

Comisiynydd y  
Gymraeg  
Welsh Language  
Commissioner

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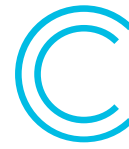
# Report on an investigation into a failure to comply with Welsh Language Standards

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

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

**Wrexham County Borough Council**

Case number: CSG537



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## Background

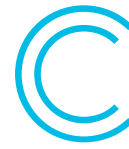
The principal aim of the Welsh Language Commissioner, an independent body established by the Welsh Language (Wales) Measure 2011, is to promote and facilitate the use of Welsh. This is done by raising awareness of the official status of the Welsh language in Wales, by imposing standards on organisations, 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.

### Contact details

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  - Website: [welshlanguagecommissioner.wales](http://welshlanguagecommissioner.wales)
  - Post: The Welsh Language Commissioner  
Market Chambers  
5–7 St Mary Street  
Cardiff  
CF10 1AT
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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'. There are standards applicable 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

## Suspected failure to comply with Welsh language standards

- 1.1 On 17 April 2019 I received a complaint from a member of the public. The complaint met the conditions in section 93 of the Welsh Language Measure, and was therefore a valid complaint.
- 1.2 The complaint was received from a member of the public who was submitting a complaint on someone else's behalf with his consent.
- 1.3 The complainant claimed that the person affected had received correspondence which did not comply with the requirements of the Welsh language standards. The complaint concerns correspondence from Wrexham County Borough Council, namely a non-domestic demand notice.
- 1.4 The complaint relates to the following 3 pieces of correspondence:
  - (1) A non-domestic demand notice
  - (2) Direct debit consent document
  - (3) 'Non-Domestic Annual Demand FAQs '

For documents (1) and (3) the complainant notes the following allegations:

- (1) **Non-domestic demand notice**
  - (a) significant parts of the document are in English only.
  - (b) Those parts which are bilingual treat the Welsh text less favourably in placing it below or to the right of the English.
  - (c) There are mistakes in the Welsh (8.30 y.b.i.-5.00 y.p.o.)
  - (d) There is inaccurate information in Welsh (the telephone number "Wrexham 200000"- on the reverse of the document - does not exist.)
  - (e) Information is missing in the Welsh (the section for agreeing to the Council's terms when paying over the internet).
- (3) **'Non-domestic Annual Demand FAQ's'**
  - (a) This document is in English only.

## Relevant standards

- 1.5 Wrexham County Borough Council has a duty to comply with the standards below, and that was also the case on the date relevant to the complaint:

### Standard 6

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).

### Standard 47

If you produce a document for public use, and no other standard has required you to produce the document in Welsh, you must produce it in Welsh -

- (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.

**Imposition day:** 30 March 2016

### **Decision to investigate**

- 1.6 Based on the above, I decided to carry out an investigation under section 71 of the Welsh Language Measure to determine whether there was a failure by Wrexham County Borough Council to comply with the standards stated. I gave notice to Wrexham County Borough Council of the decision to investigate, and of the proposed terms of reference, on 20 May 2019.
- 1.7 I gave notice to Wrexham County Borough Council of the final terms of reference for the investigation on 16 June 2019. The final terms of reference can be seen as an appendix to this report.

## 2 Evidence taken during the investigation

### Evidence notice

- 2.1 On 19 June 2019, I gave Wrexham County Borough Council an evidence notice. The evidence notice required the Council to provide the following evidence.

#### Information and documents

1. Does the Council accept the complainant's allegation that there is use of English only text and that there are errors within the Welsh language text of the 'Non-domestic demand notice'?
2. If the Council accepts the allegation, explain how the 'Non-domestic demand notice' was produced which led to the use of English only text and errors within the Welsh language text.
3. The Commissioner has carried out previous investigations into the Council's compliance with standard 6, which led to imposing enforcement steps regarding correspondence relating to Council Tax specifically and to general correspondence (CSG172). Explain what steps the Council took in response to these previous investigations in order to prevent failures from being repeated.
4. Explain why the steps taken by the Council in response to the previous investigations did not ensure compliance with standard 6 when producing the 'Non-domestic demand notice' correspondence.
5. Provide copies of any guidance, advice or resources given to staff to support them in ensuring compliance with standard 6 when producing correspondence.
6. Explain how the Council ensures that staff who are responsible for correspondence from the finance department are aware of the requirements of the Welsh language standards when corresponding with the public.
7. Does the Council accept the allegation that the 'Non-domestic Annual Demand FAQ's' document was produced in English only?
8. If the Council accepts the allegation, explain why the document was not produced in Welsh. Explain in particular whether full consideration was made under provisions in standard 47 regards whether the documents should be produced in Welsh or not.
9. Provide evidence for how the Council delivers standard 47, including any guidance or tools provided to staff to support them to assess whether there is a need to produce a document in Welsh in line with the requirements of this standard.
10. If the document 'Non-domestic Annual Demand FAQ's' was produced in Welsh, explain why a Welsh language version was not shared with the



complainant in this case.

