



Cynulliad Cenedlaethol Cymru **The National Assembly for Wales**

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

Dydd Mercher, 21 Mawrth 2012
Wednesday, 21 March 2012

Cynnwys **Contents**

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introductions, Apologies and Substitutions

Bil Cynulliad Cenedlaethol Cymru (Ieithoedd Swyddogol): Sesiwn Dystiolaeth Cyfnod 1—y
Comisiynydd sydd â Chyfrifoldeb dros yr Iaith Gymraeg
National Assembly for Wales (Official Languages) Bill: Stage 1 Evidence Session—
Commissioner with Responsibility for the Welsh Language

Cynnig o dan Reol Sefydlog Rhif 17.42 i Benderfynu Gwahardd y Cyhoedd o'r Cyfarfod
Motion under Standing Order No. 17.42 to Resolve to Exclude the Public from the Meeting

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal,
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

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

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

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

Eraill yn bresennol
Others in attendance

Rhodri Glyn Thomas	Aelod Cynulliad, Plaid Cymru (y Comisiynydd sydd â Chyfrifoldeb dros y Gymraeg) Assembly Member, The Party of Wales (Commissioner with Responsibility for the Welsh Language)
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Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Gwyn Griffiths	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Dr Non Gwilym	Pennaeth Cyfathrebu Head of Communications
Leanne Hatcher	Dirprwy Glerc Deputy Clerk
Joanest Jackson	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Owain Roberts	Y Gwasanaeth Ymchwil The Research Service
Gareth Williams	Clerc Clerk

Dechreuodd y cyfarfod am 9.29 a.m.
The meeting began at 9.29 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon Introductions, Apologies and Substitutions

[1] **Ann Jones:** Good morning, everyone, and welcome to the Communities, Equality and Local Government Committee. I ask Members around the table to switch off their mobile phones and pagers, please. We are not expecting a fire alarm today, so if the alarm sounds, we will take our instructions from the ushers, or we can proceed to the assembly point, which is by the Pierhead building. We operate bilingually, so channel 1 on the headsets provides translation from Welsh to English, and channel 0 provides the floor language. I remind Members that we do not need to touch the microphones, as we are in a public session and the microphones will come on automatically as we speak.

[2] We have had apologies for absence, as usual, from Rhodri Glyn Thomas and Peter Black, as they are commissioners, although Rhodri is with us today in another capacity. Alun Ffred Jones and Eluned Parrott will be substituting for them. They have been the regular substitutes and are very welcome.

9.30 a.m.

Bil Cynulliad Cenedlaethol Cymru (Ieithoedd Swyddogol): Sesiwn Dystiolaeth Cyfnod 1—y Comisiynydd sydd â Chyfrifoldeb dros yr Iaith Gymraeg National Assembly for Wales (Official Languages) Bill: Stage 1 Evidence Session—Commissioner with Responsibility for the Welsh Language

[3] **Ann Jones:** This is the final evidence session for this committee on Stage 1 of the National Assembly for Wales (Official Languages) Bill. We have Rhodri Glyn Thomas with us, who gave evidence to the committee on 9 February and is here today to take further questions. Rhodri, I ask you to introduce yourself and the officials for the record, please.

<p>[4] Comisiynydd y Cynulliad (Rhodri Glyn Thomas): Diolch yn fawr iawn, Gadeirydd. Rwyf yma ar ran Comisiwn y Cynulliad. Fi sydd â chyfrifoldeb am wasanaethau yn yr ieithoedd swyddogol yn y Cynulliad. Mae Gwyn Griffiths yn uwch-gynghorydd cyfreithiol yn yr adran gyfreithiol, a Non Gwilym yw pennaeth cyfathrebu.</p>	<p>Assembly Commissioner (Rhodri Glyn Thomas): Thank you very much, Chair. I am here on behalf of the Assembly Commission. I have responsibility for Assembly services provided in the official languages. Gwyn Griffiths is a senior legal adviser in the legal department, and Non Gwilym is the head of communications.</p>
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[5] **Ann Jones:** We have quite a lot of questions. We will see how we go; depending on how you answer the questions, we may ask further questions or take questions out. I will start. Why do the provisions in new subsections (1A) and (1B) apply only in relation to ‘Assembly proceedings’?

<p>[6] Rhodri Glyn Thomas: Oherwydd mai dyma yw priod waith y Cynulliad. Mae popeth arall yn gefnogol i hyn ac felly yn rhan o ddyletswyddau'r Comisiwn, ac felly yn adran 2 byddai hynny.</p>	<p>Rhodri Glyn Thomas: Because that is the true work of the Assembly. Everything else supports this and is therefore part of the Commission's responsibilities, and therefore that would be in section 2.</p>
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[7] **Ann Jones:** Was it not necessary to include this on the face of the Bill?

<p>[8] Rhodri Glyn Thomas: Mae'r cwestiwn ynglŷn â beth sydd ar wyneb y Bil</p>	<p>Rhodri Glyn Thomas: The question of what is on the face of the Bill is an interesting one.</p>
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yn un diddorol. Hynny yw, gellir cynnwys pob math o bethau ar wyneb y Bil petaech yn dymuno gwneud hynny. Byddwn yn dadlau mai'r hyn a ddylai fod ar wyneb y Bil yw'r hyn sy'n disgrifio'r Bil yn gyffredinol. Os dechreuwch fanylu ar wyneb y Bil, ble fydddech yn tynnu'r llinell? Gallai hyn wneud y Bil yn hir iawn.

That is, it would be possible to include all manner of things on the face of the Bill if you wished to do so. I would argue that what should be on the face of the Bill is a general description of the Bill. If you begin to go into detail on the face of the Bill, where would you draw the line? This could result in a vast piece of legislation.

[9] **Janet Finch-Saunders:** Bore da. What effect does the specific reference to 'Assembly proceedings' in subsections (1A) and (1B) have on the duties included in section 2 of the Bill, which require the Assembly Commission to publish an official languages scheme?

[10] **Rhodri Glyn Thomas:** Mae'r Comisiwn yn gyfrifol am y pethau hyn, ac felly dyma yw'r cyfrifoldeb. Bydd popeth arall yn adran 2. **Rhodri Glyn Thomas:** The Commission is responsible for these things and, therefore, that is the responsibility. Everything else will be under section 2.

[11] **Janet Finch-Saunders:** The language, policy and planning research unit at Cardiff University told us that the rights provided by subsection (1B) of the Bill are limited to Assembly Members and are not extended to Welsh citizens wishing to engage with the Assembly. Why are you reluctant to extend these rights to citizens wishing to engage with the Assembly?

[12] **Rhodri Glyn Thomas:** Yn gyntaf, nid oes term cyfreithiol, hyd y gwn i, am ddinasyddiaeth Gymreig, ond mae'r Bil yn sôn am yr hawliau hyn yng nghyd-destun pawb, ac felly mae'n cynnwys nid yn unig Aelodau'r Cynulliad, ond swyddogion, tystion, ac unrhyw un arall sy'n cymryd rhan yn y trafodion hynny. Felly, mae'n berthnasol i unrhyw un sy'n cymryd rhan yn y gweithgareddau. **Rhodri Glyn Thomas:** First, as far as I am aware, there is no legal term for Welsh citizenship, but the Bil refers to these rights applying to everyone, and therefore that includes not only Assembly Members, but officials, witnesses and anyone else who takes part in those discussions. Therefore, it applies to anyone who takes part in the activities.

[13] **Joyce Watson:** Good morning. The Welsh Language Society told us that

[14] 'We do not believe that there is much purpose in giving official status to the Welsh language and the right to use it if that is then totally undermined by section 2(2)(6).'

[15] It also told us that subparagraph 2(6) should be removed and replaced by a list of basic services that should be provided in Welsh. Could I have your response to that, please?

[16] **Rhodri Glyn Thomas:** Os ydych yn rhoi rhestr o wasanaethau y dylid eu cyflwyno yn Gymraeg yn y Bil, rydych yn cyfyngu eich hun i'r rhestr honno. Byddai'n rhaid diwygio'r Bil er mwyn newid y rhestr. Felly, rydych yn cyfyngu ar yr hyn y gallwch ei wneud. Pe bai cyfle inni ymestyn y gwasanaethau yn y dyfodol, byddai'n rhaid inni ddiwygio'r Bil er mwyn caniatáu i hynny ddigwydd. **Rhodri Glyn Thomas:** If you placed in the Bill a list of the activities that should be presented in Welsh, you would limit yourself to that list. It would be necessary to amend the Bill in order to change that list. Therefore, you would be limiting what you would be able to do. If we had an opportunity to extend the range of services in the future, we would have to amend the Bill in order for that to happen.

[17] **Ann Jones:** Alun Ffred and Bethan want to come in on this point.

[18] **Alun Ffred Jones:** A allech gynnwys rhestr o weithgareddau fel isafswm y gweithgareddau neu swyddogaethau y byddech am eu gweld yn cael eu cyflwyno yn y ddwy iaith, ond heb eu cyfyngu i'r rhestr honno? Onid yw hynny'n bosibl?

Alun Ffred Jones: Could you include a list of activities or functions as the minimum requirement that you would wish to see being made available in both languages, without restricting them to that list. Is that not possible?

[19] **Rhodri Glyn Thomas:** Mae hynny i gyd yn y cynllun.

Rhodri Glyn Thomas: That is all in the scheme.

[20] **Alun Ffred Jones:** Hyd y gwyddwn i, drafft o gynllun sydd gennym ac nid oes gennym restr benodedig yn y fan honno sydd wedi'i chytuno. Ai dim ond enghreifftiau yw'r rheini?

Alun Ffred Jones: It is my understanding that this is a draft scheme and, therefore, we do not have a specific list that has been agreed. They are just examples, are they not?

[21] **Rhodri Glyn Thomas:** Wrth ateb y cwestiwn hwnnw—a hwyrach bod hyn yn berthnasol i'r cwestiynau eraill i gyd—dylwn ddweud fy mod i'n hapus i ystyried unrhyw beth sy'n cael ei godi yn y pwyllgor a mynd â hynny yn ôl i'r Comisiwn. Os yw aelodau'r pwyllgor yn teimlo'n gryf iawn am faterion fel hyn, gallwch gyflwyno gwelliannau, un ai drwy'r pwyllgor neu yn y Cyfarfod Llawn. Nid wyf yn gweld sut y byddai rhestr felly yn cryfhau'r Bil.

