



Comisiynydd y
Gymraeg
Welsh Language
Commissioner

COMPLIANCE NOTICE – SECTION 44 WELSH LANGUAGE (WALES) MEASURE 2011

The Mental Health Review Tribunal for Wales – Issue Date: 30/09/2016

Standard Number	Class of Standard	Standard	Imposition Date
1	Service Delivery	If you receive correspondence from a person in Welsh you must reply in Welsh (if an answer is required), unless the person has indicated that there is no need to reply in Welsh.	30/03/2017
2	Service Delivery	<p>When you correspond with an individual (“A”) for the first time, you must ask A whether A wishes to receive correspondence from you in Welsh, and if A responds to say that A wishes to receive correspondence in Welsh you must—</p> <p>(a) keep a record of A’s wish, (b) correspond with A in Welsh when corresponding with A from then onwards, and (c) send any forms you send to A from then onwards in Welsh.</p> <p>You must comply with standard 2 in the following circumstances:</p> <ul style="list-style-type: none">○ when corresponding with a patient in a Tribunal case.	30/03/2017
3	Service Delivery	When you send correspondence addressed to two individuals who are members of the same household (for example, the parents of a child) for the first time, you must ask them whether they wish to	30/03/2017

		<p>receive correspondence from you in Welsh; and if —</p> <p>(a) both individuals respond to say that they wish to receive correspondence in Welsh, you must keep a record of that wish and correspond in Welsh from then onwards when sending correspondence addressed to both of those individuals;</p> <p>(b) one (but not both) of the individuals responds to say that he or she wishes to receive correspondence in Welsh, you must keep a record of that wish and provide a Welsh language version of correspondence from then onwards when sending correspondence addressed to both of those individuals.</p> <p>You must comply with standard 3 in the following circumstances:</p> <ul style="list-style-type: none"> ○ when corresponding with a patient in a Tribunal case. 	
4	Service Delivery	<p>When you send the same correspondence to several persons, you must send a Welsh language version of the correspondence at the same time as you send any English language version.</p>	30/03/2017
5	Service Delivery	<p>If you don't know whether a person wishes to receive correspondence from you in Welsh, when you correspond with that person you must provide a Welsh language version of the correspondence.</p> <p>You must comply with standard 5 in every circumstance, except:</p> <ul style="list-style-type: none"> ○ when corresponding by e-mail with persons who are not individuals for the purpose of arranging for a patient's case to be reviewed in a tribunal under section 2 of the Mental Health Act 1983. 	30/03/2017

6	Service Delivery	If you produce a Welsh language version and a corresponding English language version of correspondence, you must not treat the Welsh language version less favourably than the English language version (for example, if the English version is signed, or if contact details are provided on the English version, then the Welsh version must be treated in the same way).	30/03/2017
7	Service Delivery	You must state — (a) in correspondence, and (b) in publications and notices that invite persons to respond to you or to correspond with you, that you welcome receiving correspondence in Welsh, that you will respond to correspondence in Welsh, and that corresponding in Welsh will not lead to delay.	30/03/2017
8	Service Delivery	When a person contacts you on your main telephone number (or numbers), or on any helpline numbers or call centre numbers, you must greet the person in Welsh.	30/03/2017
9	Service Delivery	When a person contacts you on your main telephone number (or numbers), or on any helpline numbers or call centre numbers, you must inform the person that a Welsh language service is available.	30/03/2017
11	Service Delivery	When a person contacts you on your main telephone number (or numbers), or on any helpline numbers or call centre numbers, you must deal with the call in Welsh if that is the person's wish until such point as — (a) it is necessary to transfer the call to a member of staff who does not speak Welsh who can provide a service on a specific subject matter; and (b) no Welsh speaking member of staff is available to provide a service on that specific subject matter.	30/03/2017

