



Comisiynydd y
Gymraeg
Welsh Language
Commissioner

Standards enforcement investigation: Report and decision notice

This report was prepared in accordance with sections 73 and 74 of the Welsh Language (Wales) Measure 2011

The investigation of a suspicion of failure to comply with standards set by Welsh Ministers was conducted in accordance with section 71 and Schedule 10 of the Welsh Language (Wales) Measure 2011

Cwm Taf Morgannwg University Health Board (D)

Case number: CS1081

Date: 21/04/2023



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Background

The principal aim of the Welsh Language Commissioner, an independent body established by the Welsh Language (Wales) Measure 2011, is to promote and facilitate the use of Welsh. This is done by raising awareness of the official status of the Welsh language in Wales, by imposing standards on organisations, and by regulating compliance with the Welsh Language Measure. This, in turn, will lead to the establishment of rights for Welsh speakers.

Two principles will underpin the Commissioner's work:

- in Wales, the Welsh language should be treated no less favourably than the English language;
- persons in Wales should be able to live their lives through the medium of Welsh if they choose to do so.

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Legislative context

Part 4 of the Welsh Language Measure

- i. Part 4 of the Welsh Language Measure sets out a legal framework for imposing a duty on some organisations to comply with one or more standards in relation to the Welsh language. Organisations subject to standards are known as 'relevant persons'. The standards apply to the following areas:
 - service delivery;
 - policy making;
 - operational;
 - promotion;
 - record keeping.
 - ii. The duties resulting from the standards require that relevant persons should not treat the Welsh language less favourably than the English language, and should promote and facilitate the use of the Welsh language.
 - iii. Compliance notices given to relevant persons by the Commissioner under Part 4 of the Welsh Language Measure specify the standards requiring compliance, together with the days from which it is required to comply with each standard or to comply with each standard in a particular respect ('imposition days'). Copies of the compliance notices that are in force will be on the Commissioner's website.
 - iv. Whilst a compliance notice specific to a relevant person is in force, that person will be required to comply with the standards specified within it.
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Part 5 of the Welsh Language Measure

- v. Part 5 of the Welsh Language Measure gives the Commissioner statutory regulatory functions to ensure that relevant persons comply with their duties. Duties may include compliance with Welsh language standards (as stated above), and also requirements imposed on persons by the Commissioner in accordance with section 77 of the Welsh Language Measure as a result of a failure to comply with a relevant requirement. The Commissioner's Enforcement Policy provides advice and information regarding how the Commissioner will exercise those regulatory functions.
- vi. The regulatory functions resulting from Part 5 of the Welsh Language Measure are:
- to consider whether or not to investigate if the conduct of relevant persons is complained about;
 - to investigate suspected failures by relevant persons to comply with duties, to determine investigations and to produce investigation reports;
 - to consider whether or not to take further action (by giving recommendations or advice) if an investigation finds that there was no failure to comply;
 - to take one of the three steps below if an investigation finds that there was a failure to comply:
 - take no further action;
 - do one or more of the following:
 - require the relevant person to prepare an action plan for the purpose of preventing the continuation or repetition of the failure;
 - require the relevant person to take steps for the purpose of preventing the continuation or repetition of the failure;
 - publicise the relevant person's failure to comply with the relevant requirement;
 - require the relevant person to publicise the failure to comply with the relevant requirement;
 - impose a civil penalty on the relevant person.
 - do one or more of the following:
 - give the relevant person or any other person recommendations;
 - give the relevant person or any other person advice;
 - seek to enter into a settlement agreement with the relevant person.
 - to make applications to a county court for orders to enforce compliance;
 - to comply with the duties resulting from appeals and applications for reviews made to the Welsh Language Tribunal;
 - to produce an enforcement policy document;
 - to create and maintain a register of enforcement action.
- vii. The Commissioner will follow the required statutory processes in exercising the Commissioner's regulatory functions.
- viii. The Commissioner's Enforcement Policy contains full information regarding the way in which the Commissioner will exercise the Commissioner's regulatory functions under Part 5 of the Welsh Language Measure.
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1 Terms of reference

Suspicion of failure to comply with Welsh language standards

- 1.1 On 11/11/2022, I received a complaint from a member of the public. It met the conditions of section 93 of the Welsh Language Measure and was therefore a valid complaint.
- 1.2 The complaint related to documentation on a webpage¹ on the Emergency Ambulance Services Committee's (EASC) website. The webpage in question relates to a service development proposal developed by the Emergency Medical Retrieval and Transfer Service (EMRTS) and the Welsh Air Ambulance Charity (WAAC).
- 1.3 On 11/11/2022, a member of the public (P) visited the Welsh language version of the webpage to observe the proposal in question.
- 1.4 However, P alleged that the service development proposal document² had been published on the English version of the webpage, but had not been published at all on the corresponding Welsh version of the webpage.
- 1.5 P felt that this was an example of the Welsh language being treated less favourably than the English language as there was less information available to those who chose to source information in Welsh (on the Welsh language website) than those who chose to do the same thing in English (on the English language website).

