff, in your view, ensure that Members are fully aware of this duty? Again, should such provisions be included in the draft scheme?

[32] **Mr Jones:** Nid wyf yn siŵr mai ein lle ni yw dweud hynny wrthoch. Fodd bynnag, ein hawgrym yw bod angen mynd ati i hyfforddi staff y Cynulliad i godi ymwybyddiaeth ynghylch yr hyn sydd yn y Bil a'r cynllun. Rydym yn gweld hynny fel dull effeithiol iawn; pan rydym yn cytuno cynlluniau iaith gyda chyrff yn gyffredinol, rydym yn eu hannog ac yn gofyn iddynt gynnwys yn eu cynlluniau yr angen i sicrhau bod staff y sefydliad yn gwbl gyfarwydd â chynnwys y cynllun. Mae hynny'n hanfodol i sicrhau bod y cynllun yn cael ei weithredu'n llawn.

Mr Jones: I am not sure whether it is our place to tell you that. However, our suggestion is that Assembly staff need to be trained to raise awareness of the contents of the Bill and the scheme. We see that as an effective method; when we agree language schemes with organisations in general, we encourage and ask them to include in their schemes the need to ensure that the staff of the organisation are familiar with the scheme's contents. That is crucial in ensuring that the scheme is implemented in full.

[33] **Janet Finch-Saunders:** What are your views on the changes made to the draft scheme following the consultation held between August and October 2011? Do you think that the concerns that you expressed at the consultation stage have now been addressed?

[34] **Ms Price:** Rydym yn gwerthfawrogi llawer o'r newidiadau a wnaed. Gwnaethom awgrymiadau ar yr angen i ymdrin â threfniadau cwynion, er enghraifft, ac mae'r

Ms Price: We appreciate many of the changes that were made. We put forward suggestions on the need to deal with complaint procedures, for example, and the

cynllun yn cynnwys adran gynhwysfawr ar hynny erbyn hyn. Gwnaethom awgrymiadau ar y defnydd o dechnoleg ar gyfer gweinyddu'n fewnol drwy'r Gymraeg yn ogystal â'r Saesneg, a rhoddwyd sylw i'r elfen honno.

scheme contains a comprehensive section on that by now. We also made suggestions on the use of technology for internal administration through the medium of Welsh as well as English, and attention was given to that element.

9.45 a.m.

[35] Mae rhai pethau nad ydynt wedi cael sylw. Mae'n bosibl bod angen i'r cynllun roi mwy o sylw i ddefnyddio'r Gymraeg yng nghyd-destun y cyfryngau cymdeithasol wrth iddynt esblygu. Mae Meirion Prys Jones wedi sôn am hyfforddiant ymwybyddiaeth iaith, ac mae hwnnw'n sylw a wnaethpwyd gennym yn ystod cyfnod cychwynnol yr ymgynghoriad.

There are some things that have not been dealt with. It is possible that there is a need for the scheme to give more attention to the use of Welsh in the context of social media as they evolve. Meirion Prys Jones spoke about language awareness training, and that is a comment that we made during the initial part of the consultation.

[36] O ran meincnodi, y prif beth yw sut yr ydych yn mynd i fesur cynnydd—hynny yw, ble mae targedau'r cynllun gweithredu? Rydym yn deall, wrth gyflwyno Bil a dod â chynllun gerbron proses ymgynghorol, ei bod yn anodd cael manylder yn y broses. Fodd bynnag, ar yr un pryd, nid oes esboniad bod bwriad i gael targedau. Felly, nid yw'n glir i ni sut y byddwch chi, fel Aelodau, yn mesur cynnydd a gweithrediad y cynllun pan fydd yn weithredol.

On benchmarking, the main thing is how you are going to measure progress—that is, where are the action plan's targets? We understand that in introducing a Bill and bringing a scheme before a consultative process, it is difficult to get the detail in the process. However, at the same time, there is no explanation that there is an intention to have targets. Therefore, it is not clear to us how you as Members will be measuring progress and the implementation of the scheme when it is operational.

[37] **Mark Isherwood:** Why do you state in your evidence that the greatest weakness in the scheme is the absence of any reference to an action plan and targets to measure progress?

[38] **Ms Price:** Fel y dywedais, mae angen i chi fel Aelodau allu craffu'n wrthrychol ar sut mae'r cynllun yn cael ei weithredu dros amser. Mae'n gynllun pum mlynedd ac felly, o'r cychwyn, byddai o gymorth ichi gael rhyw esboniad yn y cynllun ynghylch sut y mae swyddogion yn bwriadu craffu a rhoi gwybodaeth i chi ynglŷn â thraweffaith, ansawdd gweithredu'r cynllun a graddau cydymffurfiaeth. Byddai'n ddefnyddiol pe bai hynny'n digwydd, bod eglurhad manwl yn y cynllun o sut y bwriedir monitro a, maes o law, pan fyddwch yn cymeradwyo'r cynllun yn llawn, fod cynllun gweithredu, amserlen a thargedau ar gael i chi gael craffu arnynt.

Ms Price: As I said, you as Members need to be able to scrutinise objectively how the scheme is implemented over time. It is a five-year scheme, and so, from the outset, it would be of assistance to you to have some explanation in the scheme of how officials intend to scrutinise and give you information on the impact, the quality of the scheme's implementation and the levels of compliance. It would be useful if that happened, if there were a detailed explanation in the scheme of how the monitoring is to be carried out and, in due course, when you approve the scheme fully, if there were an action plan, a timetable and targets for you to scrutinise.

[39] **Mr Jones:** Eto, mae'n profiad ni o ddelio â chynlluniau iaith yn dangos, os oes targedau da mewn cynllun, sy'n cael eu

Mr Jones: Once again, our experience of dealing with language schemes demonstrates that if there are good targets in a scheme,

monitro a'u mesur, mae'r cynllun yn gweithio. Heb y rheini, mae'n llawer iawn mwy penagored ac yn anodd iawn i unrhyw Aelod etholedig graffu ar yr hyn sy'n digwydd. Felly, maent yn elfen hanfodol o'r cynllun.

which are monitored and measured, the scheme works. Without those, it is very much more open-ended and very difficult for any elected Member to scrutinise what is happening. So, they are a vital element of the scheme.

[40] **Mark Isherwood:** How, therefore, do you respond to the statement made by the Assembly Commissioner Rhodri Glyn Thomas in response to a question in this committee on 9 February on why no targets or goals are included in the draft scheme? He stated that:

[41] 'It is because every service will have to prepare its strategy in response to the official languages scheme. The scheme in its entirety is accountable to all Assembly Members through the annual report. That will be the opportunity to scrutinise what has been happening during the year and to see whether we have achieved our aims on the principle of enabling Members to work through the medium of either Welsh or English.'