Rhodri Glyn Thomas: In answering this question—and this is perhaps relevant to all the other questions—I should say that I am happy to consider anything raised by this committee and take that back to the Commission. If committee members feel very strongly about these matters, you can propose amendments, either in committee or in Plenary. I do not see how that kind of list would strengthen the Bill.

[22] **Bethan Jenkins:** I droi'r cwestiwn ar ei ben o ran dy ymateb di, rwy'n credu mai'r cwestiwn am yr adran hwn yw y gellir rhoi hyn a hyn o bethau mewn rhestr ond y ffaith yw bod yr adran yn tansailio'r hyn fydd yn cael ei roi ar wyneb y Bil. Felly, wrth gwrs, gallwch restru pethau, ond gan fod yr adran hwn eisoes yn bodoli, mae hynny'n tansailio nid yn unig y rhestrau yn y cynllun, ond yr egwyddor sy'n sail i'r Bil. Dyna a ddywedwyd gan bobl sydd wedi rhoi tystiolaeth i ni. Beth yw eich ymateb i bobl sy'n meddwl bod yr holl beth yn cael ei dansailio gan hyn?

Bethan Jenkins: To turn the question on its head in terms of your response, I believe that the question regarding this section is that you could include several things in a list, but the section undermines what will be on the face of the Bill. Therefore, you can, of course, list things, but as this section now exists, that undermines not only the lists within the scheme, but the Bill's underlying principle. That is what people giving evidence have told us. What is your response to those people who believe that the whole thing is being undermined by this?

[23] **Rhodri Glyn Thomas:** Yr hyn a ddywedwn yw ein bod ar ddechrau taith. Mae'r dechnoleg newydd yn caniatáu nifer o bethau i ni ar hyn o bryd ac fe fydd yn caniatáu llawer mwy i ni yn y dyfodol. Bydd technolegau eraill yn datblygu ac fe fydd y gwasanaeth, dybiwn i, yn cael ei weddnewid dros y blynyddoedd nesaf. Nid wyf yn gweld y byddai rhestr gyfyngedig o unrhyw ddefnydd, ond codaf y pwynt gyda'r Comisiwn, ac os oes teimlad ei bod yn

Rhodri Glyn Thomas: What I would say is that this is the start of a journey. This new technology enables us to do a number of things at present and it will enable us to do a lot more in the future. Other technologies will develop and the service, I would imagine, will be transformed over the next few years. I do not see that a limited list would be of any use, but I will raise the point with the Commission, and if there is a feeling that it is valuable, then we can look at its content. If

werthfawr, gallwn edrych ar ei chynnwys. Os ydych chi'n teimlo ei bod yn bwysig, gallwch gyflwyno gwelliant i'r perwyl hynny.

[24] **Bethan Jenkins:** Beth am gymryd yr adran allan ac ystyried bod y Bil yn ddigon cryf heb restr?

[25] **Mr Griffiths:** Y broblem gyda gwneud hynny yw na fyddai eithriad i'r egwyddor sylfaenol bod popeth yn ddwyieithog. Efallai bod hynny'n safbwynt cwbl resymol i'w gymryd, ond nid dyna sut mae'r Bil a'r cynllun wedi'u drafftio ar hyn o bryd, a byddai goblygiadau anferthol o ran cyllideb pe bai pob dim yn cael ei wneud yn ddwyieithog. Dyma'r adran sy'n dweud bod ryw faint o hyblygrwydd ynglŷn â—

[26] **Bethan Jenkins:** Ni ddylai'r ddadl fod yn un am y gost. Ni ddylai'r adran hwn fod yno er mwyn gwneud cost yn ffactor. Beth yw sail resymegol cynnwys yr adran, heblaw am y gost?

[27] **Mr Griffiths:** Dyna sut mae wedi'i ddrafftio ar hyn o bryd. Mae'n gwbl resymol dadlau y dylai popeth fod yn ddwyieithog, ond nid ydym wedi cyrraedd y pwynt hwnnw ar hyn o bryd. Er enghraifft, pe baem yn cyfieithu cofnodion llawn y pwyllgorau, byddai goblygiadau ariannol sydd heb eu hadlewyrchu yn y cynllun ar hyn o bryd. Mae croeso i'r pwyllgor argymhell hynny wrth gwrs, a byddai hynny'n golygu bod yn rhaid inni fynd yn ôl ac ystyried beth sydd yn y cynllun a'r goblygiadau ariannol a fyddai'n cael eu hadrodd yn y memorandwm esboniadol maes o law. Mae wedi'i ddrafftio ar hyn o bryd i roi hyblygrwydd fel bod gwasanaethau yn gallu datblygu, yn hytrach na bod popeth yn cael ei wneud yn ddwyieithog o'r dechrau.

[28] **Rhodri Glyn Thomas:** Rwy'n barod i edrych ar y pwynt ynglŷn â thynnu'r adran allan. Gallwn gael trafodaeth ynglŷn â beth yn union fyddai goblygiadau hynny, ond mae elfennau sy'n ymwneud mwy ag ymarferoldeb yn hytrach na chost. Buaswn yn cynhesu mwy at y syniad hwnnw nag at gael rhestr, oherwydd pe bai gennym restr, rwyf yn credu y byddai'r bobl sydd wedi rhoi tystiolaeth i chi wedyn yn cael dadl fawr am y blaenoriaethau a ddylai fod ar y rhestr

you feel that it is important, you can table an amendment to that end.

Bethan Jenkins: What about deleting that section and considering that the Bill is sufficiently strong without a list?

Mr Griffiths: The problem with doing that is that there would be no exception to the fundamental principle that everything is bilingual. Perhaps that is quite a reasonable stance to take, but that is not the way in which the Bill and the scheme have been drafted, and there would be huge implications as regards the budget if absolutely everything was done bilingually. This is the section that states that there is some flexibility about—

Bethan Jenkins: The argument should not come down to cost. That section should not be there to make cost a factor. What is the rationale behind including that section, apart from the cost?

Mr Griffiths: That is how it has been drafted at present. It is quite reasonable to argue that absolutely everything should be bilingual, but we have not yet reached that point. For example, if we were going to translate the full record of committee proceedings, there would be financial implications that are not reflected in the scheme at present. As a committee, you are welcome to recommend that, of course, which would mean our going back to consider the contents of the scheme and the financial implications, which would be reported in the explanatory memorandum in due course. At the moment, it is drafted to give flexibility so that services can develop and evolve, rather than everything being done bilingually from the outset.

Rhodri Glyn Thomas: I am willing to look at the point about taking the section out. We can have a discussion about what exactly the implications of that would be, but there are elements that relate more to practicality than cost. I would warm more to that idea than to having a list, because if we had a list, I think that the people who have given evidence to you would then have a big debate about the priorities to be included on that list, and we would come back to arguing about the list's

honno, a buasem yn dod yn ôl i'r sefyllfa o ddadlau ynghylch manion y rhestr honno. details.

[29] **Bethan Jenkins:** Dywedodd cynghorydd cyfreithiol y Cynulliad ar 9 Chwefror y gallai rhoi rhywbeth penodol yn y Bil godi un agwedd ar wasanaeth dwyieithog uwchben agweddau eraill. Fodd bynnag, dywedodd Cymdeithas yr Iaith Gymraeg mewn ymateb i hynny bod y Bil eisoes yn codi rhai elfennau uwchben eraill. Yn adran 2(2)(5), mae rhestr o bethau y mae'n rhaid i'r cynllun ymwneud â hwy. Gallech ddadlau bod rhai o'r pethau hyn eisoes yn cael eu huwchraddio. A ydych yn deall y dehongliad hwnnw ac yn derbyn bod rhai pethau yn y Bil, fel y mae, eisoes yn cael eu huwchraddio?

Bethan Jenkins: The Assembly's legal adviser on 9 February said that putting something specific in the Bill could raise one aspect of a bilingual service above other aspects. However, the Welsh Language Society in response to that said that the Bill already raises some elements above others. In section 2(2)(5), a list already exists of things that the scheme must relate to. You could argue that some of these things are already upgraded. Do you understand that interpretation and accept that some things in the Bill, as it stands, are already upgraded?

[30] **Rhodri Glyn Thomas:** Rwyf yn deall y pwynt, ond nid wyf yn ei dderbyn. Enghreifftiau ydynt; nid ydynt wedi eu gosod yn nhrefn blaenoriaeth. Enghreifftiau yn unig ydynt; gallai fod enghreifftiau eraill, ond dyna'r rhai sydd wedi'u cynnwys.

Rhodri Glyn Thomas: I understand the point, but I do not accept it. They are examples; they have not been placed in order of priority. They are only examples; there could have been other examples, but those were the ones that were included.

[31] **Bethan Jenkins:** Ond rydych newydd ddweud bod y Bil yn bwysig o ran yr adran diwethaf, felly, os yw'r Bil mor bwysig â hynny, pam defnyddio enghreifftiau ar wyneb y Bil os mai enghreifftiau yn unig ydynt?

Bethan Jenkins: But you have just said that the Bill is important in terms of the last section, so, if the Bill is so important, why use examples on the face of the Bill if they are only examples?

[32] **Rhodri Glyn Thomas:** Rwyf yn cael fy mherswadio bod enghreifftiau yn bethau anghywir i'w defnyddio oherwydd bob tro y caiff enghraifft ei defnyddio, rydym yn dechrau dadl ddadansoddol ynghylch pam yn union y caiff yr enghraifft honno ei defnyddio. Rydym wedi defnyddio'r enghreifftiau er mwyn cyfeirio pobl at y cyd-destun, ond nid yw'r enghreifftiau hynny wedi eu gosod yn nhrefn blaenoriaeth. Felly, nid ydynt o reidrwydd yn uwch o ran eu pwysigrwydd nag elfennau eraill.

Rhodri Glyn Thomas: I am persuaded that examples are not the right things to use because every time that an example is used, we start an analytical debate about exactly why that example is used. We have used the examples to refer people to the context, but those examples have not been placed in order of priority. Therefore, they are not necessarily of greater importance than other elements.