Confirming responsibility for the relevant service

- 1.6 On 22/11/2022, my officers wrote to the deputy chair of EASC to confirm who was responsible for publishing the document on the website in question.
- 1.7 On 05/12/2022, I received a response from the EASC secretary. EASC confirmed that it was responsible for publishing the document on the website.
- 1.8 EASC stated that it is a joint committee of all the health boards in Wales hosted by Cwm Taf Morgannwg University Health Board (D). EASC added that it utilises D's policies and procedures on behalf of all health boards in Wales and that EASC is required to comply with D's standards.
- 1.9 As a result of the above evidence, I established that Cwm Taf Morgannwg University Health Board is the person ultimately responsible for providing the services relevant to the allegation made by P (namely the service provided specifically by EASC).
- 1.10 Further to confirming the information above, EASC confirmed that P's allegation is correct in that the Service Development Proposal had not been published on the

¹ <https://easc.nhs.wales/engagement/sdp/>

² <https://easc.nhs.wales/commissioning/emrts/sdp/files/emrts-service-development-proposal/>

Welsh language website on 11/11/2022. EASC stated that the document was not added to the Welsh part of the website until 15/11/2022.

- 1.11 EASC explained that this had occurred as the member of the team with responsibility for adding information to the website was on leave. EASC stated that this risk to the work of the Committee had not been identified previously as information is usually added on a bi-monthly basis.
- 1.12 EASC confirmed that it is now training another member of staff to be able to be sure that information is added equally for both Welsh and English to avoid the same failure from happening again.
- 1.13 EASC apologised unreservedly regarding this delay in ensuring the (Welsh) website had the right documentation for the public.

Relevant standards

- 1.14 D has a duty to comply with the standards below, and that was also the case on the date relevant to the complaint:

Standard 39

You must ensure that—

- (a) the text of each page of your website is available in Welsh,
- (b) every Welsh language page on your website is fully functional, and
- (c) the Welsh language is not treated less favourably than the English language on your website.

Imposition day: 30/11/2019

Standard 60

You must promote any Welsh language service that you provide, and advertise that service in Welsh.

Imposition day: 30/05/2019

Decision to investigate

- 1.15 The complaint led me to suspect that D had treated the Welsh language less favourably than the English language on its website (in terms of the content of the Welsh webpage in question). It also led me to suspect that D had failed to promote the use of the Welsh version of the website, by failing to ensure that the content of the Welsh version of the website was of the same standard as the English version of the website.
- 1.16 Based on the above, I decided to conduct an investigation under section 71 of the Welsh Language Measure. This was to determine whether there had been a failure by D to comply with the above standards. I informed D and P of my decision, and gave notice of the proposed terms of reference, on 16/12/2022.
- 1.17 I gave notice of the final terms of reference of the investigation to P and D on 05/01/2023.

2 Evidence taken as part of the investigation

Evidence notice and the evidence received

2.1 On 05/01/23, I issued an evidence notice requiring D to provide me with the following information. I received the below response from D on 02/02/2023.

Information and documents

1. Please explain each stage of the process of publishing new content and documents on the Emergency Ambulance Services Committee (EASC) website.

“(a) The Emergency Ambulance Services Committee (EASC) web content is written in English.

(b) Once written it's sent for translation to the Welsh language team at Cwm Taf Morgannwg University Health Board (CTMUHB).

(c) The Head of Informatics at EASC publishes the information in both languages at the same time.

In relation to documents, it is written in English and sent for translation if we think it should be available in Welsh. We then publish the documents on both sides of the website.

However, this did not happen on this occasion and this was a one off situation and the internal process described here is robust to ensure that we treat both languages equally as always.

