

Have your say about Welsh language service

This guide should only be used to make a complaint about lack of Welsh language service(s) by an organisation which has a statutory Welsh language scheme.

Noddir gan
Lywodraeth Cynulliad Cymru
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BWRDD YR IAITH
GYMRAEG • WELSH
LANGUAGE BOARD



How to contact us

You can use the following details to contact us:

Market Chambers
5 – 7 St Mary Street
CARDIFF
CF10 1AT

Tel: 029 2087 8000

Fax: 029 2087 8001

E-mail: post@byig-wlb.org.uk

Website: www.byig-wlb.org.uk



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The Welsh Language Act 1993

Public bodies are required to treat Welsh and English equally where appropriate and reasonably practicable.

They are required to prepare Welsh language schemes which explain what Welsh language services they will offer.

The Act states that members of the public can complain to the Welsh Language Board (the Board) about failure on behalf of an organisation to provide a service in Welsh in accordance with its Welsh language scheme, and that the Board can investigate such complaints.

The Welsh Language Board

The Board's work is to promote and facilitate use of the Welsh language. We advise organisations providing public services in Wales how best to use the Welsh language.

The Board has statutory power to investigate failure on behalf of an organisation to provide services in Welsh.

This guidance:

- explains how to make a complaint
- explains what support is available from the Board
- offers a simple form to use in order to make a complaint.

1. How can the Board help you?

If you are not satisfied with the service you received in Welsh, or if an organisation did not act in accordance with its scheme, you can ask us for advice about your right to complain. The Board's officers will explain to you what to do.

You can use this guidance and the form provided as assistance.

2. What public services could you expect to receive in Welsh?

Organisations prepare statutory Welsh Language Schemes that explain what services are offered in Welsh. Here are some of the kinds of organisations that you could expect to receive Welsh services from:

- your local council
- your local hospital
- the police
- your local job centre
- courts
- a further education college or university.

Normally you can expect to receive the following services in Welsh:

- **telephone services** e.g. when phoning to enquire about council tax, when making an appointment in the hospital, when contacting the police, when phoning advertised help lines
- **face to face services** e.g. when attending medical appointments, when visiting a local library or leisure centre, when attending an interview regarding a passport application, when attending a job interview
- **letters** e.g. when receiving a standard letter or a letter sent to you personally
- **forms** e.g. when receiving a form to fill in order to apply for a television licence or postal vote
- **websites and interactive services**
e.g. when making an on-line application for a passport or driving licence, when completing an on-line electoral registration form or a form to pay the council tax
- **public meetings** e.g. when attending a public meeting organised by the local police.

Whatever the service some of us will feel more comfortable using Welsh when discussing our needs. The Board hopes you will receive a service in Welsh easily. At present not all services are available in Welsh as they should be and things will go wrong from time to time. On those occasions where you experience difficulty receiving a service in Welsh, you can ask the Board for help.

Normally you should be offered a service in Welsh without having to ask for it and the Welsh and English service should be available to the same standard.

Language schemes tell you how to complain about the lack of Welsh language service. Schemes can be found on our website or on the organisations' own websites.

3. Submitting a Complaint

First, complain to the organisation

The first step is to submit your complaint to the organisation, and allow a reasonable period of time for it to respond. If you do not do so we will not be able to use our power to conduct an investigation in accordance with the Welsh Language Act.

Having received a response to your letter from the organisation, if you are not happy with the response received, or if you do not receive a response within a reasonable period of time, you may ask us to investigate the matter on your behalf.

Submit your complaint within 12 months

You will be expected to submit your complaint as soon as is reasonably possible. If you wish for us to conduct an investigation, you should submit your complaint within 12 months of the failure in question. We cannot conduct a statutory investigation having received a complaint about an incident which took place more than 12 months ago, though we can discuss it with the organisation in question.

When submitting your complaint to us, you should provide a copy of any letters or other related documents.

What will the Welsh Language Board do?