[33] **Bethan Jenkins:** Gwnaethom glywed tystiolaeth gan Simon Brooks o Brifysgol Caerdydd ar yr hyn sy'n digwydd yn New Brunswick a'r ffaith bod cymal ychwanegol nad yw wedi'i gynnwys yn yr hyn rydych wedi ei rhoi i ni, sef:

Bethan Jenkins: We heard evidence from Simon Brooks from Cardiff University on the situation in New Brunswick and the fact that there is an additional clause that has not been included in what you have given us, which is:

[34] 'The records, journals and reports of the Legislative Assembly and its committees shall be printed and published in English and French and both language versions are equally

authoritative.’

[35] A oes rheswm pam rydych wedi penderfynu peidio â chynnwys rhywbeth tebyg yn y Bil rydym yn craffu arno heddiw?

Is there a reason why you have decided not to include something similar in the Bill that we are scrutinising today?

[36] **Rhodri Glyn Thomas:** Mae’n amlwg fod gan rai pobl ormod o amser ar eu dwylo. Nid yw’n fwy nag enghraifft. Ein cyfrifoldeb ni yw darparu gwasanaethau yn yr ieithoedd swyddogol ar gyfer y Comisiwn. Enghraifft yw New Brunswick. Nid ydym yn seilio dim ar yr hyn sy’n digwydd yno yn fwy nag yr hyn sy’n digwydd yn Iwerddon. Rydym wedi cyfeirio at y lleoedd hynny lle mae mwy nag un iaith yn cael ei defnyddio.

Rhodri Glyn Thomas: It is clear that some people have too much time on their hands. It is no more than an example. It is our responsibility to provide services in the official languages for the Commission. New Brunswick is an example. We do not base anything on what happens there any more than what happens in Ireland. We have referred to those places where more than one language is used.

[37] **Bethan Jenkins:** Ond rydych wedi dewis cyfeirio at ran o’r hyn sy’n digwydd yn New Brunswick.

Bethan Jenkins: But you chose to refer to some of what happens in New Brunswick.

[38] **Rhodri Glyn Thomas:** Dyna pam rwyf wedi dod i’r casgliad na ddylid cynnwys enghreifftiau mewn Bil fel hwn.

Rhodri Glyn Thomas: That is why I have reached the conclusion that examples should not be included in a Bill like this one.

[39] **Bethan Jenkins:** Chi oedd wedi cychwyn gyda’r enghreifftiau, felly—

Bethan Jenkins: You started with the examples, therefore—

[40] **Rhodri Glyn Thomas:** Yr oeddwn yn gobeithio y byddai’r enghreifftiau yn helpu pobl, ond nid oeddwn yn disgwyl i bobl i fynd i ddyfnderoedd yr enghreifftiau hynny i godi pwyntiau manwl.

Rhodri Glyn Thomas: I was hoping that the examples would help people, but I was not expecting people to go into great depth about those examples in order to raise detailed points.

[41] **Bethan Jenkins:** Felly, nid oeddech yn disgwyl i bobl ddarllen y cyfan; roeddech yn meddwl y byddent yn sgimio drwy’r briff a chyfeiriad at New Brunswick heb weld y cymal ychwanegol, sef bod—

Bethan Jenkins: So, you did not expect people to read the whole thing; you thought that they would skim through the brief and a reference to New Brunswick without seeing the additional clause, namely that—

[42] **Rhodri Glyn Thomas:** Roeddwn yn disgwyl i bobl dderbyn bod Deddf Ieithoedd Swyddogol yn New Brunswick ac y byddai honno’n enghraifft briodol, ond nid oeddwn yn disgwyl iddynt fanylu a dweud, ‘Os yw hynny’n digwydd yn New Brunswick, mae hefyd yn bwysig i Gymru’. Nid dyna’r pwynt. Y pwynt yw ein bod yn darparu ar gyfer Cynulliad Cenedlaethol Cymru a’i anghenion.

Rhodri Glyn Thomas: I was expecting people to accept that there was an official languages Act in New Brunswick and that that would be a relevant example, but I was not expecting them to go into detail and say, ‘If it happens in New Brunswick, then it is also important for Wales’. That is not the point. The point is that we are providing for the National Assembly for Wales and its needs.

[43] **Alun Ffred Jones:** Credaf mai’r pwynt yr oeddent yn ceisio ei wneud oedd bod yr adran, fel y mae, yn rhoi llawer iawn o ryddid i’r Comisiwn benderfynu beth gaiff ac

Alun Ffred Jones: I believe that the point that they were trying to make is that the section, as it stands, gives the Commission a great deal of freedom to decide what is and is

na chaiff ei gyfieithu. Credaf mai'r hyn yr oedd Simon Brooks a'i gydweithiwr yn cyfeirio ato yn yr achos hwn oedd bod y cymal yn fwy penodol, ac felly yn disgrifio'n union beth fyddai'n digwydd ar ôl pasio'r Bil. Mewn gwirionedd, mae llawer iawn o 'hyblygrwydd', fel y galwoch chi ef; rhyddid i beidio â gwneud rhai pethau fyddai eraill yn ei alw. Credaf mai dyna'r pwynt.

not translated. I believe that what Simon Brooks and his colleague referred to in this case was that the clause is more specific, and so it describes exactly what would happen after the Bill is passed. In reality, there is a lot of 'flexibility', as you called it; others would call it freedom not to do some things. I believe that that is the point.

9.45 a.m.

[44] **Rhodri Glyn Thomas:** Mae'r pwynt hwn ynglŷn â chyfrifoldebau'r Comisiwn o ran cyfieithu wedi'i godi gennych fwy nag unwaith. Nid wyf yn gweld cyfieithu ar ran cyrff eraill yn gyfrifoldeb i'r Comisiwn. Os oes pobl yn cyflwyno tystiolaeth i'r pwyllgor hwn er enghraifft, byddai'r Comisiwn yn disgwyl iddi gael ei chyflwyno'n ddwyieithog. Os oes tystiolaeth wedi'i chyflwyno yn y Gymraeg, paratow'n grynodedb yn y Saesneg. Os dechreuwn wneud y gwaith cyfieithu, bydd pawb yn manteisio ar y sefyllfa honno. Ein gwaith yw gosod esiampl ac ysbrydoli cyrff eraill ledled Cymru i weithredu'n ddwyieithog. Nid yw gwneud y gwaith drostynt yn mynd i gyflawni hynny.

Rhodri Glyn Thomas: This point regarding the Commission's responsibility for translation has been raised with you more than once. I do not see that it is the Commission's responsibility to translate on behalf of other bodies. If people submit evidence to this committee, for example, the Commission would expect it to be submitted bilingually. If evidence is submitted in Welsh, we will prepare a summary in English. If we start doing the translation, everyone will take advantage of that situation. Our job is to set an example and inspire other bodies across Wales to operate bilingually. Doing the work for them is not going to achieve that.

[45] **Gwyn R. Price:** In its written submission, the Public and Commercial Services Union stated that

[46] 'early indications from our members are that the use of machine translation, in particular, is proving more challenging than may have been thought previously. There must, therefore, be some doubt around the cost estimated.'

[47] In light of these 'early indications', how confident are you that the £95,000 allocated for the translation of a fully bilingual Record of Proceedings will be sufficient?

[48] **Rhodri Glyn Thomas:** Buaswn yn meddwl y buasai pawb yn derbyn bod cyflwyno system newydd yn fwy costus ar y dechrau. Mae'r gost yn lleihau fel mae'r broses yn mynd yn ei blaen, yn enwedig gyda'r system hon, sy'n seiliedig ar fwydo gwybodaeth i'r cof. Fel mae'r cof yn tyfu, mae'r cyfieithu yn mynd yn fwy effeithiol. Felly, mae'r costau cychwynnol yn fwy. Os ydych yn edrych ar y costau dros 12 mis, gallech ddod i'r casgliad y byddent yn codi uwchben y £95,000. Er hyn, ein disgwyliad yw y bydd y gost yn lleihau dros gyfnod o flwyddyn. Byddwn yn adolygu'r sefyllfa yn yr haf.

Rhodri Glyn Thomas: I would have thought that everyone would accept that introducing a new system is more expensive at the beginning. The cost reduces as the process goes on, particularly with this system, which is based on feeding information into the memory. As the memory grows, the translation becomes more effective. Therefore, the initial costs are greater. If you look at the costs over 12 months, you could come to the conclusion that they would exceed the £95,000. However, our expectation is that the cost will reduce over a period of a year. We will review the position in the summer.

[49] **Gwyn R. Price:** The Welsh Language Board told us that fixed arrangements need to be in place to reflect the greater responsibility for scrutiny and monitoring that will fall on Assembly Members in the wake of the Bill. Why have you not included such provisions in the Bill or in the scheme?

[50] **Rhodri Glyn Thomas:** Mae Deddf Llywodraeth Cymru 2006 yn nodi'r Pwyllgor Cyfrifon Cyhoeddus yn unig; felly, nid yw'n caniatáu i ni wneud unrhyw beth yn wahanol. **Rhodri Glyn Thomas:** The Government of Wales Act 2006 talks only about the Public Accounts Committee; therefore, it does not allow us to do anything different.

[51] **Gwyn R. Price:** In its written submission, PCS stated that

[52] 'the scheme should be reviewed at least once in every Assembly term and the Bill should be amended to make this clear'.

[53] The Welsh language officers group for south-east Wales suggested that the review period should be three years. What is your response to these views?

[54] **Rhodri Glyn Thomas:** Gallem osod unrhyw amod. Byddwn yn adolygu rhan o'r cynllun—mewn perthynas â'r Cofnod—yn yr haf, a byddwn yn adolygu gwahanol adrannau ohono yn ôl y galw. Bydd yn cael ei adolygu, wrth gwrs, ar ddiwedd bob sesiwn, er mwyn caniatáu ar gyfer cyflwyno cynllun newydd ar gyfer y sesiwn sy'n dilyn. Nid wyf yn gweld bod gosod cyfnod o flwyddyn, dwy flynedd, tair blynedd neu 18 mis o lawer o gymorth. Buaswn yn gobeithio y byddai'n cael ei adolygu yn ôl y galw. **Rhodri Glyn Thomas:** We could set any condition. We will be reviewing part of the scheme—in relation to the Record—in the summer, and we will review different parts of it as required. It will be reviewed, of course, at the end of each session, so that a new scheme can be introduced for the following session. I do not see that setting a period of a year, two years, three years or 18 months is of much help. I would hope that it would be reviewed as required.