Website Updates

Step 1: Content received

if text send to CTM translation service

if document, consider for translation using assessment tool when available and consider the intended audience
move to step 2

Step 2: Page Create

If new page required
•Create page on English site
•Create page on Welsh site
•Manually link both pages together

If addition to existing page
move to step 3

Step 3: Page Update

Once translation arrives
ensure English and Welsh
pages are updated.

If document in English only
ensure documents are added
to both pages then move to
step 4

Step 4: Publication

Ensure that both sites reflect
the same information and
that manual linkage has been
done.

Once completed and checked
you may proceed to
publication.

If in any doubt save the page
as draft and seek assistance
from Informatics Team

As a hosted organisation EASC Team are required to comply with the Cwm Taf Morgannwg University Health Board policies and procedures and will work with the Welsh language team to ensure that all standards are maintained."

- 2. Please explain what general arrangements you have in place to ensure that you do not publish new content on an English page on the EASC website without also publishing equivalent content on the corresponding Welsh page at the same time.**

“See above. There is support from the Welsh Language Team at CTMUHB to publish bilingual information, and this is enough to ensure that we usually comply with standards.

The Committee Secretary is responsible for updating the EASC website. As previously reported, the issue occurred as the member of the team with responsibility for adding information to the website was on leave.

This risk to the work of the Committee had not been identified previously as information is added usually on a bi-monthly basis. We are now training another member of staff to be able to be sure that information is added equally for both Welsh and English to avoid this happening again.”

- 3. Please confirm whether there is a provision(s) on the EASC website’s content management system that prevents you from being able to publish new content on an English page without also doing the same thing on the corresponding Welsh page at the same time.**

“Mura is unable to prevent content from being published in English only, should the user wish to do so. However, it must be noted that Health and Digital Care Wales is responsible for Mura and its features, and EASC cannot change that. In terms of ensuring that our content is bilingual, however, see above.”

- 4. Please explain what general arrangements you have in place to check and ensure that content on the Welsh-language website is consistent and of the same standard as content on the English-language website.**

“See above for the support from CTM UHB’s Welsh Language Team, who have been proactive and looked over our website in the past to check that it is bilingual. As a result of this investigation, we will do so more often from now on.

An internal review of the website has taken place and generally the EASC team are now more aware of the requirements. A regular review is planned (Committee Secretary and Head of Informatics) on a monthly basis to ensure that the Welsh language standards are maintained.”

- 5. Please provide any further information or evidence that you wish for the Commissioner to consider when determining your compliance with standards 39 and 60.**

“This investigation by the Commissioner will be reported in the EASC Annual Governance Statement which is reported to the host body CTMUHB.

Staff in the team have been reminded of the policies in relation to the Welsh language.

Staff are mandated to complete the Welsh language training on the Electronic Staff Record.

Of the 30 staff in the Unit – three staff have fluent Welsh language skills and two staff identify as learners."

6. Please provide a copy of any policy, procedure, guidance or other document that you wish for the Commissioner to consider when determining your compliance with standards 39 and 60.

The following documents were provided:

- "MURA Content Management System: Best Practice & Accessibility for Web Content Managers"
- "MURA Content Management System: User Guide for Web Content Managers".

3 Compliance with standard 39: Assessment, findings and determination

Standard wording

3.1 The standard, as worded in the compliance notice issued to D, states

Standard 39

You must ensure that—

- (a) the text of each page of your website is available in Welsh,
- (b) every Welsh language page on your website is fully functional, and
- (c) the Welsh language is not treated less favourably than the English language on your website.

Imposition day: 30/11/2019

Requirements of the standard

3.2 A body must ensure that:

- the text of each page of its website is available in Welsh
- every Welsh language page on its website is fully functional, and
- the Welsh language is not treated less favourably than the English language on that website.

Interpretations

3.3 Schedule 1, Part 3, Paragraph 49 of the regulations states:

“For the purpose of standards 39 to 41 (websites), 44 (apps) and 45 (social media), references to treating the Welsh language no less favourably than the English language include, amongst other matters (and in addition to specific matters referred to in any individual standard), treating the Welsh language no less favourably as regards —

(a) the visual presentation of the material (for example in relation to the colour, size, font and format of any text), or

(b) when material is published on the website, app or social media;

but it does not mean that Welsh language material must appear on the same page as English language material, or on a page that a person is likely to find before the English language page when searching.”