[42] **Ms Price:** Byddai'n bosibl gosod datganiad tebyg yn y cynllun. Er bod y gosodiad yn egluro bod angen i adrannau gwahanol ymateb a gwneud cynlluniau, ym mhrofiad y bwrdd â sefydliadau eraill, mae angen gosod cysondeb o ran safonau corfforaethol. Rhaid wedyn osod y targedau yn y cynllun, neu mewn cynllun gweithredol i gyd-fynd ag ef, a'r rheini'n dargedau i'r corff cyfan—hynny yw, nid oes gennych dargedau a chynlluniau gwahanol mewn adrannau gwahanol, heb fod rhywbeth canolog a chyson i sicrhau bod pob adran yn symud i'r un cyfeiriad ac yn gweithio i'r un gofynion. Byddai'n ddefnyddiol iawn cael y math hwnnw o ddatganiad yn y cynllun ieithoedd swyddogol, a datblygiad o hynny o ran sut i'w weithredu.

Ms Price: It would be possible to set a similar statement in the scheme. While the statement explains that different departments need to respond and make schemes, in the board's experience with other organisations, it is necessary to have consistency in terms of corporate standards. You must then set the targets in the scheme, or in an action plan to accompany it, and for those to be targets for the whole organisation—that is, that you do not have different targets and schemes in different departments, without having something central and consistent that ensures that all departments move in the same direction and work to the same requirements. It would be very useful to have that kind of statement in the official languages scheme, and a development of that would be how it should be implemented.

[43] **Mark Isherwood:** So, you are saying that this needs to be measured by the experience of the service users—who, in this case, are Members or, potentially, staff and other individual organisations—in accessing services through the medium of the language of their first choice?

[44] **Ms Price:** Yn hollol. Mae traweffaith yn sicr yn un elfen. Gall monitro olygu sawl peth a gall graffu edrych ar ansawdd, cydymffurfiaeth, traweffaith a phrofiad y defnyddiwr. Nid ydym yn gwybod beth yw'r bwriadau, oherwydd nid oes gennym eglurhad ar hyn o bryd, ond gallent yn sicr gynnwys hynny yn ogystal â phethau eraill.

Ms Price: Exactly. Impact is certainly one element. Monitoring can include many different things and scrutiny can look at quality, compliance, impact and the experience of users. We do not know what the intentions are, because we have no explanation at present, but they certainly could include that in addition to other issues.

[45] **Gwyn R. Price:** You state in your written evidence that the draft scheme should deal with the Assembly Commission's wider responsibilities in relation to developing policies and legislation in order to

[46] 'secure a procedure to assess the impact of any new policies or legislation on the Welsh language'.

[47] Could you explain which specific responsibilities you are referring to and how the draft scheme could be amended to achieve this aim?

[48] **Ms Price:** Ar hyn o bryd, mae cynlluniau iaith Gymraeg yn cynnwys canllaw ar asesu polisiau a mentrau newydd. Felly, wrth edrych ar eich cynllun drafft, mae'n ymwneud â darparu gwasanaethau, gan fwyaf. Deddfwrfa yw'r lle hwn erbyn hyn, ac rydym yn ymwybodol bod trefniadau asesu effaith a chraffu ar ddeddfwriaeth ar sail cyfle cyfartal ac ati ar waith. Mae'n bosibl y byddai modd i'r cynllun gynnwys ymrwymiad i fwrw gorolwg o ddeddfwriaeth ac asesu effaith deddfwriaeth yn gyffredinol ar y Gymraeg, boed hynny'n gadarnhaol, negyddol neu niwtral. Mae rhai darnau o ddeddfwriaeth y byddai'n fwy priodol craffu arnynt nag eraill, ac nid ein lle ni, fel swyddogion, yw dweud wrthynt sut i wneud hynny mewn manylder, ond mae'n gwestiwn sy'n werth ei ystyried.

Ms Price: Currently, Welsh language schemes include guidelines on the assessment of new policies and initiatives. So, in looking at your draft scheme, it relates predominantly to the provision of services. This place is now a legislature, and we are aware that impact assessment arrangements and measures to scrutinise legislation on the basis of equality of opportunity and so on are in place. It would be possible for the scheme to include a commitment to taking an overview of legislation and assessing the impact of legislation on the Welsh language in general, whether it is positive, negative or neutral. Some pieces of legislation will require scrutiny more than others, and it is not our place, as officials, to tell you how to do that in detail, but it is a question worth considering.

[49] **Gwyn R. Price:** Paragraph 18 of the draft scheme includes a definition of the term 'public'. Is this definition appropriate in your view? Should this definition be included on the face of the Bill?

[50] **Mr Jones:** Mae'n ymddangos i ni fod y diffiniad yn briodol. Mae'n debyg iawn i'r diffiniad a gawsom gan ein cyfreithwyr, felly nid ydym yn anghytuno â'r diffiniad. Nid wyf yn credu ein bod yn berffaith sicr a oes angen rhoi hynny ar wyneb y Bil; mae hwnnw'n fater i chi ddod i benderfyniad yn ei gylch.

Mr Jones: It seems to us that the definition is appropriate. It is very similar to the definition provided by our lawyers, so we do not disagree with the definition. I do not think that we are entirely certain whether it needs to be put on the face of the Bill; that is for you to decide.

[51] **Gwyn R. Price:** What are your views on paragraph 19 of the draft scheme, which states that

[52] 'individual correspondence between Assembly Members and their constituents is not covered by this scheme'?

[53] **Mr Jones:** Yn y cyd-destun hwn, rydym yn cydnabod bod gan Aelodau'r Cynulliad annibyniaeth ac, yn hynny o beth, fod gorfodi unrhyw reidrwydd ar Aelodau yn anodd. Hefyd, credaf fod dyletswydd yn y cyd-destun hwn yn mynd gyda'r fraint o fod ag annibyniaeth a'i bod yn briodol bod Aelodau yn ystyried anghenion eu hetholwyr. Mae'n deg, mewn gwlad lle mae gennym bellach ddwy iaith swyddogol, fod hynny'n

Mr Jones: In this context, we recognise that Assembly Members have independence and, in that sense, enforcing any requirement on Members is difficult. Also, I believe that duty in this context goes hand in hand with the privilege of having independence and that it is appropriate for Members to consider the needs of their constituents. It is fair, in a country where we now have two official languages, that that extends to dealing with

ymestyn i ymwneud ag etholwyr unigol a bod etholwyr felly yn cael ymateb yn eu dewis iaith. Mae hynny'n estyniad naturiol o'r egwyddor o gydraddoldeb mewn gwlad sydd bellach yn galw ei hun yn swyddogol yn wlad ddwyieithog.

individual constituents and that constituents therefore can respond in their preferred language. That is a natural extension of the principle of equality in a country that now officially calls itself a bilingual nation.

[54] **Mike Hedges:** Mae'n flin gennyf ond byddaf yn gofyn fy nghwestiwn yn Saesneg.

Mike Hedges: I am sorry, but I will be asking my question in English.

[55] From a best-practice perspective, how do you think an organisation should manage its provision of bilingual services?