[55] **Bethan Jenkins:** Credaf mai'r pwynt yw eu bod wedi dweud bod polisïau cydraddoldeb yn cael eu hadolygu bob tair blynedd, felly roedd rhywbeth yn digwydd a oedd yn debyg i'r drefn gyda deddfwriaeth arall. Nid oedd yn angenrheidiol ei fod yn digwydd bob tair blynedd; roedd yn digwydd oherwydd bod pethau eraill yn digwydd. Dyna oedd y norm. Credaf mai dyna oedd yn cael ei ddweud. **Bethan Jenkins:** I think that the point is that they said that equality policies were reviewed every three years, so something was happening that was similar to the arrangements for other legislation. It did not necessarily have to happen every three years; it happened because other things were happening. That was the norm. I believe that that is what was being said.

[56] **Dr Gwilym:** Y pwynt sylfaenol i'w gofio yw y byddwn yn adrodd yn ôl ac yn rhoi adroddiad ar gydymffurfiaeth yn flynyddol. Byddwn yn cyflwyno hwnnw gerbron y Cynulliad cyfan. Fel rhan o'r broses honno, os oes unrhyw newid, os oes angen ehangu, neu os ydym wedi ehangu'r ddarpariaeth eisoes a bod angen adlewyrchu hynny yn y cynllun, bydd modd gwneud hynny nid o fewn tair blynedd ond yn flynyddol. Bydd swmp y gwaith o ran sicrhau bod y cynllun yn ei gyfanrwydd yn addas yn **Dr Gwilym:** The basic point to remember is that we will be reporting back and providing a report on compliance with the scheme on an annual basis. We will submit that to the whole Assembly. As part of that process, if there is any change, if there is a need to expand, or if we have already expanded the provision and that that needs to be reflected in the scheme, it will be possible to do that not within three years but annually. The bulk of the work of ensuring that the scheme in its entirety is appropriate will be reviewed as we

cael ei adolygu wrth inni baratoi ar gyfer Cynulliad newydd. Mae rhywfaint o hyblygrwydd ar gael yn flynyddol i edrych ar y ddarpariaeth. Y pwynt allweddol yw y bydd y Cynulliad cyfan â llaw yn hynny.

prepare for a new Assembly. There is some flexibility available to look at the provision annually. The key point is that the whole Assembly will have a hand in that.

[57] **Mike Hedges:** In its written submission, PCS states that

[58] 'new subparagraph (10)...does not appear to contain any requirement to consult anyone'.

[59] It also suggests that the Bill should include

[60] 'a clear requirement for the Assembly to consult publicly before laying any new scheme or any amendments to a scheme'.

[61] Why is such a provision not included in the Bill? Do you agree with it?

[62] **Rhodri Glyn Thomas:** Mae'r paragraff hwn yn sôn am gyhoeddi drafft. Felly, rwy'n tybio bod 'drafft' yn cyfeirio at bob cynllun. Felly, byddai'r drafft hwnnw'n cael ei gyhoeddi a sylwadau'n cael eu hystyried. Byddwn i'n credu mai proses ymgynghori yw hynny.

Rhodri Glyn Thomas: This paragraph talks about publishing a draft. So, I assume that 'draft' refers to every scheme. So, that draft would be published and comments considered. I would think that that is a consultation process.

[63] **Mike Hedges:** I would agree with you.

[64] **Kenneth Skates:** I am going to ask few questions that are specific to the 13 staff meetings that took place with regard to consulting on this scheme. How many staff participated in those 13 meetings? What sort of proportion of the overall staff base does that represent?

[65] **Dr Gwilym:** Daeth rhyw 80-90 o staff i'r cyfarfodydd hynny.

Dr Gwilym: Some 80-90 members of staff attended those meetings.

[66] **Kenneth Skates:** Do you know how many staff there are in total?

[67] **Dr Gwilym:** I think that it is about 350, but I cannot be sure of that.

[68] **Rhodri Glyn Thomas:** We can get that information.

[69] **Kenneth Skates:** That would be grand; thank you. What changes, if at all, did you make to the draft scheme in light of these views? Why is the information about the responses not contained in the explanatory memorandum?

[70] **Rhodri Glyn Thomas:** Trafodwyd y sylwadau a godwyd yn y cyfarfodydd staff â'r bwrdd rheoli. Cynhwyswyd y sylwadau yn y papur a aeth gerbron y Comisiwn ar 24 Tachwedd. Mae'r papur hwnnw wedi'i gyhoeddi i Aelodau. Gallwn fynd drwyddynt os ydych am imi wneud hynny, Gadeirydd neu Ken, ond maent yn y papur ar 24 Tachwedd. A ydych am imi fynd drwyddynt?

Rhodri Glyn Thomas: The comments made in the staff meetings were discussed with the management board. The comments were included in the paper that went before the Commission on 24 November. That paper has been published for Members. I could go through them if you want me to do so, Chair or Ken, but they are included in the paper for 24 November. Do you want me to go through

them?

[71] **Kenneth Skates:** That is grand. If they are available, that is fine.

[72] **Ann Jones:** Yes, we will look at those.

[73] **Kenneth Skates:** With regard to discussions with PCS, are you able to give an indication of what sort of issue arose regarding the effect on staff in the Assembly?

[74] **Rhodri Glyn Thomas:** Non, ti oedd yn y cyfarfod. **Rhodri Glyn Thomas:** Non, you attended that meeting.

[75] **Dr Gwilym:** Nid yw'r cyfarfod wedi ei gynnal. Trefnwyd cyfarfod ar ddechrau'r flwyddyn ond roedd un o swyddogion yr undeb yn sâl, ac nid yw'r cyfarfod wedi cael ei aildrefnu. Felly, mae hynny'n rhywbeth i'w flaenoriaethu. Roedd rhai o'r swyddogion sy'n gweithio ar ran yr undebau a chynrychiolwyr yr undebau yn rhan o'r cyfarfodydd staff. Bydd trafodaeth hwy yn dilyn gwaith y pwyllgor hwn yn cael ei chynnal gyda staff. Bydd hynny wedyn yn parhau wrth inni geisio gweithredu a rhoi'r cynllun ar waith. **Dr Gwilym:** The meeting has not been held. We arranged a meeting at the beginning of the year but one of the union officials was unwell, and that meeting has not been rescheduled. So, that is something to be prioritised. Some of the officials who work on behalf of the unions and the union representatives were part of the staff meetings. A longer discussion following the work of this committee will be held with staff. That will continue as we try to implement the scheme and put it in place.

[76] **Rhodri Glyn Thomas:** O ran y cyfarfod arbennig hwnnw, rwy'n credu fy mod yn gywir i ddweud, fel y dywedodd Non, nad oedd un o swyddogion PCS ar gael oherwydd anhwylder. Rydym yn disgwyl am ddyddiad arall gan yr undeb ar gyfer y cyfarfod. Mae awgrym wedi'i wneud nad ydym wedi aildrefnu'r cyfarfod, ond mae hynny gan ein bod yn disgwyl am ddyddiad gan PCS. **Rhodri Glyn Thomas:** With regard to that specific meeting, I think that I am right to say, as Non said, that a PCS officials was not available because of illness. We are expecting to hear from the union about another date for the meeting. It has been suggested that we have not rearranged the meeting, but that is because we are waiting for a date from PCS.

[77] **Bethan Jenkins:** Un pwynt o'r ymgynghoriad oedd bod pobl sydd wedi rhoi tystiolaeth am gael ymgynghoriad cyhoeddus ychwanegol. **Bethan Jenkins:** One point from the consultation is that people who gave evidence wanted to have an additional public consultation.

[78] **Rhodri Glyn Thomas:** Rwy'n siŵr eu bod. **Rhodri Glyn Thomas:** I am sure that they do.

[79] **Bethan Jenkins:** A ydych yn credu bod digon o ymgynghori wedi bod? **Bethan Jenkins:** Do you believe that there has been sufficient consultation?

[80] **Rhodri Glyn Thomas:** Rydym wedi cael dau ymgynghoriad ar y Bil a'r cynllun, ac nid wyf yn gweld bod unrhyw werth mewn ymgynghoriad arall. Rwy'n awyddus i symud ymlaen, a buaswn yn gobeithio bod y Cynulliad yn awyddus i symud ymlaen gyda'r Bil hwn. Buasai ymgynghoriad arall **Rhodri Glyn Thomas:** We have had two consultations on the Bill and scheme, and I do not see that there is any purpose in having another consultation. I am eager to move on, and I would hope that the Assembly is eager to move on with this Bill. Another consultation would delay that process.

yn gohirio'r broses honno. Mae gan fudiadau ddigon o gyfle i weithredu drwyddoch chi fel aelodau o'r pwyllgor hwn neu drwy'r Cyfarfodydd Llawn os ydynt yn teimlo bod materion y maent am eu codi.

[81] **Dr Gwilym:** Gan mai staff fydd yn gyfrifol am roi'r ddarpariaeth ar waith, byddwn yn parhau i drafod â staff dros y cyfnod nesaf. Felly, bydd cyfnod pellach o ymgynghori gyda staff i sicrhau y gallwn weithredu yn unol â'r cynllun drafft.

[82] **Alun Ffred Jones:** Mae diffyg targedau yn y cynllun wedi bod yn destun pryder i rai o'r tystion, ac mae uned ymchwil iaith, polisi a chynllunio Prifysgol Caerdydd yn nodi, heb dargedau, ei bod yn anodd iawn craffu a mesur llwyddiant neu aflwyddiant y cynllun. A fyddwch yn rhoi targedau clir yn y cynllun?

[83] **Rhodri Glyn Thomas:** Bydd y strategaeth sgiliau yn cynnwys targedau wedi'u seilio ar gynlluniau sgiliau pob gwasanaeth unigol. Byddwn yn adrodd yn ôl ar y llwyddiannau o ran cyrraedd y targedau hynny a bydd y strategaeth yn cael ei hadolygu'n flynyddol gan y Comisiwn a'i chyflwyno i'r Cynulliad. Felly, buaswn yn dadlau bod y targedau yno, a hefyd bod atebolrwydd o ran y targedau hynny.