11. Following on from the above, if a Welsh language version was not shared with the complainant in this case, was this a onetime mistake, or was the English only version shared with each person who received the 'Non-domestic demand notice' correspondence?
12. Please provide any further information or evidence which you wish the Commissioner to consider when determining whether Wrexham County Borough Council has complied with the standards set out in the investigation's terms of reference.
13. Please provide a copy of any policy, procedure, guideline or other document which you wish the Commissioner to consider when determining whether Wrexham County Borough Council has complied with the standards set out in the investigation's terms of reference.

2.2 In response, I received evidence from Wrexham County Borough Council on 22 July 2019. In addition, copies of the following documents were provided:

- "Safonau'r Gymraeg Cwestiynau Cyffredin";
- "SAM – Beth sydd angen i chi wybod";
- "Welsh-Cym Friday Bulletin";
- "Polisi i Hyrwyddo Defnydd o'r Gymraeg yn y Gweithle";
- "Gwybodaeth ar SAM".

2.3 I considered all the information received in response to the evidence notice.

#### **The evidence received**

2.4 The Council's evidence confirms that it accepts the complainant's allegation regarding the demand notice and therefore acknowledges that there is English only text and inaccuracies in the Welsh text on the 'non-domestic demand notice' correspondence.

2.5 The Council explains that the errors occurred as a result of using transaction data from the business rates computer database.

2.6 The evidence states that there is currently no translated text within the database and that it is produced in English. The Council notes that the department concerned is currently working with the providers to try and resolve the problem.

2.7 In response to my query regarding responding to previous inquiries relating to council tax, the evidence states:

*"Over the last 12 months, the Council has given a great deal of time to working with software providers to ensure that all annual and daily Council tax bills comply with*

*the Welsh Language Standards and these documents have been updated in time for the new financial year".*

- 2.8 It also notes that it has reorganised the number of documents provided to customers and has worked with translation partners and colleagues in the Welsh language department to translate approximately 45 of the Council tax standard forms and letters.
- 2.9 In response to my query as to why the action taken as a result of my investigations relating to council tax correspondence had not also ensured compliance with the production of the non-domestic rates correspondence, the Council explains that *"the business rates documents do not follow the same production process as the Council Tax documents."*
- 2.10 It also states that its priority was to ensure compliance with the Welsh Language standards for Council Tax documents.
- 2.11 The evidence states: *"The Council had intended that the business rates documents would be fully compliant by the 2020/2021 financial year to coincide with the completion of the Housing and Council Tax Benefit letters. This work has already begun"*.
- 2.12 The Council accepts the allegation that the 'Non-domestic Annual Demand FAQ's' document was produced in English only.
- 2.13 In explaining why the document was not produced in Welsh, the Council says it had decided to include an FAQ document before sending the annual bills so that fewer customers contact the relevant department during a very busy time. The Council notes that the document was created at short notice.
- 2.14 It acknowledges: *"The Council was aware that the notice did not comply with the Welsh Language Standards but the decision was made by the Finance Department to publish the document so that the Department could focus on dealing with complex customer enquiries, and the simpler enquiries could therefore be resolved by reading the information in the FAQs."*
- 2.15 The Council states that the document has been translated and is now available in Welsh.
- 2.16 The evidence also reports that the Council's Welsh Language Co-ordinator has reminded officers that no documents should be sent to the public in English only.
- 2.17 The evidence confirms that the English only document was sent to all businesses liable for business rates.

## 3 Assessment, findings and determination

### Compliance with standard 6

#### Wording of the standard

- 3.1 The wording of the standard as it appears in the compliance notice given to Wrexham County Borough Council is as follows:

#### **Standard 6**

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).

Imposition day: 30 March 2016

#### Requirements of the standard

- 3.2 If a body produces corresponding Welsh and English language versions of correspondence (whether separate versions or not), it must not treat the Welsh language version of the correspondence less favourably than the English language version.