12	Service Delivery	When you advertise telephone numbers, helpline numbers or call centre services, you must not treat the Welsh language less favourably than the English language.	30/03/2017
13	Service Delivery	If you offer a Welsh language service on your main telephone number (or numbers), on any helpline numbers or call centre numbers, the telephone number for the Welsh language service must be the same as for the corresponding English language service.	30/03/2017
14	Service Delivery	When you publish your main telephone number, or any helpline numbers or call centre service numbers, you must state (in Welsh) that you welcome calls in Welsh.	30/03/2017
15	Service Delivery	If you have performance indicators for dealing with telephone calls, you must ensure that those performance indicators do not treat telephone calls made in Welsh any less favourably than calls made in English.	30/03/2017
16	Service Delivery	Your main telephone call answering service (or services) must inform persons calling, in Welsh, that they can leave a message in Welsh.	30/03/2017
17	Service Delivery	When there is no Welsh language service available on your main telephone number (or numbers), or on any helpline numbers or call centre numbers, you must inform persons calling in Welsh (by way of an automated message or otherwise), when a Welsh language service will be available.	30/03/2017
19	Service Delivery	If a person contacts one of your departments on a direct line telephone number (including on staff members' direct line numbers), and that person wishes to receive a service in Welsh, you must deal with the call in Welsh until such point as — (a) it is necessary to transfer the call to a member of staff who does not speak Welsh who can provide a service on a specific subject matter; and	30/03/2017

		(b) no Welsh speaking member of staff is available to provide a service on that specific subject matter.	
20	Service Delivery	When a person contacts you on a direct line number (whether on a department's direct line number or on the direct line number of a member of staff), you must ensure that, when greeting the person, the Welsh language is not treated less favourably than the English language.	30/03/2017
21	Service Delivery	<p>When you telephone an individual ("A") for the first time you must ask A whether A wishes to receive telephone calls from you in Welsh, and if A responds to say that A wishes to receive telephone calls in Welsh you must keep a record of that wish, and conduct telephone calls made to A from then onwards in Welsh.</p> <p>You must comply with standard 21 in every circumstance, except:</p> <ul style="list-style-type: none"> ○ asking A whether they wish to receive telephone calls from you in Welsh, when you have already asked and received a response through another form. 	30/03/2017
22	Service Delivery	Any automated telephone systems that you have must provide the complete automated service in Welsh.	30/03/2017
24	Service Delivery	If you invite one person only ("P") to a meeting you must ask P whether P wishes to use the Welsh language at the meeting, and inform P that you will, if necessary, provide a translation service from Welsh to English for that purpose.	30/03/2017
24A	Service Delivery	If you have invited one person only ("P") to a meeting and P has informed you that P wishes to use the Welsh language at the meeting, you must arrange for a simultaneous translation service	30/03/2017

		from Welsh to English to be available at the meeting (unless you conduct the meeting in Welsh without the assistance of a translation service).	
25	Service Delivery	If you invite more than one person to a meeting, you must ask each person whether they wish to use the Welsh language at the meeting.	30/03/2017
25A	Service Delivery	If you have invited more than one person to a meeting, and at least 10% (but less than 100%) of the persons invited have informed you that they wish to use the Welsh language at the meeting, you must arrange for a simultaneous translation service from Welsh to English to be available at the meeting.	30/03/2017
25D	Service Delivery	If you have invited more than one person to a meeting, and all of the persons invited have informed you that they wish to use the Welsh language at the meeting, you must arrange for a simultaneous translation service from Welsh to English to be available at the meeting (unless you conduct the meeting in Welsh without the assistance of a translation service).	30/03/2017
26	Service Delivery	If you arrange a meeting that is open to the public you must state on any material advertising it, and on any invitation to it, that anyone attending is welcome to use the Welsh language at the meeting.	30/03/2017
27	Service Delivery	When you send invitations to a meeting that you arrange which is open to the public, you must send the invitations in Welsh.	30/03/2017
28	Service Delivery	If you invite persons to speak at a meeting that you arrange which is open to the public you must — (a) ask each person invited to speak whether he or she wishes to use the Welsh language, and (b) if that person (or at least one of those persons) has informed you that he or she wishes to use the Welsh language at the meeting, provide a simultaneous translation service from Welsh to English for	30/03/2017