[84] **Alun Ffred Jones:** Felly, i fod yn glir, ble fydd y targedau hynny? Ble byddant yn cael eu cynnwys?

[85] **Dr Gwilym:** O dan y cynllun, bydd strategaeth sgiliau yn cael ei datblygu a'i gweithredu. Mae datblygiad ac esblygiad y strategaeth honno yn ddibynnol ar gynlluniau datblygu sgiliau iaith. Bydd pob gwasanaeth o fewn y Cynulliad yn eu datblygu, gan ystyried anghenion ein cwsmeriaid—Aelodau Cynulliad a'r cyhoedd. Bydd cydymffurfiad â'r cynlluniau hynny'n cael ei gynnwys mewn adroddiad blynyddol a fydd yn cael ei gyflwyno i'r Cynulliad. Felly, mae'r cynllun yn eistedd ar y top, mae'r strategaeth sgiliau yn eistedd oddi tano, a bydd pob adran wedyn yn datblygu cynllun—ac, wrth gwrs, mae ganddynt gynlluniau datblygu sgiliau iaith ar hyn o bryd. Bydd y cyfan oll yn bwydo i mewn i adroddiad blynyddol a

Organisations have plenty of opportunities to engage through you as members of this committee or through Plenary sessions if they feel that there are issues that they want to raise.

Dr Gwilym: Staff will be responsible for putting the provision in place, so we will continue to have discussions with staff over the ensuing period. So, there will be another period of consultation with staff in order to ensure that we can operate in accordance with the draft scheme.

Alun Ffred Jones: The lack of targets in the scheme has been a matter of concern to some witnesses, and the language, policy and planning research unit at Cardiff University notes that, without targets, it is very difficult to scrutinise and to measure the scheme's success or failure. Will you include clear targets in the scheme?

Rhodri Glyn Thomas: The skills strategy will include targets based on the skills schemes of every individual service. We will report back on the successes in terms of reaching those targets and the strategy will be reviewed annually by the Commission and presented to the Assembly. Therefore, I would argue that the targets are there, as well as accountability in terms of those targets.

Alun Ffred Jones: So, to be clear, where will those targets be? Where will they be included?

Dr Gwilym: Under the scheme, a skills strategy will be developed and implemented. The development and evolution of that strategy will be dependent on language skills development schemes. Every service within the Assembly will develop those, taking into consideration the requirements of our customers—Assembly Members and the public. Compliance with those schemes will be included in an annual report that will be presented to the Assembly. So, the scheme sits on the top, the skills strategy sits beneath it, and every service will then develop a scheme—and, of course, they already have language skills development schemes. This will all feed into the annual report that will be presented to Plenary annually.

gyflwynir i'r Cynulliad yn flynyddol.

[86] **Alun Ffred Jones:** Mae hynny'n swinio'n wych ond yn gymhleth iawn. Mae'r un uned ymchwil hefyd wedi dweud wrthym mewn tystiolaeth y dylai'r cynlluniau gweithredu gael eu cyhoeddi'r un pryd â'r cynllun. A fydd hynny'n digwydd?

Alun Ffred Jones: That sounds most excellent but very complex. The same research unit has also told us in evidence that those action plans should be published at the same time as the scheme. Is that going to happen?

[87] **Rhodri Glyn Thomas:** Dyna yw'r strategaeth.

Rhodri Glyn Thomas: That is the strategy.

[88] **Alun Ffred Jones:** Credaf fod Non newydd ddisgrifio system lle ceir cynllun cyffredinol ac, oddi tano, ceir strategaethau neu gynlluniau gweithredu i bob uned. Yr awgrym oedd y dylai'r rheini gael eu cyhoeddi ar yr un pryd â'r cynllun.

Alun Ffred Jones: I think that Non has just described a system where you have a general scheme and, under that, there are strategies or action plans for every unit. The suggestion was that those should be published at the same time as the scheme.

[89] **Dr Gwilym:** Ni chredaf fod y rheini'n cael eu cyhoeddi ar hyn o bryd, ac mae hynny efallai'n rhywbeth i'r Comisiwn ei ystyried. Ar hyn o bryd, y cynllun yw'r ddogfen gyhoeddus, a'r adroddiad cydymffurfio sy'n mynd i'r Comisiwn. Fodd bynnag, galledd edrych ar yr hyn a gyhoeddir ar hyn o bryd, ac adrodd hynny'n ôl i'r Comisiwn ei ystyried.

Dr Gwilym: I do not believe that they are published at present, and that is perhaps something for the Commission to consider. At present, the scheme is the public document, and it is the compliance report that goes to the Commission. However, we could look at what is published at present, and then report that back to the Commission for its consideration.

[90] **Bethan Jenkins:** Fel y dywedais ynghylch arfer gorau, yr hyn a ddywedodd cynghorau Caerdydd a Chaerffili o ran y cynlluniau iaith y maent yn eu cynnwys yn eu cynllun gwaith yw eu bod o fewn y cynllun ehangach, fel bod pobl yn deall yn iawn beth sy'n digwydd. Felly, y ddadl yw y dylid cynnwys mwy yn y cynllun fel bod pobl yn deall yn iawn beth sy'n digwydd.

Bethan Jenkins: As I said earlier about best practice, what Cardiff and Caerphilly councils said about the language schemes that they include in their work programme is that they are within their wider scheme, so that people fully understand what is happening. So, the argument is that more should be included within the scheme so that people understand exactly what is happening.

[91] **Rhodri Glyn Thomas:** Edrychwn ar hynny.

Rhodri Glyn Thomas: We will look at that.

[92] **Alun Ffred Jones:** Dof yn ôl at fy mhwynt cynharach ynghylch tystiolaeth Bwrdd yr Iaith Gymraeg. Roeddech yn dweud y byddai cynllun gweithredu gwahanol i bob adran, ond dywedodd y bwrdd ei fod yn bwysig cael rhywbeth canolog a chyson i sicrhau bod pob adran yn mynd i'r un cyfeiriad o fewn y cynllun. A fydd cyfeiriad penodol yn cael ei fapio yn y cynllun?

Alun Ffred Jones: I return to my earlier point about the evidence of the Welsh Language Board. You said that there would be a different action plan for every department, but the board said that it was important to have something central and consistent to ensure that every department travels in the same direction within the scheme. Will a specific direction be mapped out in the scheme?

[93] **Rhodri Glyn Thomas:** Unwaith eto, mae hynny yn y strategaeth sy'n cael ei nodi

Rhodri Glyn Thomas: Once again, that is in the strategy that is noted in the Bill. I will

yn y Bil. Edrychaf eto ar dystiolaeth Bwrdd yr Iaith Gymraeg i weld a oes angen cryfhau'r adran arbennig honno.

look again at the evidence of the Welsh Language Board to see whether we need to strengthen that particular section.

[94] **Bethan Jenkins:** Mae paragraff 18 y cynllun drafft yn cynnwys diffiniad o'r term 'cyhoedd'. Pam na chafodd y term hwn ei gynnwys ar wyneb y Bil?

Bethan Jenkins: Paragraph 18 of the draft scheme includes a definition of the term 'public'. Why was this definition not included on the face of the Bill?

[95] **Rhodri Glyn Thomas:** Nid diffiniad mohono, ond esboniad sy'n caniatáu rhywfaint o hyblygrwydd.

Rhodri Glyn Thomas: It is not a definition, but an explanation that allows some flexibility.

[96] **Bethan Jenkins:** Mae'n ddiffiniad, onid ydyw, oherwydd daw o Ddeddf 1993?

Bethan Jenkins: It is a definition, is it not, because it comes from the 1993 Act?

[97] **Mr Griffiths:** Na; esboniad ydyw. Petai'n ddiffiniad, wedi ei ddyfynnu o ryw beth arall, byddai mewn dyfynodau.

Mr Griffiths: No; it is an explanation. If it were a definition, quoted from something else, it would appear in quotation marks.

10.00 a.m.

[98] **Bethan Jenkins:** Sori, ni chlywais hynny.

Bethan Jenkins: Sorry, I did not catch that.

[99] **Mr Griffiths:** Petai'n ddiffiniad, byddai mewn dyfynodau. Esboniad ydyw, yn hytrach na diffiniad manwl gywir.

Mr Griffiths: If it were a definition, it would be in quotation marks. It is an explanation, rather than a precise definition.

[100] **Bethan Jenkins:** Iawn. Nid wyf yn deall hynny—

Bethan Jenkins: Okay. I do not understand that—

[101] **Ann Jones:** We will have a think about that one.

[102] **Bethan Jenkins:** Yes, we will have a think about that one.

[103] Dywedodd Cymdeithas yr Iaith Gymraeg,

The Welsh Language Society stated that,

[104] 'Os mai bwriad y Comisiwn yw bod gwasanaethau ar gael i bawb, fel y dywedodd y Comisiynydd, nid yw'r diffiniad yn gywir.'

'If the Commission intends services to be available for everyone, as the Commissioner stated, the definition is incorrect.'

[105] Dylid newid y gair 'cyhoedd' i 'i bawb'. Beth yw eich barn ar hynny?

The term 'public' should be changed to 'for everyone'. What is your opinion on that?

[106] **Rhodri Glyn Thomas:** Y peth gorau fyddai i Gwyn esbonio'r hyn sydd ym mharagraff 18. Nid dyna'r bwriad ac mae hynny'n cael ei nodi ym mharagraff 18.

Rhodri Glyn Thomas: It would be best if Gwyn were to explain what is in paragraph 18. That was not the intention and that is stated in paragraph 18.

[107] **Mr Griffiths:** Os edrychwch ar baragraff 18, fel roeddwn yn dweud yn gynharach, gwelwch nad yw hwn yn ddyfyniad o ddeddfwriaeth arall; esboniad

Mr Griffiths: If you look at paragraph 18, as I said earlier, you will see that this is not a quotation from another piece of legislation; it is an explanation of how we will regard the

ydyw o'r ffordd y byddwn yn gweld y cyhoeddwrth ddrafftio'r cynllun hwn. Mae'r frawddeg olaf yn dweud yn benodol:

[108] 'nid yw'n cynnwys pobl mewn cyrff cyhoeddus wrth iddynt gyflawni eu dyletswyddau swyddogol.'