[56] **Ms Price:** Mae gennym lu o enghreifftiau o arferion da yn y bwrdd dros y blynyddoedd. Rydym yn cynhyrchu adroddiadau gorolwg, arolygon arferion gorau ac yn cyhoeddi arferion gorau. Mae'n anodd mynd i fanylder mewn cyfarfod pwyllgor fel hyn a chyfeirio at enghreifftiau penodol ond, yn sicr, rydym yn barod i gydweithio â swyddogion, rhannu arferion gorau, rhoi cyngor iddynt ynghylch hynny a gweithio'n adeiladol. Rydym wedi gweithio'n adeiladol gyda swyddogion y Comisiwn ar hyd y blynyddoedd, a thra byddwn ni, byddwn yn parhau i wneud hynny, gan fod yn awyddus i rannu arferion gorau â chi fel sefydliad.

Ms Price: We have scores of examples of good practice in the board over the years. We produce overview reports and best practice surveys, and we publish best practices. It is difficult to go into the details in a committee meeting such as this and refer to specific examples, but, certainly, we are willing to collaborate with officials, share best practices, advise them about that and work constructively. We have worked constructively with the Commission's officials over the years and, while we still exist, we will continue to do so and remain keen to share best practice with you as an institution.

[57] **Mr Jones:** Hoffwn ategu'r hyn y mae Gwenith wedi'i ddweud a chanmol y cydweithio sydd wedi bod rhwng swyddogion y Comisiwn a swyddogion y bwrdd. Mae'r drafodaeth honno, efallai, wedi bod yn anodd ar adegau ond mae wedi bod yn adeiladol ac, yn sicr, rydym wedi gwerthfawrogi'n fawr ymwneud parod y Comisiwn â ni.

Mr Jones: I would like to endorse what Gwenith has said and praise the collaboration that has taken place between Commission officials and board officials. The discussions may have been difficult at times, but they have been constructive and, certainly, we have very much appreciated the Commission's willingness to engage with us.

[58] **Mike Hedges:** You note rather than welcome the new section on complaints included in the draft scheme. Why is that?

[59] **Ms Price:** Rydym yn croesawu'r gwelliannau. Roedd gennym farn eithaf pendant ynghylch absenoldeb delio â chwynion yn ystod y cyfnod ymgynghori. Erbyn hyn, rydych yn defnyddio cyfeiriad at yr ombwdsmon, ac rydym yn deall, oherwydd natur y sefydliad, pam mae hynny'n digwydd ac yn croesawu'r cyfeiriad clir i aelodau o'r cyhoedd sydd am wneud cwynion a'r ffaith bod llwybr iddynt i'w ddilyn pe baent yn anfodlon neu â chonsyrn

Ms Price: We welcome the amendments. We had quite a definite opinion regarding the absence of dealing with complaints during the consultation period. By now, you make a reference to the ombudsman, and we understand, because of the nature of the institution, why that is the case and we welcome the clear direction set out for members of the public who wish to complain and the fact that an avenue is open to them should they be dissatisfied or have a concern

yn glŷn ag unrhyw fater yn ymwneud â'r Gymraeg. Felly, rydym yn cefnogi'r cynnwys yn llwyr ac yn ei groesawu. regarding anything to do with the Welsh language. So, we fully support the content and welcome it.

[60] **Mike Hedges:** The draft scheme states that the Assembly Commission expects all organisations with Welsh language schemes, standards or policies to submit responses in both languages to ensure that Assembly Members and the public can engage with proceedings in either Welsh or English. What is your view on this?

[61] **Mr Jones:** Rydym yn ymwybodol bod hwn yn fater eithaf sensitif ac ychydig yn gymhleth ar adegau. O'n safbwynt ni fel bwrdd, fel corff sydd yn hyrwyddo'r Gymraeg, rydym yn ymwybodol, wrth hyrwyddo iaith leiafrifol, nad yw'r cae pêldroed yn wastad. Felly, mae angen, ar adegau yn y cyd-destun hwnnw, roi rhagor o sylw i'r Gymraeg nag i'r Saesneg. Yn ddelfrydol, byddem yn chwilio am atebion un ai yn Gymraeg neu yn ddwyieithog. Fodd bynnag, byddem yn disgwyl i bethau fel ymatebion i ymgynghoriadau gan gyrff cyhoeddus fod yn y ddwy iaith. Fodd bynnag, wrth i ni weld sefyllfa lle mae mwy o ddibyniaeth o lawer ar ymgynghori, mae cwestiwn yn codi am yr hyn rydych yn ei wneud ag ymatebion sydd yn cyrraedd yn y naill iaith neu'r llall. Mae'n fater i'w drafod—a ddylid cyfieithu'r holl ymatebion, er enghraifft? Felly, mae cwestiwn diddorol yn y fan hon.

Mr Jones: We are aware that this is quite a sensitive matter and slightly complex at times. From our standpoint as a body, and as one that promotes the Welsh language, we are aware, in promoting a minority language, that we do not have a level playing field. Therefore, at times, in that context, it is necessary to give more attention to the Welsh language than to English. Ideally, we would look for answers that are either in Welsh or are bilingual. However, we would generally expect public bodies to respond to consultations in both languages. However, as we see a situation in which there is much greater dependence on consultation, a question arises as to what you do with the responses received in one language or the other. Whether you translate all the responses, for example, is a matter for discussion. So, there is an interesting question here.

[62] Byddem ni'n dweud y dylai fod pwysau arnoch chi a chyrff cyhoeddus eraill i annog pobl i ymateb yn Gymraeg er mwyn i ni weld mwy o ddefnydd o lawer o'r Gymraeg wrth i bobl ymateb i ddogfennau cyhoeddus. Felly, mae angen llawer mwy o anogaeth ar gyrff i ymateb yn Gymraeg. Prin yw'r cyrff sy'n gwneud hynny ar hyn o bryd.

We would say that there should be pressure on you and other public bodies to encourage people to respond in Welsh so that far greater use is made of the Welsh language by people responding to public documents. So, we need far more encouragement so that bodies respond in Welsh. The bodies that do so at present are few and far between.

[63] Gan fynd yn ôl at yr hyn roeddwn yn ei ddweud ynglŷn â'r angen i hyrwyddo defnydd iaith leiafrifol, mae angen sylw ac anogaeth benodol. Felly, byddem yn awyddus i weld Comisiwn y Cynulliad a'r Cynulliad yn annog cyrff cyhoeddus i ymateb yn Gymraeg.

Going back to what I was saying earlier regarding the need to promote the use of a minority language, specific attention and encouragement is required. So, we would be eager to see the Assembly Commission and the Assembly encouraging public bodies to respond in Welsh.

[64] **Joyce Watson:** The draft scheme also states that in instances

[65] 'Where it is not possible to secure documents in both languages, we will publish in the original language submitted, stating that it has been submitted in that language only.'

[66] Do you think that that is an appropriate approach?