		that purpose (unless you conduct the meeting in Welsh without a translation service).	
29	Service Delivery	If you arrange a meeting that is open to the public, you must ensure that a simultaneous translation service from Welsh to English is available at the meeting, and you must orally inform those present in Welsh — (a) that they are welcome to use the Welsh language, and (b) that a simultaneous translation service is available.	30/03/2017
30	Service Delivery	If you display any written material at a meeting that you arrange which is open to the public, you must ensure that the material is displayed in Welsh, and you must not treat any Welsh language text less favourably than the English language text.	30/03/2017
33	Service Delivery	Any publicity or advertising material that you produce must be produced in Welsh, and if you produce the material in Welsh and in English, you must not treat the Welsh language version less favourably than you treat the English language version.	30/03/2017
34	Service Delivery	Any material that you display in public must be displayed in Welsh, and you must not treat any Welsh language version of the material less favourably than the English language version.	30/03/2017
36	Service Delivery	Any documents that you produce for public use must be produced in Welsh. You must comply with standard 36 in every circumstance, except for: ○ Decision documents (see standard 43).	30/03/2017
43	Service Delivery	If you produce a document which is available to the public, and no other standard has required you to produce the document in Welsh, you must produce it in Welsh —	30/03/2017

		(a) if the subject matter of the document suggests that it should be produced in Welsh, or (b) if the anticipated audience, and their expectations, suggests that the document should be produced in Welsh.	
44	Service Delivery	If you produce a document in Welsh and in English (whether separate versions or not), you must not treat any Welsh language version less favourably than you treat the English language version.	30/03/2017
45	Service Delivery	If you produce a Welsh language version and a separate English language version of a document, you must ensure that the English language version clearly states that the document is also available in Welsh.	30/03/2017
46	Service Delivery	Any form that you make available to the public must be produced in Welsh.	30/03/2017
46A	Service Delivery	If you produce a Welsh language version and a separate English language version of a form, you must ensure that the English language version clearly states that the form is also available in Welsh.	30/03/2017
46B	Service Delivery	If you produce a form in Welsh and in English (whether separate versions or not), you must ensure that the Welsh language version is treated no less favourably than the English language version, and you must not differentiate between the Welsh and English versions in relation to any requirements that are relevant to the form (for example in relation to any deadline for submitting the form, or in relation to the time allowed to respond to the content of the form).	30/03/2017
47	Service Delivery	If you pre-enter information on a Welsh language version of a form (for example, before sending it to a member of the public in order for him or her to check the content or to fill in the remainder of the form), you must ensure that the information that you pre-enter is in Welsh.	30/03/2017

48	Service Delivery	You must state in publications, guidance and notices that you produce informing persons about legal proceedings that they may submit forms and documents and make written representations to you in Welsh.	30/03/2017
49	Service Delivery	Where a person contacts you to commence or respond to legal proceedings, you must ask the person to indicate whether the person wishes to speak in Welsh in any legal proceedings.	30/03/2017
50	Service Delivery	Where a person (“P”) contacts you for the first time to commence or respond to legal proceedings, you must ask P to indicate whether P wishes to receive copies in Welsh of forms and documents that you produce and which are to be available to P (including, for example, written determinations or orders in relation to those legal proceedings).	30/03/2017
50A	Service Delivery	Where a person (“P”) contacts you to commence or respond to legal proceedings, and P indicates that they wish to receive copies in Welsh of forms and documents that you produce and which are to be made available to P, you— (a) must provide such forms and documents in Welsh in relation to those legal proceedings, and (b) must not treat the production of them less favourably than forms and documents you produce in English.	30/03/2017
51	Service Delivery	Where you receive forms or documents in Welsh from a person (“P”) commencing or responding to legal proceedings, you must not treat those forms or documents less favourably than ones that you receive in English (including amongst other matters, in relation to the timescale for receiving such forms and documents and informing P of decisions).	30/03/2017
52	Service Delivery	You must ensure that —	30/03/2017

		(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.	
55	Service Delivery	If you have a Welsh language web page that corresponds to an English language web page, you must state clearly on the English language web page that the page is also available in Welsh, and you must provide a direct link to the Welsh page on the corresponding English page.	19/06/2017
56	Service Delivery	You must provide the interface and menus on every page of your website in Welsh.	30/03/2017
61	Service Delivery	When you erect a new sign or renew a sign (including temporary signs), any text displayed on the sign must be displayed in Welsh (whether on the same sign as you display corresponding English language text or on a separate sign); and if the same text is displayed in Welsh and in English, you must not treat the Welsh language text less favourably than the English language text.	30/03/2017
62	Service Delivery	When you erect a new sign or renew a sign (including temporary signs) which conveys the same information in Welsh and in English, the Welsh-language text must be positioned so that it is likely to be read first.	30/03/2017
63	Service Delivery	You must ensure that the Welsh language text on signs is accurate in terms of meaning and expression.	30/03/2017
69	Service Delivery	Any notice that you publish or display must be published or displayed in Welsh, and you must not treat any Welsh language version of a notice less favourably than an English language version.	30/03/2017
70	Service Delivery	When you publish or display a notice that contains Welsh language	30/03/2017