[109] Felly, nid yw'n cynnwys pawb, ac nid yw'n cynnwys cyrff cyhoeddus, oherwydd mae ganddynt ddyletswyddau ieithyddol eu hunain, ac felly mater iddynt hwy ydyw yn hytrach na mater i'r Cynulliad.

[110] **Bethan Jenkins:** Ond, gellid dadlau bod y Comisiwn a'r Cynulliad, fel y corff cenedlaethol, yn gosod y ffordd. Pe baech yn dweud wrth bawb, byddai'n gosod y ffordd i gyrff eraill.

[111] **Rhodri Glyn Thomas:** Nid af i ddadl ynglŷn â'r derminoleg cyfreithiol—nid wyf yn gymwys i wneud hynny. Y perygl o gynnwys pawb yw y byddwn yn mynd yn gyfrifol am y modd y mae cyrff cyhoeddus ledled Cymru yn delio â'r iaith Gymraeg, ond mater iddynt hwy a'u cynlluniau ydyw, a mater yn y pen draw i'r comisiynydd iaith ydyw, ac nid mater i ni.

[112] O ran y cyrff cyhoeddus a fydd yn ymwneud â'r Cynulliad, byddwn yn ei gwneud yn glir iddynt y byddwn yn disgwyl iddynt ddarparu'r hyn y maent yn ei gyflwyno i'r Cynulliad yn ddwyieithog. Dyna ofynion y Comisiwn, ond nid ni sy'n gyfrifol am eu gweithrediad yn y pen draw.

[113] Fel y dywedais yn gynharach, ein gwaith ni yw gosod esiampl, gan greu o fewn y Comisiwn sefyllfa lle mae'r ddwy iaith yn cael eu trin yn gyfartal a gobeithio bod hynny'n ysbrydoli cyrff eraill i wneud yr un peth. O ran polisi ieithoedd swyddogol y Cynulliad, rhaid derbyn bod y corff hwn wedi cyrraedd safon uwch nag unrhyw gorff cyhoeddus arall yng Nghymru. Yr hyn yr ydym yn ceisio ei wneud yn y Bil yw ymestyn hynny ac ychwanegu ato, gan obeithio y bydd hynny'n ysbrydoli eraill.

[114] Nid wyf yn credu bod gwneud gwaith ar ran pobl eraill yn eu hysbrydoli. Hwyrach y bydd yn golygu y byddant yn

public when drafting this scheme. The last sentence categorically states:

'it does not include people in public bodies when they fulfil official duties.'

Therefore, it does not include everyone, and it does not include public bodies, because they have their own linguistic duties, so it is a matter for them rather than for the Assembly.

Bethan Jenkins: However, it could be argued that the Commission and the Assembly, as the national body, leads the way. If you were to tell everyone, that would lead the way for other bodies.

Rhodri Glyn Thomas: I will not enter into a debate on legal terminology—I am not qualified to do that. The danger in including everyone is that we would become responsible for the way in which public bodies throughout Wales deal with the Welsh language, but it is a matter for them and their schemes, and ultimately a matter for the language commissioner, and not for us.

As for those public bodies that will deal with the Assembly, we will make it clear to them that we expect them to provide whatever they present to the Assembly bilingually. Those are the requirements of the Commission, but we are not ultimately responsible for their operation.

As I said earlier, our job is to set an example, creating within the Commission a situation in which both languages are dealt with on an equal basis, and we hope that that will inspire other bodies to do likewise. With regard to the Assembly's official languages policy, it has to be accepted that this body has reached a higher standard than any other public body in Wales. What we are seeking to do in the Bill is to extend that and add to it, in the hope that it will inspire others.

I do not think that undertaking work on behalf of others inspires them. It may mean that they will contract further and depend on

cyfyngu a dibynnu arnom ni i wneud y gwaith drostynt.

us to do the work for them.

[115] **Bethan Jenkins:** Mae gennyf gwestiwn clou. Cawsom nodyn cyfreithiol ynglŷn â'r ffaith bod yr ombwdsmon yn mynd i roi unrhyw waith neu unrhyw broblemau o ran cwynion i'r comisiynydd, gan mai gan ei swyddfa hi y bydd yr arbenigedd. A ydych yn hyderus y bydd hynny yn berthynas y gallwch ymdopi â hi; sef bod gan yr ombwdsmon yr arbenigedd wedyn i wneud y penderfyniad ar ôl iddo fynd i'r comisiynydd iaith?

Bethan Jenkins: I have a quick question. We received a legal note about the fact that the ombudsman is going to pass any work or any problems regarding complaints to the commissioner, as it is her office that will have the expertise. Are you confident that that will be a relationship you will be able to cope with, in that the ombudsman has the expertise then to make a decision after it has gone to the language commissioner?

[116] **Rhodri Glyn Thomas:** Nid wyf yn deall y cwestiwn yn hollol o ran cyfrifoldebau'r Comisiwn.

Rhodri Glyn Thomas: I am not sure that I quite understood the question with regard to the Commission's responsibilities.

[117] **Bethan Jenkins:** Nid cyfrifoldebau'r comisiynydd iaith, ond os oes cwynion am yr hyn sy'n digwydd yn y cynllun neu'r Bil, byddant yn mynd at yr ombwdsmon ac wedyn i swyddfa'r comisiynydd iaith am gyngor arbenigol o ran proses.

Bethan Jenkins: I do not mean the responsibilities of the language commissioner, but if there are complaints about what happens in the scheme or the Bill, they will go to the ombudsman and then to the office of the language commissioner for special advice with regard to process.

[118] **Rhodri Glyn Thomas:** Mater i'r ombwdsmon a'i swyddfa yw penderfynu pa gyngor ac arbenigedd sydd eu hangen arnynt. Fel rydym wedi ei nodi o'r blaen, mae'r comisiynydd yn atebol yn y pen draw i'r Cynulliad, felly nid yw'n sefyllfa lle y gall y Cynulliad a'r Comisiwn, sydd â chynllun ieithoedd swyddogol a Bil ieithoedd swyddogol, fod yn atebol i'r comisiynydd. Rwy'n siŵr y bydd yr ombwdsmon yn sicrhau bod y cyngor priodol ac arbenigedd yn cael eu defnyddio yn y materion hynny.

Rhodri Glyn Thomas: It is a matter for the ombudsman and his office to decide what advice and expertise they need. As we have previously stated, the commissioner is ultimately accountable to the Assembly, and this is therefore not a situation in which the Assembly or the Commission, with our official languages scheme and official languages Bill, can be accountable to the commissioner. I am sure that the ombudsman will ensure that the relevant advice and expertise will be used for those matters.

[119] **Eluned Parrott:** Commissioner, you say that your intention is that our scheme should be the very best, and yet we have heard concerns from several stakeholders that words and terms used in the draft scheme are too weak and allow too much wriggle room for the Assembly to escape from its duties to the Welsh language, for example, using words like 'ambition' rather than 'intention' or phrases like 'we will aim to deliver' rather than 'we will deliver'. What is your response to those concerns?

[120] **Rhodri Glyn Thomas:** Mae'n bwysig, yng nghyd-destun y cynllun a'r Bil, fod gennym uchelgais, a'r uchelgais yw cynnig y gwasanaeth gorau posibl o ran y defnydd o'r ieithoedd swyddogol o fewn y Cynulliad. Y broblem yw, pe baem yn dechrau nodi pethau penodol a mynd yn *prescriptive* iawn ynglŷn â'r hyn rydym yn ei

Rhodri Glyn Thomas: It is important, in the context of the scheme and the Bill, that we have ambition and the ambition is to offer the best possible service in terms of the use of the official languages within the Assembly. The problem is that, if we were to start noting specifics and became very prescriptive about what we offer, we could find ourselves in a

gynnig, gallem ganfod ein hunain mewn sefyllfa lle buasai'r diffyg hyblygrwydd yn cyfyngu'r hyn rydym yn gallu ei gynnis yn hytrach na'i hyrwyddo. situation in which the lack of flexibility would limit what we could offer rather than promoting it.

[121] **Eluned Parrott:** So, the flexibility is a deliberate step on your part.

[122] **Rhodri Glyn Thomas:** Ydy, yn sicr. **Rhodri Glyn Thomas:** Yes, certainly.

[123] **Eluned Parrott:** In giving evidence to the committee in February, you stated that:

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

[125] The Association of Welsh Translators and Interpreters has told us that

[126] 'summarising a document can take as long as it takes to translate the document in the first place',

[127] and that providing an English summary of submissions sent in Welsh 'would have been insulting' to those who responded. You have talked about this just now, but do you accept its view?

[128] **Rhodri Glyn Thomas:** Rwy'n barod i drafod y dystiolaeth honno gyda'n huned gyfieithu ac os yw'n gywir yn dweud bod paratoi crynodeb yn cymryd cymaint o amser â pharatoi cyfieithiad llawn, gallwn edrych ar hyn. Y bwriad yn y fan hon yw hwyluso gwaith yr Aelodau a'u galluogi i gyflawni eu gwaith gan ddefnyddio ein hadnoddau yn y ffordd fwyaf effeithiol. Er enghraifft, ar gyfer y rheini ohonoch sydd yn dymuno gofyn cwestiynau heddiw drwy gyfrwng y Gymraeg, mae'r cwestiynau hynny ar gael ichi ond nid yw'r holl dystiolaeth gefndirol ar gael ichi yn y Gymraeg. Y cwestiwn yw sut y gallwn ddefnyddio'r adnoddau sydd gennym yn fwyaf effeithiol er mwyn hyrwyddo defnydd o'r Gymraeg. Nid wyf yn credu mai iaith i'w chyfieithu iddi bob amser yw'r Gymraeg, na bod cyfieithiadau llawn o reidrwydd yn sicrhau bod mwy o ddefnydd o'r Gymraeg. O ran uchelgais, fy uchelgais yw gweld y Gymraeg yn cael ei defnyddio yn fwy nag mae'n cael ei defnyddio ar hyn o bryd yn y Cynulliad. Rwy'n gobeithio y bydd y cynllun a'r Bil yn caniatáu i hynny ddigwydd.