[67] **Mr Jones:** Rwy'n credu ei bod yn rhesymol cyhoeddi'r ymatebion yn yr iaith wreiddiol, ond rwy'n mynd yn ôl at y pwynt a wneuthum yn y sylw cynt am yr anogaeth gref hon ar i gyrff ymateb un ai yn Gymraeg neu yn ddwyieithog er mwyn arfer y Gymraeg mewn bywyd cyhoeddus. Mae'n iawn cynnig cyfleoedd i bobl ddefnyddio'r Gymraeg, ond mae'n rhaid annog a chefnogi'r cyfleoedd hynny.

Mr Jones: I think that it is reasonable to publish responses in the original language, but I go back to the point I made in my previous response about this strong encouragement of organisations responding either in Welsh or bilingually in order to make use of the Welsh language in public life. It is fine to offer opportunities for people to use the Welsh language, but we have to encourage and support those opportunities.

[68] **Joyce Watson:** In giving evidence to the committee on 9 February, Rhodri Glyn stated that

[69] 'if the evidence is submitted in Welsh only...we will ensure that the information included in that evidence is presented to Members so that they are aware of the content. That is not a commitment to translate the whole document. However, it would enable someone who does not understand Welsh to be aware of the content of that evidence.'

[70] Do you have any views on that?

[71] **Mr Jones:** Byddwn yn cytuno â'r sylw hwnnw. Mae'n amlwg bod angen deall, ac felly rwy'n hapus i gefnogi'r awgrym defnyddiol hwnnw.

Mr Jones: I would agree with that comment. It is obvious that there is a need to understand, and so I am happy to support that useful suggestion.

10.00 a.m.

[72] **Joyce Watson:** The draft scheme states that the standard practice will be to publish bilingual or separate Welsh and English versions of National Assembly-produced documents on the website, but that it may not be possible on all occasions if the documentation has a particularly short lifespan or needs to be published as a matter of urgency. Is that an appropriate approach?

[73] **Mr Jones:** Ein hymateb ni i sefyllfaoedd fel hyn yw bod yn rhaid ystyried yr amodau. Felly, os yw'n sefyllfa lle mae'n rhaid gweithredu ar fyrder, a bod angen cael neges allan am resymau sy'n ymwneud â diogelwch ac yn y blaen, neu negeseuon sydd ag oes fer iawn, yna derbyniwn fod hynny'n gorfod digwydd ar adegau mewn un iaith yn unig. Fodd bynnag, os ydych yn gwneud hynny, rhaid esbonio pam mae hynny'n digwydd. Dylid dweud mae'r arfer yw cynhyrchu pethau yn y ddwy iaith, ond ei bod hi'n bosibl, mewn argyfwng neu pan fydd gan ddogfen oes fer, gynhyrchu pethau mewn un iaith yn unig. Mae'n rhaid esbonio hynny'n glir.

Mr Jones: Our response to such situations is that you must take the particular circumstances into account. So, if it is a matter of urgency, and that the message needs to be issued for reasons relating to safety and so on, or is a message with a very short lifespan, then we accept that, on occasion, that has to happen in one language only. However, if you do that, an explanation should be attached as to why that is happening. So, it should be made clear that the normal practice is that things are produced in both languages, but in an emergency or where a document has a very short lifespan, it is possible to produce things in one language only. That needs to be explained clearly.

[74] Ein cyngor i gyrff cyhoeddus o ran eu cynlluniau iaith yw: os nad ydych yn gwneud rhywbeth, rhaid ichi esbonio'n glir

Our advice to public bodies with regard to their language schemes is: if you are not doing something, then you must clearly

i'r cyhoedd paham nad yw wedi digwydd, a phaham na ellid disgwyl i hynny ddigwydd. Mae'r eglurder hwnnw'n ei wneud yn haws i bobl ddeall a derbyn y sefyllfa. Diffyg eglurder, a'r dryswch dilynol ynghylch paham nad yw rhywbeth ar gael yn y ddwy iaith, sydd fel arfer yn achosi anawsterau.

explain to the public why that is not happening, and why that cannot be expected to happen. That clarity makes it easier for people to understand and accept the situation. A lack of clarity, and the ensuing confusion as to why something is not available in both languages, is usually what causes difficulties.

[75] **Kenneth Skates:** If the building was on fire and a message went out on the internet stating 'Vacate the building—it is on fire', you would not necessarily need an explanation of why such a message is not also available in Welsh, would you? I should think that it would be pretty obvious why.

[76] **Mr Jones:** Rwy'n derbyn hynny. Fodd bynnag, wrth gynllunio, byddech yn nodi mewn unrhyw ddogfennaeth fod modd gwneud rhywbeth mewn un iaith—y Saesneg, fe dybiaf—pe bai argyfwng, megis tân, ac felly byddai pobl yn deall y sefyllfa. Felly, mae'n ymwneud â gosod yr amodau hynny yn y cynllun, fel bod pobl yn gwybod ymlaen llaw, yn y cyd-destun hwn, na fydd y wybodaeth o bosibl yn dod allan yn ddwyieithog neu yn dod allan yn ddwyieithog yn syth. Pan fydd pobl yn deall ac yn derbyn hynny, byddant wedyn yn gwybod beth i'w ddisgwyl. Yr annisgwyl sy'n achosi i bobl deimlo'n anghyfforddus.

Mr Jones: I accept that. However, in your planning, you would state in any documentation the ability to do produce information in one language—in English, presumably—in the event of an emergency, such as a fire, and, as a result, people would understand. So, it is about setting those conditions within the scheme, so that people know beforehand that, in this context, the information might not be disseminated bilingually, or not disseminated bilingually immediately. Once people understand and accept that, they will then know what to expect. It is the unexpected that causes people to feel uncomfortable.

[77] **Ann Jones:** Would there be a situation in which the one language you would use would be the minority language? Which language would you default to if there was an emergency such as the one that Ken referred to? Would you say 'tân' or 'fire'?

[78] **Mr Jones:** Ar lefel fyd-eang, petai argyfwng a'ch bod yn gweiddi 'tân' yn Saesneg, yna byddai'r rhan fwyaf o bobl yn rhedeg. Rhaid inni dderbyn bod y Saesneg yn *lingua franca* ar draws y byd. Fodd bynnag, o safbwynt pethau eraill y tu hwnt i bethau sy'n ymwneud â diogelwch uniongyrchol, pan fydd yn ofynnol arnoch i ymateb yn syth, mae'n rhaid ichi ddefnyddio'r *lingua franca*; nid oes amheuaeth am hynny.

Mr Jones: On a global level, if there was a crisis and you shouted 'fire', most people would run. We must accept that English is a lingua franca across the world. However, from the perspective of other things beyond issues relating to someone's immediate safety, where you have to respond immediately, you have to use the lingua franca; there is no doubt about that.

[79] **Elin Jones:** O ran cyfathrebu ar safleoedd cyfryngau cymdeithasol, dywed y cynllun drafft:

Elin Jones: In terms of communicating through social media sites, the draft scheme states:

[80] 'Byddwn yn ymateb i'r ymholiadau ar ein proffiliau cyfryngau cymdeithasol yn yr iaith y cânt eu postio, waeth beth fo iaith y proffil a ddefnyddir (er enghraifft, byddwn yn rhoi ateb yn Gymraeg i ymholiad Cymraeg ar dudalen Saesneg Facebook, ac i'r gwrthwyneb).'