3.4 Paragraph 4.11.19 of my draft code of practice for the Welsh Language Standards (No. 7) Regulations 2018 states:

“Other matters’ may include treating the Welsh language no less favourably as regards:

- *the material's language order*
- *the standard and quality of the material*
- *the position and prominence of the material*
- *when and how the material is published*
- *the publication format of the material*
- *the clarity and accuracy of the material (for example in terms of the meaning and expression of any text), and*
- *the content of the material (for example in terms of the detail or quality of the information it contains)."*

3.5 Paragraphs 4.11.39 and 4.11.40 of the draft code of practice explain the meaning of the term 'fully functional' in the wording of standard 39:

"The term means that a body ensures that the Welsh language page, the Welsh language text, the Welsh language homepage or app in question functions in at least the same way or as well as the English language version, and without any restrictions or errors.

This may include ensuring:

[...]

- *that the Welsh language versions include the same information as the English language versions of any web page [...]."*

Considering compliance with the standard

- 1.18 P's complaint related to an allegation that D had published a service development proposal document³ on the English version of the Emergency Ambulance Services Committee's (EASC) website, but had failed to publish the document on the Welsh version of the website.
- 1.19 D acknowledges this allegation and accepts that it is correct. D also confirms that the document was not added to the Welsh version of the website until 15 November 2022, more than a fortnight after it was added to the English version of the website.
- 1.20 According to P, the document in question provided important information regarding the proposal and the rationale for the proposal to relocate the air ambulance bases in Caernarfon and Welshpool, and centralise the service for north Wales in the centre of the region.
- 1.21 The Welsh version of the website contained no reference at all to this document.
- 1.22 In his complaint, P stated that D's failure to publish the document on the Welsh version of the website is an example of the Welsh language being treated less favourably than the English language, as there was less information available to

³ <https://easc.nhs.wales/commissioning/emrts/sdp/files/emrts-service-development-proposal/>

those who chose to source information in Welsh (on the Welsh language website) than those who chose to do the same thing in English (on the English language website).

- 1.23 Although seemingly a minor failure, such a failure to publish the document on the Welsh version of the website could have had a negative impact on P and his ability to contribute effectively to the consultation that was underway on the proposal. Had P not also looked at the English version of the website, P would not have been aware of this document's existence. Therefore, he would not have been aware of all the information available to him about the proposal, in order to submit full and informed representations during the consultation.
- 1.24 In future, it is essential that D takes more care when publishing content on its website, so that users of the Welsh version of the website have equal access to the same important information about D's plans as users of the English version of the website.
- 1.25 I understand that D has already taken steps to this end since being made aware of P's complaint. Specifically, I note that D has trained another member of staff to be able to be sure that information is added equally for both Welsh and English to avoid this happening again. I also note that D has committed to checking the content of the website more frequently from now on to ensure compliance with the requirements of the standards. I also acknowledge that D has undertaken an internal audit of the website following the complaint and that this has led to opportunities to remind staff of the requirements of the standards and the policies for implementing them. I also understand that the complaint will be reported in the EASC Annual Statement, meaning that senior staff within the organisation will be made aware of the failure in question.
- 1.26 However, it remains the case that the website's content management system allowed an officer to upload a document to the English version of the website without uploading a document to the Welsh version at the same time. The system should have fail-safes in place to ensure that officers cannot add content to just one side of the website. I understand that Digital Health and Care Wales is responsible for the MURA system that D uses and that therefore D has no direct control over the features within this system. However, D remains responsible for ensuring that the systems it uses allow and facilitate compliance with the standards.
- 1.27 The MURA system does not fully support D's compliance with the standards as it allows content to be generated just on the English version of the website, in direct breach of the Welsh language standards. It is possible that D may want to inform Digital Health and Care Wales of the failures identified during this investigation and discuss ways of strengthening the system in future to ensure compliance with the requirements of the standards going forward.

Findings

- 3.6 Standard 39 requires D to ensure (amongst other things) that the Welsh language is treated no less favourably than the English language on its websites.