Rhodri Glyn Thomas: I am willing to discuss that evidence with our translation unit and if it is right to say that preparing a summary takes just as much time as preparing a full translation, we can look at it. The intention here is to facilitate the work of Members and enable them to carry out their work while using our resources in the most effective way. For example, for those of you who wish to ask questions today through the medium of Welsh, those questions are available to you, but not all the background evidence is available to you through the medium of Welsh. The question is how we can use the resources that we have in the most effective manner in order to promote the use of the Welsh language. I do not believe that the Welsh language is a language always to be translated into, or that full translations necessarily ensure greater use of the Welsh language. As regards ambition, my ambition is to see the Welsh language being used more than it is used at present in the Assembly. I hope that both the scheme and the Bill will allow that to happen.

[129] **Eluned Parrott:** However, do you not accept that there is a danger that if you provide Members with a synopsis rather than a translation of the evidence submitted in Welsh only, there is a risk that English-language speakers who do not have a good understanding of

Welsh may miss important points that those people had wished to communicate to us?

[130] **Rhodri Glyn Thomas:** Rwy'n barod i ystyried hynny—nid yw'n fater sydd yn effeithio arnaf, ond gwnaf ymgynghori gyda'm cyd-Gomisiynwyr nad ydynt yn rhugl yn y Gymraeg i weld a ydynt yn teimlo byddai hynny'n peri anhawster iddynt. Os ydych yn teimlo fel unigolyn neu fel pwyllgor fod hynny yn anaddas ac nad yw'n caniatáu Aelodau nad ydynt yn rhugl yn y Gymraeg i gyflawni eu gwaith yn briodol, unwaith eto, mae cyfle i chi gyflwyno gwelliant. Bydd y cynllun a'r Bil, yn y pen draw, yn atebol i Aelodau'r Cynulliad. Dyna pwy fyddwn yn adrodd yn ôl iddynt yn flynyddol ac ar ddiwedd cyfnod y cynllun. Bydd yn nwylo Aelodau'r Cynulliad i wneud yr hyn maent yn teimlo sydd fwyaf addas gyda'r cynllun a'r Bil. Rydym yn teimlo bod ein darpariaeth yn ddigonol, ond os nad ydych yn credu ei bod yn ddigonol ac os ydych yn anhapus gyda'r ddarpariaeth, mae lle i gynnig gwelliant.

Rhodri Glyn Thomas: I am willing to consider that—it is not a matter that affects me, but I will consult with my fellow Commissioners who are not fluent in Welsh to see whether they feel that that causes them any difficulty. If you feel, as an individual or as a committee, that that is inappropriate and that it does not enable Members who are not fluent in Welsh to carry out their work appropriately, once again, there is an opportunity for you to table an amendment. The scheme and Act, ultimately, will be accountable to Assembly Members. That is whom we will be reporting back to annually and at the end of the term of the scheme. It will be in the hands of Assembly Members to do as they feel is most appropriate with the scheme and the Act. We feel that we are making adequate provision, but if you do not believe that it is adequate and are unhappy with the provision, you can table an amendment.

[131] **Mike Hedges:** I preface my questions by stating that they are based on what the Welsh Language Society said, namely that when Members receive correspondence in whatever language, guidance should be issued stating that they should reply in the language in which it was received. Witnesses from the society also said that any events, documents, stalls and marketing on the Assembly estate should be bilingual and that interpretation services should be provided. They also said that Members should have full access to any translation services that they need to fulfil the function of responding to correspondence in the language in which it was written.

[132] **Rhodri Glyn Thomas:** Roedd 167 o ddigwyddiadau ar yr ystâd yn ystod 2011. Mae cyfle i gael cyfieithu ar y pryd ar gyfer unrhyw ddigwyddiad, os ydych yn dymuno hynny, ond mater i drefnwyr y digwyddiad hwnnw yw gwneud cais am y gwasanaeth. Rhaid i bob digwyddiad gael ei noddi gan Aelod Cynulliad, felly os ydynt yn dymuno, bydd y gwasanaeth cyfieithu ar y pryd ar gael. O ran y deunyddiau sy'n cael eu harddangos, unwaith eto, byddwn yn ei gwneud yn glir ein bod yn disgwyl i bobl arddangos eu deunyddiau'n ddwyieithog. Nid ein gwaith ni yw cyfieithu ar eu rhan. Os dechreuwn wneud hynny, byddai'n amharu ar y gwasanaeth rydym yn gallu ei gynnig i chi fel Aelodau. Teimlaf mai ein cyfrifoldeb pennaf yw sicrhau bod Aelodau'n cael pob cynhaliath a chymorth i weithredu trwy gyfrwng y naill iaith a'r llall.

Rhodri Glyn Thomas: There were 167 events held on the estate in 2011. There is an opportunity to have simultaneous interpretation at any event, if you so wish, but it is for the organisers of that event to request that service. Every event has to be sponsored by an Assembly Member; therefore, if they wish it, the interpretation service will be available. Regarding the materials that are exhibited, once again, we will make it clear that we expect people to display bilingual materials. It is not our duty to translate them on their behalf. If we were to start doing that, it would impair the service that we can offer to you as Members. I feel that our main responsibility is to ensure that Members receive every support and assistance to operate through the medium of either language.

[133] O ran gohebiaeth, byddwn yn ei wneud yn glir iawn i Aelodau Cynulliad beth yw barn y Comisiwn, beth sydd yn y cynllun a beth sydd yn y Bil. Fodd bynnag, yn y pen draw, mae Aelodau unigol yn atebol i'w hetholwyr; cânt eu hethol gan yr etholwyr hynny. Rydym yn darparu £400 yr Aelod i'r grwpiau i sicrhau bod modd i Aelodau ymateb i ohebiaeth mewn unrhyw iaith, mewn gwirionedd. Byddwn yn gwneud ein gorau i sicrhau bod cyfieithiadau ar gael, hyd yn oed mewn ieithoedd y tu hwnt i'r ieithoedd swyddogol. O'r ffigurau rwyf wedi eu gweld, ac yn ôl yr hyn yr hysbysais y Cynulliad yn ei gylch yr wythnos diwethaf, nid oes un grŵp wedi defnyddio'r arian hwnnw i gyd ar hyn o bryd. Teimlwn fod y swm yn ddigonol ac y dylai unrhyw Aelod Cynulliad allu ymateb i unrhyw etholwr yn yr iaith y mae'r etholwr wedi cyfathrebu â nhw ynddi. Nid yw hi o fewn grym y Cynulliad i orfodi Aelodau i wneud hynny. Rwy'n edrych ar Gwyn i gael cadarnhad ar hynny, ond fy nealltwriaeth o'r sefyllfa yw bod Aelodau unigol yn atebol i'w hetholwyr.

Turning to correspondence, we will make clear to Assembly Members what the opinion of the Commission is, what is in the scheme and what is in the Bill. However, individual Members are ultimately accountable to their constituents; they are elected by those constituents. We provide £400 per Member to the groups to ensure that Members are able to respond to correspondence in any language, in fact. We will do our best to ensure that a translation is available, even in languages that are not official languages. From the figures that I have seen, and according to my statement to the Assembly last week, no group has used all of that money at present. We feel that the amount is sufficient and that any Assembly Member should be able to respond to any constituent in the language in which the constituent contacted them. The Assembly does not have the power to require Members to do this. I am looking at Gwyn for confirmation on that, but my understanding of the situation is that individual Members are accountable to their constituents.

[134] I fynd yn ôl at y broses o orfodaeth roedd Bethan yn sôn amdani, petai etholwr yn teimlo bod unrhyw Aelod Cynulliad wedi methu â chydnabod hawliau sylfaenol yr etholwr trwy beidio ag ymateb yn yr iaith y cysylltwyd ag ef neu hi ynddi, tybiaf y byddai modd i'r aelod hwnnw o'r cyhoedd gysylltu â'r Comisiwn ynglŷn â'r mater. Ond, nid wyf yn credu bod modd inni orfodi hynny ar Aelodau.

To return to the process of enforcement that Bethan mentioned, if a constituent felt that any Assembly Member had failed to acknowledge their fundamental rights by failing to respond in the language in which he or she contacted the Member, I believe that that member of the public could contact the Commission regarding the matter. However, I do not believe that we can force Members to comply in that regard.

[135] **Kenneth Skates:** Often, picking up the phone is the best way to respond to a constituent. What is your view of the situation if an Assembly Member receives correspondence in Welsh, sorts out the problem through the local authority, say, and then calls the constituent and speaks to them in English? What would be the impact of that?

[136] **Rhodri Glyn Thomas:** I am not sure whether we can translate your voice over the phone. *[Laughter.]*

[137] **Kenneth Skates:** No, exactly; that is what I am saying. You mentioned that the response should be in the same language; I presume that you meant a written response.

10.15 a.m.

[138] **Rhodri Glyn Thomas:** I am sorry; I was referring to written communication. Obviously, that would not be possible. In a situation like that, if somebody insisted on communicating orally with you through the medium of Welsh, you would have to explain that it would not be possible for you to do that. If you did not have a member of staff who was able to do that, possibly one of the regional Members in your area would be able to take up

that issue themselves, or through a member of staff, or you could transfer the call to a colleague, if they insisted that they wanted a discussion in Welsh. If they wanted a meeting, you could get a translator for the meeting and money for that could be sought from the fund available. However, I would have thought that that would be an extreme situation.

[139] **Bethan Jenkins:** O ran y £400, gan nad oes un o'r grwpiau wedi defnyddio'r arian hwnnw i gyd, a fyddai modd ei ddefnyddio ar gyfer digwyddiadau yn y Cynulliad, i dalu am gyfieithu ar y pryd?

Bethan Jenkins: In terms of the £400, since none of the groups have used all of the money, could it be used for events in the Assembly, to pay for interpretation?

[140] **Rhodri Glyn Thomas:** Petai'r Aelod sy'n trefnu'r digwyddiad yn gofyn am yr hawl i ddefnyddio rhan o'r swm a ddynodwyd i'w grŵp ar ei ran i wneud hynny, byddwn yn tybio bod hynny'n bosibl. Aelodau unigol o'r Cynulliad sy'n trefnu'r digwyddiadau hyn; nid y Comisiwn sy'n trefnu'r cyfarfodydd.

Rhodri Glyn Thomas: If the Member who is organising the event asked for the right to use part of the amount allocated to their group on their behalf to do that, I would think that that would be possible. Individual Assembly Members organise these events; the Commission does not arrange the meetings.