'We will respond to queries on all our social media profiles in the language they are posted, regardless of the linguistic version of the profile they are using (eg a query in Welsh on the English Facebook page will still be replied to in Welsh, and vice versa).'

[81] Beth yw'ch barn chi ynghylch cynnwys hynny yn y cynllun drafft?

What is your view about including that in the draft scheme?

[82] **Ms Price:** Mae hynny'n gyson â'r egwyddor yn y Bil, yr egwyddor gohebu'n gyffredinol a'r math o gyngor y mae'r bwrdd wedi'i roi erioed yng nghyswllt cynlluniau iaith a gohebu. Y pwynt neilltuol am rwydweithiau cymdeithasol yw bod yr holl beth yn esblygu o dan ein dwylo, a bod yn rhaid inni fod yn effro i newidiadau a datblygiadau. Yn y cyswllt hwnnw, byddwn yn barod iawn i gydweithio a thrafod. Gwerth cynllun gweithredu, wrth ichi edrych ar sut bydd gwahanol gyfryngau'n esblygu dros y pum mlynedd nesaf, yw bod modd datblygu polisiau i ymateb i'r newidiadau, mewn cydweithrediad â'r bwrdd ar hyn o bryd, ac efallai â chorff arall yn y dyfodol. Sut bynnag, rydym yn derbyn bod esblygiad yn digwydd. Y cyngor y byddwn yn ei roi yw y dylid glynu at egwyddorion y Bil i'r graddau y mae hynny'n bosibl.

Ms Price: That is consistent with the principle in the Bill, the principle on correspondence generally and the kind of advice that the board has always given in the context of language schemes and correspondence. The specific point on social network sites is that the whole thing is evolving as we speak, and that we must be aware of and alert to changes and developments. In that context, we would be very willing to collaborate and discuss. The value of an action plan, as you look at how various media will evolve over the next five years, is that it is possible to develop policies to respond to the changes, in collaboration with the board at the moment, and perhaps with some other organisation in the future. However, we accept that evolution occurs. The advice that I would give is that the principles of the Bill should be adhered to to the extent that that is possible.

[83] **Elin Jones:** Beth yw'ch barn am y strategaeth sgiliau dwyieithog fel y mae yn y cynllun? Rydych wedi nodi yn eich tystiolaeth ysgrifenedig y byddech yn hoffi gweld cynnwys ymrwymiad i ddarparu hyfforddiant ymwybyddiaeth iaith i swyddogion sydd eisoes yn gyflogedig. Pam yr ydych yn credu y byddai hynny'n ychwanegiad defnyddiol a phwysig i'r cynllun?

Elin Jones: What is your view on the bilingual skills strategy as it is in the scheme? You have indicated in your written evidence that you would like to see included a commitment to provide language awareness training to officials who are already employed. Why do you think that would be a useful and important addition to the scheme?

[84] **Ms Price:** Mae hyfforddiant yn y Gymraeg yn un peth; mae ymwybyddiaeth o sut i weithredu mewn cyd-destun dwyieithog yn gofyn hyfforddiant o natur wahanol. Credaf fod angen ystyried ymwybyddiaeth iaith, cymhwysedd a rheoli mewn sefydliad dwyieithog fel unrhyw fater polisi arall. Mae lefel uchel o ymwybyddiaeth yn hollbwysig wrth i Fil newydd a chynllun newydd gael eu cyflwyno—mae'n rhesymol buddsoddi mewn ymwybyddiaeth staff fel y gall pawb berfformio ar ei orau a chefnogi'r Aelodau a pholisiau'r Cynulliad.

Ms Price: Tuition in Welsh is one thing; awareness of how to operate in a bilingual context requires training of a different nature. I think that we need to consider language awareness and competence and management in a bilingual institution just like any other policy issue. A high level of awareness is crucial with the introduction of a new Bill and a new scheme—it is reasonable to invest in staff awareness so that everyone can perform to the best of their ability and support the Members and Assembly policies.

[85] **Eluned Parrott:** The draft scheme states that:

[86] 'A candidate who is unable to speak Welsh may be appointed to a post for which Welsh is considered essential, on the understanding that 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 specific performance criterion.'

[87] What are your views on this?

[88] **Mr Jones:** Mae'r cymalau hynny, o'r cynllun ei hun, yn gyffredinol yn rhai da. Felly, er eich bod wedi tynnu allan un cymal, mae'r cymalau o gwmpas y cymal hwnnw yn rhai da.

Mr Jones: Those clauses, from the scheme itself, are generally good. So, although you have extracted one clause, the clauses around it are good ones.

[89] Lle bo angen sgiliau dwyieithog, mae'n amlwg bod angen recriwtio pobl a chanddynt y sgiliau hynny. Mae angen mynd ati'n weddol drwyadl i geisio gwneud hynny, fel nad ydych ond yn cyrraedd y pwynt o benodi rhywun sydd heb y sgiliau hynny wedi ichi geisio dod o hyd i rywun a chanddo'r sgiliau hynny. Yn sgil hynny, efallai fod angen rhoi trefn ar waith i sicrhau bod y bobl hynny'n dysgu. Yn bwysicach na hynny yw bod disgwyliadau'n cael eu gosod, gyda phrofi ymhen rhyw gyfnod, fel nad peth penagored yw penodi rhywun sydd heb y sgiliau ieithyddol, gan ddweud bod disgwyl iddo ddod yn ddwyieithog. Mae'n rhaid cael rhyw fath o drefn, system a ffon fesur.

Where bilingual skills are required, obviously you need to recruit people with those skills. You need to go about trying to do that quite thoroughly, so that you only reach the point of appointing someone who does not have those skills after having tried to find someone does. Following that, you perhaps need to have a procedure in place to ensure that those people can learn. More important than that is to set expectations, with testing after a set period, so that appointing someone who does not have the language skills, saying that you expect them to become bilingual, is not open-ended. There has to be some sort of procedure, system and yardstick.

[90] Rydym wedi gweld enghreifftiau yn y gorffennol o gynlluniau lle nad yw hynny wedi digwydd, ac yn aml nid yw'n gweithio. Mae'n rhaid cael rhyw fath o drefn i sicrhau bod profi.

We have seen examples of schemes in the past where that has not happened, and it often does not work. There has to be some sort of procedure to ensure that there is testing.

[91] Yn y cyfamser, wrth i rywun ddysgu'r iaith a chael y sgiliau dwyieithog, mae angen ystyried efallai drosglwyddo cyfrifoldeb neu secondio rhywun sydd â'r sgiliau hynny.

In the interim, as someone learns the language and gains the bilingual skills, you perhaps need to consider transferring responsibility or seconding someone who has those skills.