#### Considering compliance with the standard

- 3.3 I am of the view that correspondence containing grammatical errors or that is inaccurate in meaning and expression in the Welsh text treats the Welsh language less favourably than English. Similarly if the correspondence contains English only text.
- 3.4 The parties are in agreement that there are errors in the text within the 'non-domestic demand notice' correspondence. The Council explains that these occurred due to the fact that it is dependent on a business rates computer database where there is no translated text within the database.
- 3.5 I note that the Council is aware of this problem and is working with providers to try to resolve the issue.
- 3.6 I note that the Council has stated its intention to resolve this situation by the end of the next financial year, ending March 2021.
- 3.7 In such circumstances as these there may be valid technical reasons which are a barrier to the provision of a full service in Welsh.
- 3.8 I am of the view that there is a situation of failing to acknowledge openly that problems are leading to disappointment for Welsh users. It follows that people who

expect a full service available in Welsh feel that not achieving those expectations is frustrating and disappointing. This also means a decline in public confidence and engagement in the Council's Welsh language services.

- 3.9 In this case, the Council continues to produce correspondence that does not fully comply with standard 6 despite a number of my interventions.
- 3.10 I have imposed a number of enforcement actions in the past that have either been specific in order to try to prevent a particular failure, or an imposition of a general measure, in order to try to move the Council's compliance culture forward in the context of correspondence.
- 3.11 This complaint highlights the fact that the Council has not taken every opportunity I have offered to prevent the repetition or continuation of such failings.
- 3.12 I am of the opinion that this matter is of interest to the residents of the borough as they continue to be affected by the failure of the Council to take sufficient action to deal with the failure to comply in full with standard 6. I am therefore requesting that the Council publicise this case.

### **Findings**

- 3.13 If a body produces corresponding Welsh and English language versions of correspondence (whether separate versions or not), it must not treat the Welsh language version of the correspondence less favourably than the English language version.
- 3.14 The Council has produced 'non-domestic demand notice' correspondence containing linguistic errors in the Welsh text and containing some English-only text.
- 3.15 I am of the view that producing correspondence that is inaccurate or contains English only text equates to treating the Welsh language less favourably than English and therefore is a failure to comply with the requirements of standard 6.

### **Determination of whether or not there has been a failure to comply with standard 6**

- 3.16 My determination is that Wrexham County Borough Council has failed to comply with standard 6.
- 3.17 The basis of my decision is that the Council has produced correspondence containing errors in the Welsh text and containing text which appeared in English only, contrary to the requirements of the standard not to treat the Welsh language less favourably than English.

### **Further action**

- 3.18 Section 77 of the Welsh Language Measure allows me to take further action where there has been a failure.
- 3.19 In the case of my determination that Wrexham County Borough Council has failed to comply with standard 6, I will take further action for the purpose of preventing the continuation or repetition of the failure.
- 3.20 Details of the further action are set out below.

### **Standard 6 – requirement to take steps in accordance with section 77(3) (b) of the Welsh Language Measure**

1. Wrexham County Borough Council must ensure that all correspondence relating to tax notices of any kind complies fully with the requirements of the standards. It must be ensured that the use of software or information from a third party does not allow language errors or use of English only text.

Timetable: Within 90 working days of the Commissioner's final determination

### **Standard 6 – requirement to publicise in accordance with section 77(3)(c) of the Welsh Language Measure**

2. The Council must publicise its failure by publishing this report in a prominent place on its website and include an item on the investigation in its news section.

Timetable: within 28 days of the Commissioner's final determination.

## **Compliance with standard 47**

### **Wording of the standard**

- 3.21 The wording of the standard as it appears in the compliance notice given to Wrexham County Borough Council is as follows:

#### **Standard 47**

If you produce a document for public use, and no other standard has required you to produce the document in Welsh, you must produce it in Welsh -

- (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.

Imposition day: 30 March 2016

### **Requirements of the standard**

- 3.22 If a body produces a document for public use, and no other standard has required it to produce the document in Welsh (e.g. if a body does not have to produce the document in Welsh in accordance with standards 40-46), it must assess:
- if the subject matter of the document suggests that it should be produced in Welsh, or
  - if the anticipated audience, and their expectations, suggests that the document should be produced in Welsh.