- We will record your complaint and acknowledge that we have received it. You will be informed of the name and contact details of the officer who will be dealing with your complaint.
- It is possible that we will need to contact you in order to enquire about further information.
- We will often be able to deal with a complaint successfully by discussing it with an organisation, without having to conduct a statutory investigation. We will usually therefore want to discuss your complaint with the organisation in question before considering whether or not to conduct a formal statutory investigation. We will request permission to share your details with the organisation in question, if you did not grant that permission when submitting your complaint. You do not have to grant this permission, but if you refuse it is possible that we will not be able to deal with your complaint fully.
- If all parties cooperate fully and promptly, we will try to resolve complaints quickly. However we may choose to conduct a statutory investigation when necessary. We will inform you that we intend to do so and an officer will contact you to tell you what is happening during the investigation process. After the end of the investigation, you will receive a copy of our report which will note our conclusions and recommendations to the organisation.
- If we are not able to resolve or investigate your complaint, or if we decide not to conduct an investigation, we will explain the reasons for this to you.

Contacting you

- When using the complaint form, we ask you to note how you would like us to contact you with regard to your complaint. If you do not answer this question, or if you do not use this form to complain, we will write to you via e-mail or letter.

4. How has the Welsh Language Board helped people in the past?

Over the years the Board's officers have dealt with thousands of complaints. Some were resolved informally and quite easily:

Example

We received a complaint from a member of the public who had received a letter in English only providing details of a speeding awareness course. The Board contacted the organisation which had prepared the letter.

Outcome: The member of the public received a letter in Welsh and an apology. The organisation proposed steps to improve its arrangements.

At other times we have conducted statutory investigations following receipt of complaints providing recommendations in accordance with section 17 of the Act leading to quick resolutions:

Example

The Board received complaints from a number of individuals that English only road signs had been erected on a roundabout. An investigation was conducted following receipt of these complaints and recommendations were provided that they should be changed for bilingual signs.

Outcome: The signs were immediately replaced by bilingual signs.

Copies of other investigation reports are available on our website.

www.byig-wlb.org.uk

5. Conducting an investigation

Conducting an investigation is a statutory process conducted in accordance with Section 17 of the Welsh Language Act 1993. If we conduct a statutory investigation having received your complaint, these are the steps we will take:

- inform the organisation of our intention to conduct an investigation
- gather information and evidence regarding the problem in question, and do so by a specific date
- draw conclusions
- write an evidence-based report
- make recommendations to the organisation to improve the Welsh language service in question, if necessary.

What will happen following an investigation?

- We will send our report to you, to the government Minister responsible for matters relating to the Welsh language, and to the organisation in question.
- We will publish the investigation report on our website (with the exception of special cases, for example where confidentiality is required).

What must an organisation do when it has received the Board's investigation report?

- We may offer recommendations to the organisation within the report and this should ensure change or improve the Welsh language service in question.
- If an organisation fails or refuses to act in accordance with our recommendations, we can refer the matter to the government Minister responsible for matters relating to the Welsh language.
- If we conclude the organisation has no case to answer we will inform you that we have closed your case.

If we investigate a Crown body, we cannot refer the matter to the government Minister responsible for matters relating to the Welsh language. A Crown body is a department of the central UK government or Welsh government, or other specific bodies.

When conducting an investigation the Board cannot:

- order an organisation to cooperate with our investigation
- order an organisation to follow recommendations provided to it within an investigation report
- take legal action against an organisation. The government Minister responsible for matters relating to the Welsh language can choose to do so if we refer to him matters of failure to act in accordance with recommendations
- conduct an investigation where the organisation itself has not been given reasonable time to respond
- conduct an investigation into an incident that happened over 12 months ago
- use our powers under the Welsh Language Act 1993 to conduct an investigation into complaints about services in Welsh provided by organisations which do not have statutory language schemes
- investigate the standard of service, unless that also breaches the requirements of the language scheme e.g. if a doctor in a hospital gives a wrong diagnosis to a patient in Welsh, it is not a matter for the Board.

If you experience difficulty receiving services in Welsh you may contact us and we will try our best to help.