[92] Mae'n llawer haws, wrth gwrs, gan nodi'n amlwg, os ydych chi'n chwilio am bobl i lenwi swyddi sydd angen sgiliau dwyieithog, fod gan y bobl hynny'r sgiliau'n barod, neu rywfaint o'r sgiliau hynny. Mae angen meddwl am hyn mewn ffordd eithaf systematig: dyma'r hyn sydd ei angen arnom, a dyma sut yr ydym yn cyrraedd y pwynt hwnnw.

It is much easier, of course, to state the obvious, if you are looking for people to fill jobs that require bilingual skills, for those people to already have those skills, or at least to have some bilingual skills. You need to think about this in quite a systematic way: this is what we need, and this is how we reach that point.

[93] Rwyf am nodi bod hwn yn gallu bod yn bwnc sensitif. Nid oes amheuaeth am hynny. Yr hyn yr ydym yn ei ddweud yw mai mater yn ymwneud â sgiliau yw hyn, ac, fel pob sgil arall, mae'n bosibl ei ddysgu. Fodd

I want to note that this can be a sensitive topic. There is no doubt about that. What we are saying is that this is a matter of skills, and, like every other skill, it is possible to learn it. However, in order to learn and use

bynag, er mwyn dysgu a defnyddio'r sgil yn y gweithle, mae'n rhaid cyrraedd rhyw lefel neu drothwy yn y sgil hwnnw. Felly, mae'r amserlen yn bwysig, ac mae delio â hyn mewn ffordd sensitif yn bwysig, a chredaf fod hynny'n digwydd yn y cymalau sy'n cael eu cynnig yn y cynllun.

the skill in the workplace, you have to reach a certain level or threshold in that skill. Therefore, the timetable is important, and dealing with this in a sensitive way is important, and I think that that happens in the clauses that are proposed in the scheme.

[94] **Kenneth Skates:** I have a couple of quick points on this. In oral evidence given in the meeting of 9 February, Rhodri Glyn Thomas stated:

[95] 'Conditions could be looked at for the post, and I would hope that if the appointee did not make good on the promise'—

[96] that is, of learning to speak Welsh—

[97] 'it would be a matter of reviewing that appointment.'

[98] Can you envisage a situation in which someone would be sacked because they had not attained a certain standard of Welsh? I used to be a journalist and it was considered essential to have shorthand. However, we were never sacked, we would not have been docked pay and we would not have been in any way held back had we not attained a certain standard in shorthand. Do you think that there is a risk of focusing so heavily on the spoken word that we neglect the written Welsh language?

[99] **Ms Price:** Mae gennym ganllawiau ar recriwtio a'r iaith Gymraeg. Mae'n llyfryn eithaf swmpus ac mae'n manylu ar wahanol agweddau, fel y rhai rydych wedi'u codi yn awr. Pan fyddwch yn gosod amodau wrth recriwtio a phan fo dysgu'r Gymraeg yn amod, rydych yn gosod y gofynion yn eu lle i gefnogi rhywun i ddysgu, yn ogystal ag amserlen. Am amrediad o resymau, nid yw bob amser yn bosibl cadw at yr amodau ac nid yw'n bosibl i'r bwrdd nac unrhyw gorff arall wybod na rhagfarnu beth y gallai'r problemau fod. Felly, credaf ei fod yn fater rhwng y cyflogwr a'r unigolyn i ystyried y cyd-destun fel mae'n codi—yn union yr un modd â phe byddech yn penodi rhywun nad ydynt yn gyrru, gydag amod i ddysgu gyrru a phasio prawf. Rhaid ichi ystyried yr amgylchiadau a'r achosion fel maent yn codi a phan ddônt i fwcwl.

Ms Price: We have guidance on recruitment and the Welsh language. It is quite a substantial booklet and it details various aspects, such as those that you have raised. When you set conditions in recruiting and when learning Welsh is a condition, you set the requirements in place to support someone to learn, as well as a timetable. For a range of reasons, it is not always possible to keep to the conditions and it is not possible for the board or any other body to know or to foresee what the problems might be. So, I think that it is for the employer and the individual to consider the context between them as it arises—in exactly the same way as if you were to appoint someone who did not drive, on the condition that they learn to drive and pass the test. You have to consider the circumstances and the cases as they arise and when they happen.

[100] O ran yr elfen ysgrifenedig, rhaid gofyn beth yw'r elfennau hanfodol i'r swydd yn rhan o'r ystyriaeth gychwynnol. A ydych angen rhywun i siarad neu rywun i gymryd cofnodion? Rhaid ystyried hynny cyn mynd allan i recriwtio. Rhaid hyfforddi ar gyfer yr hyn sy'n hanfodol o safbwynt y Gymraeg. Os ydych yn recriwtio rhywun i roi gwasanaeth ar lafar, nid yw'r gallu ysgrifenedig yn

In terms of the written element, one must ask what the essential elements for the job are as part of the initial consideration. Do you need someone to speak or someone to take minutes? That must be considered before going out to recruit. You must train for what is essential in terms of the Welsh language. If you recruit someone to provide a service orally, the written ability is not relevant. If

berthnasol. Os ydych yn chwilio am rywun i gymryd cofnodion ac yn y blaen, yn sicr byddai'n rhaid ystyried hynny fel rhan o'r hyfforddiant. Byddai'n cymryd cryn amser i gyrraedd pwynt lle gellir defnyddio'r Gymraeg yn ysgrifenedig ar gyfer gwaith fel yr hyn sy'n ofynnol yma. Nid wyf yn siŵr iawn a fyddai hyfforddi yn gost effeithiol yn y cyd-destun hwnnw.

[101] **Mr Jones:** Efallai y byddai'n werth tynnu eich sylw unwaith eto at yr hyn a ddywedodd Gwenith ynglŷn â'r ddogfen rydym wedi'i chynhyrchu, sy'n nodi cyngor clir ynglŷn â'r cyd-destun hwn ac a gafodd ei llunio gyda chymorth arbenigwyr ym maes cyflogaeth. Rydym wedi hyfforddi degau o swyddogion personél gan ddefnyddio'r ddogfen ac, yn ddieithriad, mae'r ymateb wedi bod yn bositif. Mae'n rhoi arweiniad clir, cadarn ond sensitif i bwnc sy'n gallu bod yn eithaf cymhleth. Ar ddiwedd y dydd, rydym yn delio â phobl, ond mae camau synhwyrol y gall rhywun eu cymryd yn y sefyllfa hon.

[102] **Eluned Parrott:** Briefly, to follow up on this point, in your experience of reviewing Welsh language schemes from a variety of different organisations, is this a common way of addressing appointments requiring Welsh speakers? If it is common, are you aware of any organisations that have run into difficulties because of it?