- 3.23 A body should then produce the document in Welsh (or otherwise) in accordance with the outcome of that assessment.
- 3.24 That assessment may include consideration of the following:
- Does the subject matter of the document involve an issue relevant to a large number of persons?
  - Does the subject matter of the document involve an issue which impacts, or is of importance to, a large number of persons?
  - Does the subject matter of the document deal with issues relating to the Welsh language (e.g. Welsh medium education)?
  - Does the subject matter of the document involve an area of special interest in terms of the Welsh language (e.g. education/housing/health care/arts/economy)?
  - Will the document be displayed publicly?
  - Is the subject matter of the document likely to be of general interest to Welsh speakers?
  - Do you know if a large percentage or number of the anticipated audience speak Welsh?
  - Has more than one person asked for the document to be available in Welsh?
  - Is the document likely to draw public interest and a public response (e.g. on social media)?
  - Does the document require a response from persons?
  - Does the target audience include persons (such as groups and organisations) for whom the Welsh language is an important consideration or who operate in Welsh?
  - Is the target audience located in an area with a large percentage or number of persons with Welsh language skills?

### **Considering compliance with the standard**

- 3.25 In this case I note that the Council has acknowledged that the 'Frequently Asked Questions' document on non-domestic rates was not produced in Welsh.
- 3.26 There is no evidence that the decision not to produce the document in Welsh was made following a thorough assessment in accordance with the requirements of standard 47.
- 3.27 Standard 47 gives the Council discretion when producing documents to consider whether the document needs to be produced in Welsh, but in this case I do not consider that the Council has offered any justification for not producing it in Welsh.
- 3.28 It is for the Council to establish whether it should produce a document in Welsh under standard 47, but having regard to the nature of the document, I am of the view that it would have been difficult for the Council to justify that the anticipated audience or the subject matter of the document did not suggest that it should be produced in Welsh.
- 3.29 I am of this view as, in considering that the document in question would have been sent to a number of people and that it is a serious matter with legal implications; that it should be available bilingually.

- 3.30 In this case, the complainant had a legitimate expectation that such information to advise him about his rates would be available in Welsh.
- 3.31 The Council also acknowledges that it should have been produced in Welsh and has now done so.
- 3.32 I note that the Council has undertaken to remind officials that they should not send any correspondence in English only from now on.
- 3.33 The Council and I have invested considerable resources and energy in trying to ensure that standard correspondence sent to residents in the context of rates is compliant. It is therefore difficult to believe that finance department officers are not already fully aware of the standards, and the wishes of the people of the County Borough to receive correspondence in Welsh or bilingually.
- 3.34 It is a matter of concern to me that the Council's finance department did not realise, not only that they needed to comply with the standards when producing such a document; but also that an audience of Welsh speakers would want to receive this information in Welsh as well as English.
- 3.35 I am not of the view that the creation of the document at short notice excuses the need to at least carry out a full assessment of the need to produce and distribute the document in Welsh.
- 3.36 The fact that some teams or officers persist in maintaining old practices and send documents and correspondence in English only is undoing all the Council's work in seeking to comply with the standards. If there is no full commitment from every officer in every department, the lack of public confidence in the Council's ability to carry out its language duties will continue.

## Findings

- 3.37 If a body produces a document for public use, and no other standard has required it to produce the document in Welsh, it must assess:
- if the subject matter of the document suggests that it should be produced in Welsh, or
  - if the anticipated audience, and their expectations, suggests that the document should be produced in Welsh.
- 3.38 A body should then produce the document in Welsh (or otherwise) in accordance with the outcome of that assessment.
- 3.39 The parties are in agreement that the Council has produced a ' Non-domestic Annual Demand FAQs ' document for public use in English only.
- 3.40 There is no evidence that the Council has conducted an assesment to consider the need to produce it in Welsh or not. I am of the view that the subject matter of the document and the anticipated audience for the document in question suggests that the document should have been produced in Welsh.



3.41 I therefore find that the Council has acted contrary to the requirements of standard 47 in this case as it has not carried out an assessment as to whether the document in question should be produced in Welsh.

#### **Determination of whether or not there has been a failure to comply with standard 47**

3.42 My determination is that Wrexham County Borough Council has failed to comply with standard 47 in this instance.

3.43 The basis of my decision is that the Council had not produced a 'Non-domestic Annual Demand FAQs' document in Welsh and had not undertaken an assessment of the need to produce it in Welsh in accordance with the requirements of standard 47.