- 3.7 This includes ensuring that the Welsh language is treated no less favourably in terms of the information included on the Welsh pages of its websites (compared to the corresponding English pages).
- 1.28 On 11/11/2022, a member of the public (P) visited a webpage⁴ on the Welsh version of the Emergency Ambulance Services Committee's (EASC) website to observe the service development proposal that had been developed by the Emergency Medical Retrieval and Transfer Service (EMRTS) and the Welsh Air Ambulance Charity (WAAC).
- 1.29 On the webpage in question, a series of documents had been published providing information about the proposal.
- 1.30 On the English version of the page, a service development proposal⁵ had been published (since 02/11/2022).
- 1.31 On the Welsh version of the page, the document had not been published at all (in either language). The document was not published on the Welsh version of the webpage until 15/11/2022, more than a fortnight after D published the document on the corresponding English page.
- 1.32 By failing to ensure that the document in question was available on the Welsh language page at the same time as the corresponding English language page, D acted in breach of standard 39, by treating the Welsh language less favourably than the English language.
- 1.33 Standard 39 also requires D to ensure (amongst other things) that every Welsh language page on its websites is fully functional. This includes ensuring that Welsh language pages contain the same amount of information as the corresponding English language page.
- 1.34 Therefore, D's failure to ensure that the document in question (that had been published on the English version of the website) had also been published on the Welsh version of the website was an example of D failing to meet the requirements of standard 39, by not ensuring that every Welsh language page on its website was fully functional.

Determination of whether there has been a failure to comply with standard 39

- 3.8 I determine that D has failed to comply with standard 39.
- 3.9 I do so on the grounds that D did the following by failing to publish a specific document on the Welsh language version of the <https://pgab.gig.cymru/> website at all (which had been published on the corresponding English language page):
- failed to ensure that every Welsh language page on the website was fully functional;

⁴ <https://pgab.gig.cymru/gwasanaethau-a-gomisiynir/gwasanaeth-adalw-a-throsglwyddo-meddygol-brysgatmb/cdg/>

⁵ <https://easc.nhs.wales/commissioning/emrts/sdp/files/emrts-service-development-proposal/>

- treated the Welsh language less favourably than the English language on the website.

4 Compliance with standard 60: Assessment, findings and determination

Standard wording

4.1 The standard, as worded in the compliance notice issued to D, states:

Standard 60

You must promote any Welsh language service that you provide, and advertise that service in Welsh.

Imposition day: 30/05/2019

Requirements of the standard

4.2 A body must promote any Welsh language service that it provides and advertise that service in Welsh.

Interpretations

4.3 Paragraphs 4.17.8-4.17.9 of my draft code of practice state the following in relation to the terms 'promote' and 'advertise':

4.17.8 With regards to standard 60 to 'promote' and 'advertise' include a body actively promoting and raising awareness of every Welsh language service provided by the body by highlighting the fact that a Welsh language service is available and by encouraging use of that service.

4.17.9. The following are possible examples of compliance:

[...]

- ensuring that the users' journey to using services in Welsh is of the same standard and quality as the service in English
- ensuring that Welsh language services are given prominence, are easily accessible, are actively promoted and are available constantly."

Considering compliance with the standard

4.4 I have already established when considering D's compliance with standard 39 that D has treated the Welsh language less favourably than the English language, by publishing the document in question on the English version of the website and failing to publish the document at all (in either language) on the Welsh version of the website.

4.5 This failure to ensure that the Welsh version of the website provided a service of the same quality and standard to users as the service provided on the English version

of the website meant that D has failed to promote the use of the Welsh version of the website appropriately.

- 4.6 Providing a Welsh language service which is of the same standard at least as the corresponding English language service is crucial to ensure that users choose to use that Welsh language service. Providing an inconsistent or inferior Welsh language service (in comparison with the corresponding English language service) undermines confidence and trust in Welsh language services. This may prevent people from using them again and encourage them to choose services in English in the belief that they are of a higher standard and more reliable than Welsh language services.
- 4.7 In this case, D provided a service of inferior quality in Welsh to P, by failing to publish a document on the Welsh version of the website which was easily available on the English version of the website. Furthermore, P would not have been aware of the relevant document's existence had he not checked the English version of the website. This may have had a negative impact on P's perception of the quality of the Welsh language service that D provides on its website, discouraging him from using it again and persuading him to opt for the English language service instead.
- 4.8 Therefore, if D wishes to promote the use of its Welsh language services appropriately in accordance with the standards, it is crucial that the Welsh language services that it provides are always of the same quality as its English language services. D failed to do so in this case and this, in turn, led to a failure to promote the use of the Welsh version of the website.

Findings

- 4.9 Standard 60 requires D to promote any Welsh language service that it provides.
- 4.10 By publishing a specific document on the English version of the <https://easc.nhs.wales/> website and failing to publish the document at all on the Welsh version of the website, D failed to ensure that the Welsh version of the website provided a service of the same quality and standard to users as the service provided on the English version of the website.
- 4.11 Therefore, D failed to promote the Welsh version of the website. Instead, a service was provided which discouraged users from choosing to access the website in Welsh as it was inferior to the English version of the website.