[103] **Ms Price:** Mae pobl yn defnyddio amrediad o dulliau o reoli prinder. Mae prinder gwirioneddol mewn rhai mathau o swyddi proffesiynol a rhaid cael strategaethau hirdymor i ddiwallu'r prinder hwnnw. Yn gyffredinol, gallwch recriwtio rhywun dwyieithog a'i hyfforddi yn yr agweddau galwedigaethol eraill o'r swydd. Gallwch wneud newidiadau staffio dros dro ac ailgynllunio'r gwasanaeth. Mae hyfforddiant yn agwedd arall. Mae sefydliadau yn gwneud cryn dipyn o hyfforddi yn y Gymraeg fel ail iaith. Mae'n ffordd o roi cyfle cyfartal i bobl symud ymlaen drwy'r rhengoedd lle mae angen y Gymraeg ar gyfer gwaith. Yn gynyddol, rydym yn gweld sefydliadau'n gweithio gyda'i gilydd i ddarparu hyfforddiant a byddem yn annog hynny, yn enwedig mewn hinsawdd gyllidol heriol. Mae angen i sefydliadau rannu adnoddau a darparu hyfforddiant Cymraeg yn y gweithle i staff. Mae hynny'n un ffordd o gyrraedd y nod, ond dim ond un mysg nifer.

you are looking for someone to take minutes and so on, certainly that would have to be considered as part of the training. It would take some time to reach the point of being able to use written Welsh for the kind of work that is required here. I am not quite sure whether training would be cost-effective in that context.

Mr Jones: It is perhaps worth drawing your attention again to what Gwenith said about the document that we have produced, which sets out clear advice in this context and which was drawn up with specialists in the field of employment. We have trained dozens of personnel officers using the document and, without exception, the responses have been positive. It gives clear, firm but sensitive guidance on a subject that can be quite complex. At the end of the day, we are dealing with people, but there are sensible steps that one can take in this situation.

Ms Price: People use a range of methods for managing shortage. There is a real shortage in some kinds of professional posts and long-term strategies are necessary to meet that shortage. In general, you can recruit a bilingual person and train them in the other occupational elements of the job. You can make temporary staffing changes and reorganise the service. Training is another aspect. Organisations do quite a bit of training in Welsh as a second language. It is a way of giving people equality of opportunity when it comes to progressing through the ranks where Welsh is needed for the work. Increasingly, we see organisations working together to provide training and we would encourage that, especially in a challenging financial climate. Organisations need to share resources and provide Welsh-language training in the workplace for staff. That is one way of achieving the goal, but it is only one among many.

10.15 a.m.

[104] **Eluned Parrott:** Is it a common clause to see in a Welsh language scheme?

[105] **Ms Price:** Yes.

[106] **Eluned Parrott:** Looking at the public image issues, you stated in your initial response that:

[107] ‘We believe that there is a need for more definitive wording in respect of the public image of the organisation.’

[108] Could you expand on why the wording included in the draft scheme needs to be strengthened and how that could be achieved?

[109] **Ms Price:** Y geiriau sy'n cael eu defnyddio yw 'ceisio cyflawni', ac mae hynny ychydig yn amwys. Nid oes mwy na hynny i'w ddweud ar y mater hwn. Hoffem weld geiriad cadarnach. **Ms Price:** The words that are used are 'aim to deliver', which is a little ambiguous. There is no more to say on the matter. We would like to see a more robust wording.

[110] **Eluned Parrott:** Moving on to the electronic process of translating, at the meeting of this committee on 9 February, Rhodri Glyn Thomas said that:

[111] ‘The work that we have done on developing the electronic process of translation is very exciting. Our intention and our hope as a Commission is to be able to share that with bodies and organisations throughout Wales. I very much hope that that will enable those bodies to develop their translation provision.’

[112] How achievable is the Commission's intention, in your view?

[113] **Ms Price:** Mae dechrau da wedi'i wneud yn ystod y misoedd diwethaf ers inni ymateb yn gychwynnol. Oherwydd yr anghydfod a fu dros y Cofnod, a thrafodaethau rhwng y bwrdd a'r Comisiwn i ystyried cyfieithu peirianyddol, cof cyfieithu a rhannu cofion, mae'r bwrdd yn awyddus iawn i ddatblygu'r gwaith hwn. Mae gennym staff sy'n gweithio ar derminoleg cof cyfieithu. Rwy'n credu bod gan Lywodraeth Cymru brosiect o dan yr adolygiad Simpson sy'n ymwneud â rhannu cofion cyfieithu. Mae'n bosibl gwneud hynny, felly, ac mae'r traweffaith o rannu cofion a datblygu gwaith ym maes technoleg a chyfieithu yn gadarnhaol i bawb. **Ms Price:** A good start has been made over the past months since our initial response. Due to the dispute over the Record, and discussions between the board and the Commission to consider machine translation, translation memory banks and the sharing of memory banks, the board is eager to develop this work. We have staff who are working on terminology for translation memory banks. I believe that the Welsh Government is undertaking a project under the Simpson review in relation to the sharing of translation memory banks. It is, therefore, possible to do that, and the impact of sharing memory banks and developing work in relation to technology and translation is positive for all concerned.

[114] **Mr Jones:** Credaf ein bod yn ffodus iawn yng Nghymru. Mae datblygiadau technolegol o safbwynt y Gymraeg, a'r broses o gyfieithu rhwng y naill iaith a'r llall wedi cael llawer o sylw gennym ar y bwrdd **Mr Jones:** I believe that we are very fortunate in Wales. Technological developments in relation to the Welsh language and the process of translating from one language into another have been given a

ac yn ehangach na hynny mewn canolfannau fel Canolfan Bedwyr ym Mhrifysgol Bangor. Rydym ymhell ar hyd y llwybr hwnnw. Os edrychwch ar gyfieithu gan ddefnyddio pethau fel pecyn cyflawn Google Translator Toolkit, gwelwch ein bod yn agos iawn at fod mewn sefyllfa lle mae'n bosibl cyfieithu o un iaith i'r llall yn weddol rwydd. Yn ystod y blynyddoedd nesaf, wrth i'r dechnoleg symud yn ei blaen eto, bydd cywirdeb y cyfieithu yn dod llawer iawn yn well. Ni fyddwn fyth, mae'n debyg, yn cyrraedd y pwynt lle mae peiriant yn gallu cyfieithu'n berffaith—dim ond pobl sy'n gallu cyfieithu'n berffaith, mae'n debyg—ond byddwn yn agos iawn ato. Maes o law, bydd y broses hon llawer iawn yn haws.

[115] Cyn bo hir, byddwch yn gallu siarad â pherson a bydd y person hwnnw yn gallu eich deall a'ch clywed mewn iaith arall drwy ddulliau electronig. Nid ydym wedi cyrraedd y pwynt hwnnw eto, lle rydych yn siarad yn y Gymraeg â pheiriant ac mae'r person ar y pen arall yn eich clywed yn y Saesneg, ond nid ydym yn bell i ffwrdd ohono. Rydym ymhell ar hyd y llwybr hwnnw, ac mae'n dda gweld y Comisiwn yn gweld y cyfloedd ac yn ysgwyddo'r cyfrifoldeb cenedlaethol o ran helpu cyrff eraill i fynd i'r afael â'r sefyllfa. Roeddwn yn darllen llyfr yn diweddar—soniais yn gynharach bod y Saesneg yn *lingua franca*—oedd yn dechrau cwestiynau a fydd angen *lingua franca* o gwbl cyn bo hir, oherwydd bydd technoleg yn golygu y gallwch siarad unrhyw iaith a bydd y person sy'n gwrando yn eich clywed yn ei iaith ei hun. Mae'r byd yn newid. Ni wnaeth y Lladin orosi am byth.