#### **Further action**

3.44 Section 77 of the Welsh Language Measure allows me to take further action where there has been a failure.

3.45 In the case of my determination that Wrexham County Borough Council has failed to comply with standard 47, I will take further action in order to prevent the continuation or repetition of the failure to comply.

3.46 Details of the further action are set out below.

#### **Standard 47 – requirement to take steps in accordance with section 77(3) (b) of the Welsh Language Measure**

3. Wrexham County Borough Council must develop a practical toolkit for officers responsible for producing any document for public use.

The toolkit must include a practical method for assessing the need to produce a document in Welsh in accordance with standard 47 including a practical method of recording and securing the approval of a Senior Officer following the assessment.

The toolkit must include a method of verifying that the outcome of an assessment requiring a document to be produced in Welsh is implemented.

4. Wrexham County Borough Council must provide written evidence to satisfy the Welsh Language Commissioner that it has completed enforcement action 1 and 2.

**Timetable:** Within 90 days of issuing the Commissioner's final determination.





Comisiynydd y  
Gymraeg  
Welsh Language  
Commissioner

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## Decision notice

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To: Wrexham County Borough Council  
Address: The Guildhall, Wrexham, LL11 1AY  
Case number: CSG537  
Date: 11 June 2020

### Determination

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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 Wrexham County Borough Council has failed to comply with certain Welsh language standards with which it has a duty to comply.

The standards relevant to the investigation are as follows:

#### Standard 6

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).

#### Standard 47

If you produce a document for public use, and no other standard has required you to produce the document in Welsh, you must produce it in Welsh -

- (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.

Imposition day: 30 March 2016

**My determination is that Wrexham County Borough Council has failed to comply with standard 6.**

The basis of my decision is that the Council has produced correspondence containing errors in the Welsh text and containing text which appeared in English only, contrary to the requirements of the standard not to treat the Welsh language less favourably than English.

**My determination is that Wrexham County Borough Council has failed to comply with standard 47 in this instance.**

The basis of my decision is that the Council had not produced a 'Non-domestic Annual Demand FAQs' document in Welsh and had not undertaken an assessment of the need to produce it in Welsh in accordance with the requirements of standard 47.

**Further action**

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In accordance with section 77 of the Welsh Language (Wales) Measure 2011, I have decided on further action for the purpose of preventing the continuation or repetition of the failure.

Details of the further action are set out below.

**Standard 6 – requirement to take steps in accordance with section 77(3) (b) of the Welsh Language Measure**

1. Wrexham County Borough Council must ensure that all correspondence relating to tax notices of any kind complies fully with the requirements of the standards. It must be ensured that the use of software or information from a third party does not allow language errors or use of English only text.

**Standard 6 – requirement to publicise in accordance with section 77(3)(c) of the Welsh Language Measure**

2. The Council must publicise its failure by publishing this report in a prominent place on its website and include an item on the investigation in its news section.

Timetable: within 28 days of the Commissioner's final determination.

**Standard 47 – requirement to take steps in accordance with section 77(3) (b) of the Welsh Language Measure**

3. Wrexham County Borough Council must develop a practical toolkit for officers responsible for producing any document for public use.

The toolkit must include a practical method for assessing the need to produce a document in Welsh in accordance with standard 47 including a practical method of recording and securing the approval of a Senior Officer following the assessment.

The toolkit must include a method of verifying that the outcome of an assessment requiring a document to be produced in Welsh is implemented.

4. Wrexham County Borough Council must provide written evidence to satisfy the Welsh Language Commissioner that it has completed enforcement action 1,2 and 3.

**Timetable:** Within 90 days of issuing the Commissioner's final determination.

## Right of appeal to the Welsh Language Tribunal

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When 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. When the Commissioner determines that a person has failed to comply with a standard, that person can appeal to the Welsh Language Tribunal. Additionally, when the Commissioner has decided to take enforcement action in relation to a failure in accordance with section 79 of the Welsh Language Measure, Wrexham County Borough Council may appeal to the Welsh Language Tribunal on the grounds that the enforcement action is unreasonable or disproportionate. There is more information about the process in the enclosed leaflet, and on the Welsh Language Tribunal's website.

## Consequences of not complying with a requirement included in the decision notice

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If Wrexham County Borough Council fails to comply with any requirement within this decision notice for further action, the Commissioner may apply to a county court for an order requiring Wrexham County Borough Council to comply.