Ffurflen Gwyno

Defnyddiwch y ffurflen hon er mwyn cwyno wrth Fwrdd yr Iaith Gymraeg am ddiffyg darpariaeth Gymraeg gan gorff. Cofiwch amgáu copi o'r gŵyn anfonwyd gennych at y corff, yn ogystal â chopi o ymateb y corff ac unrhyw lythyron neu ddogfennau perthnasol eraill.

Dyma gyflwyno cwyn am fethiant corff cyhoeddus i ddarparu gwasanaeth Cymraeg i mi.

i. Eich manylion

Enw

Cyfeiriad

.....

.....

Rhif ffôn

E-bost

Sut hoffech i ni gysylltu â chi?

Post E-bost Ffôn

ii. Manylion y corff y gwneir cwyn amdano

Enw

Cyfeiriad

.....

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Rhif ffôn

E-bost

Enw'r adran yr ydych yn cwyno amdano
(os yn hysbys)

.....

Complaint Form

Use this form to complain to the Welsh Language Board about failure on behalf of an organisation to provide a service in Welsh. Remember to enclose a copy of the complaint you sent to the organisation, as well as a copy of the organisation's response and any other related letters or documents.

Here is a complaint about an organisation's failure to provide me with a service in Welsh.

i. Your details

Name

Address

.....

.....

Phone no.

Email

How would you like to be contacted?

Post Email Phone

ii. Details of the organisation you wish to complain about

Name

Address

.....

.....

Phone no.

Email

Details of the department you wish to
complain about (if known)

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iii. Manylion y gŵyn

(Gallwch roi manylion mewn dogfen ar wâhan, oes dymunwch)

Dyddiad anfon y gŵyn at y corff

.....

Dyddiad derbyn ymateb

.....

(nodwch 'dim ymateb' os na wnaethoch dderbyn ymateb)

Y gwasanaeth y gwneir cwyn amdano (nodwch yma ddisgrifiad byr o'r gwasanaeth Cymraeg yr oeddech am ei dderbyn gan y corff)

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Y diffyg yn y gwasanaeth (nodwch yma ddisgrifiad byr o fethiant y corff i gynnig gwasanaeth Cymraeg i chi)

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Pryd ddigwyddodd hyn?

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Sut wnaeth hyn effeithio arnoch chi?

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iii. Regarding the complaint

(you can submit details on a separate sheet if you wish)

Date it was sent to the organisation

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Date of response

.....

(note 'no response' if you did not receive a response)

The service you wish to complain about (note here a short description of the Welsh language service that you sought from the organisation)

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The lack of service (note here a short description of the organisation's failure to offer a Welsh language service to you)

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When did this happen?

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How did this affect you?

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iv. Rheswm dros anfon eich cwyn ymlaen at Fwrdd Yr Iaith Gymraeg

Disgrifiwch pam nad ydych yn fodlon ag ymateb y corff i'ch cwyn:

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.....
.....

v. Ydych chi'n fodlon i'r Bwrdd rannu eich manylion personol â chyrrff eraill wrth ymdrin â'ch cwyn?

(ticiwch y blwch priodol)

Ydw Nac ydw

Os oes gennych ddogfennau i'w hatodi wrth eich cwyn, anfonwch hwy gyda'r ffurflen hon. Os hoffech iddynt gael eu dychwelyd i chi, ticiwch y blwch hwn

Eich llofnod

.....

Dyddiad

Anfonwch y ffurflen hon at:
post@byig-wlb.org.uk

neu at:

Bwrdd yr Iaith Gymraeg
Siambrau'r Farchnad
5 – 7 Heol Eglwys Fair
CAERDYDD
CF10 1AT

iv. Reason for sending your complaint to the Welsh Language Board

Describe why you are not satisfied with the organisation's response to your complaint:

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.....

v. Are you happy for the Board to share your personal details with other organisations when dealing with your complaint?

(tick the appropriate box)

Yes No

If you have documents to support your complaint please enclose them with this form. If you would like them returned to you please tick this box

Your signature

.....

Date

Send this form to:
post@byig-wlb.org.uk

or to:

Welsh Language Board
Market Chambers
5 – 7 St. Mary Street
CARDIFF
CF10 1AT