[116] **Eluned Parrott:** That is sobering thought for the person who is speaking in my ears at the moment. [*Laughter.*]

[117] **Mark Isherwood:** Noting your initial response to the Commission's consultation in October 2011, in which you stated your belief that the Assembly would need to come to an understanding with the Welsh Language Commissioner to

[118] 'collaborate, benchmark performance and share good practice with other organisations',

[119] how do you respond to exclusion from the draft scheme of reference to sharing good practice on that basis?

[120] **Mr Jones:** Efallai ei bod yn werth **Mr Jones:** It may be worth noting that the nodi bod Bwrdd yr Iaith Gymraeg yn dod i Welsh Language Board will come to an end

great deal of attention by the board and more widely in centres such as Canolfan Bedwyr at Bangor University. We are a long way down that path. If you look at translation using resources such as the full Google Translator Toolkit package, you will see that we are very close to being in a situation where it is possible to translate from one language to another relatively easily. Over the coming years, as the technology moves on again, the accuracy of the translation will improve a great deal. We will never, it seems, reach the point where a machine is able to translate perfectly—only people can translate perfectly, apparently—but we will be very close to it. In due course, this process will be much easier.

Before long, you will be able to speak to a person and they will be able to hear and understand you in another language via electronic means. We have not reached that point yet, whereby you speak into a machine in Welsh and the person on the other end hears you in English, but we are not far from it. We are a long way down that path, and it is good to see that the Commission sees the opportunities and is shouldering the national responsibility of helping other bodies to deal with the situation. I was reading a book recently—I mentioned earlier that English is a *lingua franca*—that was beginning to question whether a *lingua franca* will be needed at all before long, because the technology will mean that you will be able to speak any language and the listener will hear you in their own language. The world is changing. Latin did not last forever.

ben ddiwedd mis Mawrth. Bydd Comisiynydd y Gymraeg yn dechrau ei swydd ar 1 Ebrill. Mae Bwrdd yr Iaith Gymraeg a swyddfa Comisiynydd y Gymraeg yn ddau sefydliad cwbl wahanol, felly nid wyf yn credu y gallwn siarad ar ran y comisiynydd. Ni fyddai hynny'n deg nac yn briodol.

at the end of March. The Welsh Language Commissioner will begin her post on 1 April. The Welsh Language Board and the office of the Welsh Language Commissioner are two completely different organisations. I do not think that we can speak on behalf of the commissioner. That would not be fair or appropriate.

[121] **Mark Isherwood:** You expressed a view to the Commission as a very interested observer—even if the office of the Welsh Language Commissioner will be a different body—that those provisions needed to be considered. Yet, they would appear not to have been considered in the draft scheme. As an interested party, do you have a view on that, especially given your previous public statements on this?

[122] **Ms Price:** Bydd swyddfa'r comisiynydd yn dod i fodolaeth ar 1 Ebrill. Rwy'n credu y bydd modd i Gomisiwn y Cynulliad a'r Cynulliad gael trafodaethau gyda'r comisiynydd. Fodd bynnag, mae'n rhaid inni edrych ar y setliad cyfansoddiadol: y rheswm rydych yn datblygu Bil eich hun yw ni fydd deddfwriaeth 1993 yn berthnasol i chi fel endid yn y dyfodol ac ni fydd Mesur iaith Llywodraeth Cymru yn berthnasol ychwaith. Felly, mae'n rhaid i chi gael Bil eich hunan. Rydych wedi ymateb a chymryd y camau priodol hyd yma. Mae unrhyw drafodaethau yn y dyfodol yn fater i chi a'r comisiynydd.

Ms Price: The commissioner's office will come into being on 1 April. I believe that it will be possible for the Assembly Commission and the Assembly to have discussions with the commissioner. However, we must look at the constitutional settlement: the reason that you are developing your own Bill is that the 1993 legislation will not be relevant to you as an entity in the future and the Welsh Government's language Measure will not apply either. Therefore, you must have your own Bill. You have responded and taken the appropriate steps to date. Any future discussions are a matter for you and the commissioner.

[123] **Ann Jones:** We have come to the end of our session, unless you wish to add anything to help us make our deliberations.

[124] **Mr Jones:** Nid wyf ond am fynd yn ôl i'r pwynt gwreiddiol o longyfarch y Comisiwn ar Fil sy'n syml, yn glir ac yn gosod allan statws y Gymraeg ac sydd hefyd yn mynd â ni ar hyd y llwybr diddorol hwnnw o gynnig hawliau i unrhyw un sy'n dymuno derbyn gwasanaeth yn y naill iaith neu'r llall. Felly, rwy'n croesawu'r datblygiad hwnnw ac yn dymuno'n dda i chi ar hyd y llwybr hwnnw.

Mr Jones: I only wish to return to the original point of congratulating the Commission on a Bill that is simple, clear and sets out the status of the Welsh language and that also takes us along the interesting route of offering rights to anyone who wishes to receive a service in either language. So, I welcome that development and wish you well on that route.

[125] **Ann Jones:** Thank you. You will be sent a copy of the transcript to check it for accuracy. I should apologise for calling you Mr Jones, but I was reading my notes where your name is stated as Mr Jones—

[126] **Mr Jones:** I am Mr Jones.

[127] **Ann Jones:** I am sorry, so it is 'Davies' that is wrong. I was right the first time around. Some of us were at the football last night and I think that we are just recovering from an emotional time there. I apologise again for that mistake.

[128] As I said, you will be sent a copy of the transcript for you to check for accuracy and thank you again for your evidence this morning.

10.23 a.m.

**Trafod y Memorandwm Cydsyniad Deddfwriaethol ar y Bil Gwasanaethau
Ariannol
Consideration of the Legislative Consent Memorandum on the Financial
Services Bill**

[129] **Ann Jones:** We will now move on to the third item on our agenda, namely consideration of the legislative consent memorandum on the Financial Services Bill. Members will see the legal advice note from the legal team on the financial Bill. It relates to the transfer of money advice services that we are now working to. On 7 February, the Business Committee sent this legislative consent memorandum to this committee for scrutiny with a deadline to report by 21 March. Do Members have any comments to make or are we happy to accept this memorandum and allow the clerks to write a report for us to look at before that date?

[130] **Joyce Watson:** I am quite happy for us to accept it.

[131] **Mark Isherwood:** I endorse that view.

[132] **Ann Jones:** Okay. We will ask the clerks to draft a report and we will circulate it for agreement. Our next meeting is next Wednesday, 7 March, when we will return to the official languages Bill and go into private session to discuss the next steps to be taken on the Local Government Byelaws (Wales) Bill. Thank you for your attendance. The meeting is now closed.

*Daeth y cyfarfod i ben am 10.24 a.m.
The meeting ended at 10.24 a.m.*