		text as well as English language text, the Welsh language text must be positioned so that it is likely to be read first.	
76	Service Delivery	You must promote any Welsh language service that you provide, and advertise that service in Welsh.	30/03/2017
77	Service Delivery	If you provide a service in Welsh that corresponds to a service you provide in English, any publicity or document that you produce, or website that you publish, which refers to the English service must also state that a corresponding service is available in Welsh.	30/03/2017
78	Service Delivery	When you form, revise or present your corporate identity, you must not treat the Welsh language less favourably than the English language.	30/03/2017
83	Policy Making	When you formulate a new policy, or review or revise an existing policy, you must consider what effects, if any (whether positive or adverse), the policy decision would have on — (a) opportunities for persons to use the Welsh language, and (b) treating the Welsh language no less favourably than the English language.	30/03/2017
84	Policy Making	When you formulate a new policy, or review or revise an existing policy, you must consider how the policy could be formulated (or how an existing policy could be changed) so that the policy decision would have positive effects, or increased positive effects, on — (a) opportunities for persons to use the Welsh language, and (b) treating the Welsh language no less favourably than the English language.	30/03/2017
85	Policy Making	When you formulate a new policy, or review or revise an existing policy, you must consider how the policy could be formulated (or how an existing policy could be changed) so that the policy decision would not have adverse effects, or so that it would have decreased adverse	30/03/2017

		effects, on — (a) opportunities for persons to use the Welsh language, and (b) treating the Welsh language no less favourably than the English language.	
86	Policy Making	When you publish a consultation document which relates to a policy decision, the document must consider, and seek views on, the effects (whether positive or adverse) that the policy decision under consideration would have on — (a) opportunities for persons to use the Welsh language, and (b) treating the Welsh language no less favourably than the English language.	30/03/2017
87	Policy Making	When you publish a consultation document which relates to a policy decision the document must consider, and seek views on, how the policy under consideration could be formulated or revised so that it would have positive effects, or increased positive effects, on — (a) opportunities for persons to use the Welsh language, and (b) treating the Welsh language no less favourably than the English language.	30/03/2017
88	Policy Making	When you publish a consultation document which relates to a policy decision the document must consider, and seek views on, how the policy under consideration could be formulated or revised so that it would not have adverse effects, or so that it would have decreased adverse effects, on — (a) opportunities for persons to use the Welsh language, and (b) treating the Welsh language no less favourably than the English language.	30/03/2017
89	Policy Making	When you commission or undertake research that is intended to assist you to make a policy decision, you must ensure that the	30/03/2017

		research considers what effects, if any (and whether positive or adverse), the policy decision under consideration would have on — (a) opportunities for persons to use the Welsh language, and (b) treating the Welsh language no less favourably than the English language.	
90	Policy Making	When you commission or undertake research that is intended to assist you to make a policy decision, you must ensure that the research considers how the policy decision under consideration could be made so that it would have a positive effects, or so that it would have increased positive effects, on — (a) opportunities for persons to use the Welsh language, and (b) treating the Welsh language no less favourably than the English language.	30/03/2017
91	Policy Making	When you commission or undertake research that is intended to assist you to make a policy decision, you must ensure that the research considers how the policy decision under consideration could be made so that it would not have adverse effects, or so that it would have decreased adverse effects, on — (a) opportunities for persons to use the Welsh language, and (b) treating the Welsh language no less favourably than the English language.	30/03/2017
140	Record Keeping	You must keep a record, in relation to each financial year, of the number of complaints you receive relating to your compliance with standards.	30/03/2017
141	Record Keeping	You must keep a copy of any written complaint that you receive that relates to your compliance with the standards with which you are under a duty to comply.	30/03/2017
142	Record Keeping	You must keep a copy of any written complaint that you receive that	30/03/2017