Determination of whether there has been a failure to comply with standard 60

- 4.12 I determine that D has failed to comply with standard 60.
- 4.13 I do so on the grounds that D failed to promote the use of the Welsh version of the <https://pgab.gig.cymru> website, by providing a service of inferior quality to the service available on the English version of the website.

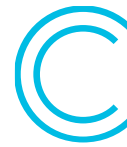
5 Further action

- 5.1 Section 77 of the Welsh Language Measure allows me to take further action where there has been a failure to comply.
- 5.2 In the case of my determination that D has failed to comply with **standard 39**, I shall be taking further action to prevent the continuation or repetition of that failure.
- 5.3 In the case of my determination that D has failed to comply with **standard 60**, I have decided not to take any further action. My decision is based on the fact that the enforcement actions that I have decided to impose following the non-compliance with standard 39 will contribute to ensuring that the inconsistency between the Welsh and English versions of the website will not continue.
- 5.4 By ensuring that the Welsh and English pages of the website are consistent and of the same standard, D will contribute to promoting public confidence in the use of the Welsh version of the website.
- 5.5 Details of the further action are set out below.

Standard 39: Requirement to take steps in accordance with section 77 of the Welsh Language Measure

1. D must take steps to ensure that content cannot be published on an English page, without publishing the same content (in Welsh if required) on the corresponding Welsh page at the same time.
2. D must provide the Welsh Language Commissioner with sufficient written evidence that enforcement action 1 has been completed.

Timetable: Within **3 months** of issuing the final determination.



Comisiynydd y
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Welsh Language
Commissioner

Decision notice

To: Cwm Taf Morgannwg University Health Board (D)
Case number: CS1081
Date: 21/04/2023

Determination

As a result of a complaint received from a member of the public, I carried out an investigation under section 71 of the Welsh Language (Wales) Measure 2011 in order to determine whether D has failed to comply with one of the Welsh language standards with which it has a duty to comply.

The standards relevant to the investigation are as follows:

Standard 39

You must ensure that—

- (a) the text of each page of your website is available in Welsh,
- (b) every Welsh language page on your website is fully functional, and
- (c) the Welsh language is not treated less favourably than the English language on your website.

Imposition day: 30/11/2019

Standard 60

You must promote any Welsh language service that you provide, and advertise that service in Welsh.

Imposition day: 30/05/2019

I determine that D failed to comply with standard 39

The basis of my determination is that D did the following by failing to publish a specific document on the Welsh language version of the <https://pgab.gig.cymru/> website at all (which had been published on the corresponding English language website):

- failed to ensure that every Welsh language page on the website was fully functional;

- treated the Welsh language less favourably than the English language on the website.

I determine that D failed to comply with standard 60.

The basis of my determination is that D failed to promote the use of the Welsh version of the <https://pgab.gig.cymru> website, by providing a service of inferior quality to the service available on the English version of the website.

Further action

In accordance with section 77 of the Welsh Language Measure, I have decided to take further action to prevent the continuation or repetition of the failure to comply with standard 39.

Details of the further action are set out below.

Standard 39: Requirement to take steps in accordance with section 77 of the Welsh Language Measure

1. D must take steps to ensure that content cannot be published on an English page, without publishing the same content (in Welsh if required) on the corresponding Welsh page at the same time.
2. D must provide the Welsh Language Commissioner with sufficient written evidence that enforcement action 1 has been completed.

Timetable: Within **3 months** of issuing the final determination.

Right of appeal to the Welsh Language Tribunal

Where the Commissioner has determined that there has not been a failure to comply with a standard, the complainant may appeal to the Welsh Language Tribunal. Where the Commissioner determines that a person has failed to comply with a relevant requirement, that person can appeal to the Welsh Language Tribunal. Additionally, when the Commissioner has decided to take enforcement action in relation to a failure, D may appeal to the Welsh Language Tribunal on the grounds that the enforcement actions are unreasonable or disproportionate. There is more information about the process in the enclosed leaflet, and on the Welsh Language Tribunal's website.

Consequences of failure to comply with a requirement of this decision notice

Should D fail to comply with any requirement within this decision notice, the Commissioner may apply for a county court order requiring its compliance.