		relates to the Welsh language (whether or not that complaint relates to the standards with which you are under a duty to comply).	
143	Record Keeping	You must keep a record of the steps that you have taken in order to ensure compliance with the policy making standards with which you are under a duty to comply.	30/03/2017
149	Supplementary - Service Delivery	You must ensure that a document which records the service delivery standards with which you are under a duty to comply, and the extent to which you are under a duty to comply with those standards, is available on your website.	30/03/2017
150	Supplementary - Service Delivery	You must— (a) ensure that you have a complaints procedure that deals with the following matters— (i) how you intend to deal with complaints relating to your compliance with the service delivery standards with which you are under a duty to comply, and (ii) how you will provide training for your staff in relation to dealing with those complaints, and (b) publish a document that records that procedure on your website.	30/03/2017
151	Supplementary - Service Delivery	You must— (a) ensure that you have arrangements for— (i) overseeing the way you comply with the service delivery standards with which you are under a duty to comply, (ii) promoting the services that you offer in accordance with those standards, and (iii) facilitating the use of those services, and (b) publish a document that records those arrangements on your website.	30/03/2017
152	Supplementary - Service	(1) You must produce a report (an “annual report”), in Welsh, in	30/03/2017

	Delivery	<p>relation to each financial year, which deals with the way in which you have complied with the service delivery standards with which you were under a duty to comply during that year.</p> <p>(2) The annual report must include the number of complaints that you received during that year which related to your compliance with the service delivery standards with which you were under a duty to comply.</p> <p>(3) You must publish the annual report no later than 6 months following the end of the financial year to which the report relates.</p> <p>(4) You must publicise the fact that you have published an annual report.</p> <p>(5) You must ensure that a current copy of your annual report is available on your website.</p>	
153	Supplementary - Service Delivery	You must publish a document on your website which explains how you intend to comply with the service delivery standards with which you are under a duty to comply.	30/03/2017
154	Supplementary - Service Delivery	You must provide any information requested by the Welsh Language Commissioner which relates to your compliance with the service delivery standards with which you are under a duty to comply.	30/03/2017
155	Supplementary - Policy Making	You must ensure that a document which records the policy making standards with which you are under a duty to comply, and the extent to which you are under a duty to comply with those standards, is available on your website.	30/03/2017
156	Supplementary - Policy Making	<p>You must—</p> <p>(a) ensure that you have a complaints procedure that deals with the following matters—</p> <p>(i) how you intend to deal with complaints relating to your compliance with the policy making standards with which you are under a duty to</p>	30/03/2017

		<p>comply, and</p> <p>(ii) how you will provide training for your staff in relation to dealing with those complaints, and</p> <p>(b) publish a document that records that procedure on your website.</p>	
157	Supplementary - Policy Making	<p>You must—</p> <p>(a) ensure that you have arrangements for overseeing the way you comply with the policy making standards with which you are under a duty to comply, and</p> <p>(b) publish a document that records those arrangements on your website.</p>	30/03/2017
158	Supplementary - Policy Making	<p>(1) You must produce a report (an “annual report”), in Welsh, in relation to each financial year, which deals with the way in which you have complied with the policy making standards with which you were under a duty to comply during that year.</p> <p>(2) The annual report must include the number of complaints you received during the year which related to your compliance with the policy making standards with which you were under a duty to comply.</p> <p>(3) You must publish the annual report no later than 6 months following the end of the financial year to which the report relates.</p> <p>(4) You must publicise the fact that you have published an annual report.</p> <p>(5) You must ensure that a current copy of your annual report is available on your website.</p>	30/03/2017
159	Supplementary - Policy Making	<p>You must publish a document on your website which explains how you intend to comply with the policy making standards with which you are under a duty to comply.</p>	30/03/2017
160	Supplementary - Policy Making	<p>You must provide any information requested by the Welsh Language Commissioner which relates to compliance with the policy making</p>	30/03/2017

		standards with which you are under a duty to comply.	
167	Supplementary - Record Keeping	You must ensure that a document which records the record keeping standards with which you are under a duty to comply, and the extent to which you are under a duty to comply with those standards, is available on your website.	30/03/2017
168	Supplementary - Record Keeping	You must provide any records you have kept in accordance with the record keeping standards with which you are under a duty to comply to the Welsh Language Commissioner, if the Commissioner asks for those records.	30/03/2017

Meri Huws

Meri Huws
Welsh Language Commissioner

Date: 30/09/2016