[141] **Bethan Jenkins:** Fodd bynnag, y Comisiwn sy'n rhoi'r arian, felly efallai y byddai'n syniad i gyfathrebu â'r Aelodau er mwyn iddynt ddeall eu bod yn gallu defnyddio'r arian ar gyfer cyfarfodydd sy'n digwydd yn y Senedd.

Bethan Jenkins: However, the Commission provides the money, therefore it might be an idea to communicate with Members, informing them that they can use the money for meetings held in the Senedd.

[142] **Rhodri Glyn Thomas:** Os bydd Aelodau'n teimlo mai eu cyfrifoldeb hwy yw cyfieithu deunyddiau gan gyrff cyhoeddus neu unigolion sy'n rhan o ddigwyddiad, mae hynny'n iawn, ond nid wyf yn teimlo mai cyfrifoldeb y Comisiwn yw hynny. Rwy'n credu mai cyfrifoldeb y Comisiwn yw dweud mai corff dwyieithog yw'r Cynulliad, a byddwn yn disgwyl i gyrff sy'n cymryd rhan mewn gweithgareddau ar ystâd y Cynulliad gydnabod a pharchu hynny. Os bydd yr Aelodau unigol sy'n trefnu'r digwyddiadau hynny am wneud hynny, mater iddynt hwy ydyw. Fodd bynnag, mae arian ar gael a gallant drafod defnyddio'r arian felly. Mae £400 ar gyfer pob Aelod, ond mae wedi'i ddosbarthu i'r grwpiau, felly os bydd Aelod yn mynd dros £400, bydd yn rhaid iddynt drafod hynny â'i grŵp i weld a yw'r grŵp yn meddwl ei fod yn ddefnydd priodol o'r arian. Os gwelwn ni nad yw'r £400 yn ddigonol, byddwn yn adolygu hynny. Nid yw'n golygu mai £400 yw'r uchafswm, ond, ar hyn o bryd, mae'n ymddangos ei fod yn ddigonol oherwydd nid oes un grŵp yn agos at ddefnyddio'r swm hwnnw.

Rhodri Glyn Thomas: If Members feel that it is their responsibility to translate materials by public bodies or individuals who are part of an event, that is fine, but I do not feel that that is the Commission's responsibility. I believe that it is the Commission's responsibility to say that the Assembly is a bilingual body, and I would expect bodies that participate in events on the Assembly estate to recognise and respect that. If the individual Members who are arranging events wish to do that, that is a matter for them. However, the money is available and they can discuss using the money in that way. There is £400 for each Member, but it has been distributed to the groups, therefore if a Member goes over £400, they will have to discuss that with their group to see whether the group believes that it is an appropriate use of the money. If we find that the £400 is not sufficient, we will review that. It does not mean that £400 is the maximum, but, at present, it seems to be sufficient because none of the groups are close to using that amount.

[143] **Joyce Watson:** The Public and Commercial Services Union states in its written

evidence:

[144] ‘The scheme seems to set out a clear direction of travel where the ability to speak Welsh will increasingly be considered an essential requirement for an increasing number of posts in the Assembly.’

[145] Is that the intention?

[146] **Rhodri Glyn Thomas:** Yr esboniad yw mai corff gwirioneddol ddwyieithog yw'r Cynulliad, a dyna sydd yn y cynllun drafft. Nid yw hynny'n golygu bod yn rhaid i bob person sy'n gweithio i'r Cynulliad fod yn ddwyieithog. Os yw gwasanaeth yn ymwneud â'r cyhoedd neu'r Aelodau, dylai rhywun allu cyflawni'r gwasanaeth drwy gyfrwng y Gymraeg, a dylai'r adnoddau fod yn ddigonol i wneud hynny, ond nid yw hynny'n golygu bod yn rhaid i bob person yn yr adran honno fod yn gwbl ddwyieithog.

Rhodri Glyn Thomas: The explanation is that the Assembly is a truly bilingual body, and that is what is in the draft scheme. That does not mean that everyone who works for the Assembly has to be bilingual. If the service involves the public or Members, someone should be able to provide the service through the medium of Welsh, and there should be sufficient resources to do that, but that does not mean that everybody in that department has to be fully bilingual.

[147] **Joyce Watson:** The PCS also said that

[148] ‘recent policy decisions within the Assembly have raised concerns that the ultimate objective is to very substantially increase the number of Assembly staff that need to be Welsh speaking.’

[149] Is that the ultimate objective of the scheme, in your view?

[150] **Rhodri Glyn Thomas:** Nod y cynllun yw galluogi pawb i ddefnyddio eu dewis iaith. Ei nod hefyd yw sicrhau bod adnoddau ar gael i alluogi unrhyw un sydd eisiau dysgu Cymraeg i wneud hynny. Byddwn yn annog staff ac Aelodau i fanteisio ar y ddarpariaeth honno. Nid wyf yn credu bod unrhyw gorff cyhoeddus arall yng Nghymru sy'n cynnig gwell cyfleoedd i bobl feistrolir'r Gymraeg na'r Cynulliad. Os bydd unrhyw Aelod, gan gynnwys Alun Ffred, yn cynnig enghraifft well, byddwn yn edrych ar hynny, a gweld os bydd ganddynt rywbeth i ni ei ddysgu, ond mae'r cyfleoedd yno. Yn yr ystyr hynny, os ydych yn gofyn i mi a yw'n uchelgais i weld mwy a mwy o bobl sy'n gallu defnyddio'r Gymraeg, dywedaf 'ydy', ond bydd hynny ar sail wirfoddol, yn hytrach na gorfodol. Yr unig elfen orfodol yw y byddwn yn sicrhau bod y gwasanaethau ar gael drwy gyfrwng y Gymraeg.

Rhodri Glyn Thomas: The scheme's objective is to enable everyone to use their language of choice. It also aims to ensure that resources are available to enable anyone who wants to learn Welsh to do so. I would encourage staff and Members to take advantage of that provision. I do not believe that any other public body in Wales offers better opportunities for people to master the Welsh language than the Assembly. If any Member, including Alun Ffred, can provide a better example, we will look into that, and see whether there are lessons that we can learn, but the opportunities are there. In that sense, if you are asking me whether it is an ambition to see an increasing number of people being able to speak Welsh, I would say 'yes', but that will be on a voluntary basis, rather than being mandatory. The only mandatory element is that we will ensure that the services are available through the medium of Welsh.

[151] **Joyce Watson:** Finally, on the same theme, do you believe that Welsh should be an essential requirement for the majority of posts in the Assembly?

[152] **Rhodri Glyn Thomas:** Nid wyf wedi gwneud dadansoddiad o'r holl swyddi, felly ni allaf ddweud wrthyhych a yw'n fwyafrif na faint o fwyafrif y byddai. Rwy'n mynd yn ôl i'r hyn a ddywedais yn gynharach: byddwn ni'n sicrhau bod y gwasanaethau hynny ar gael drwy gyfrwng y Gymraeg, ac felly bydd yn rhaid inni sicrhau bod adnoddau ar gael ym mhob adran i gynnig y gwasanaethau hynny drwy gyfrwng y Gymraeg. Hynny yw, nid yw'n ddigonol, os oes rhywun yn gwneud cais am wasanaeth drwy gyfrwng y Gymraeg, i rywun ddweud, 'Na, mae'n ddrwg gen i, nid oes unrhyw un ar gael i siarad yn Gymraeg, dewch yn ôl wythnos nesaf.' Nid yw hynny'n sefyllfa dderbyniol yn fy ngolwg i. Mater ydyw o benderfynu faint o bobl sydd eu hangen mewn unrhyw adran yn y Cynulliad sy'n gallu cyfathrebu drwy gyfrwng y Gymraeg er mwyn sicrhau bod y gwasanaeth ar gael drwy gyfrwng y Gymraeg. Felly, nid y nifer o bobl ydyw, ond faint o bobl sydd eu hangen er mwyn cynnig y gwasanaethau.

Rhodri Glyn Thomas: I have not analysed all of the jobs, so I cannot tell you whether it is a majority or how much of a majority it would be. I go back to what I said earlier: we will ensure that those services are available through the medium of Welsh, and therefore we need to ensure that resources are available in every department to offer those services through the medium of Welsh. That is, it is not sufficient, if someone requests a service through the medium of Welsh, for someone to say, 'No, I am sorry, there is no-one available to speak to you in Welsh, please come back next week.' That is not an acceptable situation in my opinion. It is a matter of deciding how many people who can communicate through the medium of Welsh are needed in any department of the Assembly in order to ensure that the service is available through the medium of Welsh. Therefore, it is not about the number of people, but how many people are needed in order to offer those services.

[153] **Joyce Watson:** I want to get to the bottom of this question, because it has been raised by PCS and we need to get some answers. I do not feel that we have had those. So, I will ask the question again: do you believe that Welsh should be an essential requirement for the majority of posts in the Assembly? That is the question that it posed to us and that is the question that we are asking of you on its behalf.

[154] **Rhodri Glyn Thomas:** I thought that I had answered it. What I am saying is that the services must be available through the medium of Welsh. I have not looked at the number of posts that that would require in terms of the people who are able to communicate through the medium of Welsh. However, the ability to speak Welsh is a qualification; it is the same as any other qualification. Therefore, if a person is able to speak Welsh within a department where the need to offer that service through the medium of Welsh is paramount, then obviously that person would be well qualified to carry out that post. However, it is a matter of qualifications. Other people who do not speak Welsh may have other qualifications that are very important in terms of carrying out that work. So, I cannot give you a percentage, and I am not sure that we could give you a note on the percentage. We could probably make an educated guess, but it would not answer your question more specifically than the answer that I have given.

[155] **Joyce Watson:** Okay.

[156] **Kenneth Skates:** The Welsh Language Society stated that the Assembly

[157] 'must be fair to those staff members who do not speak Welsh and give them an opportunity to become fully skilled. With training of an hour or two a day, you could become quite fluent within a year.'

[158] My staff work as hard as I do and I do not expect them to find an hour or two in the day, so it would have to be taken as overtime. Are you intending to increase the time and resources available to staff to become proficient in the spoken language? Going above and beyond that, do you have resources available for them also to become proficient in written Welsh?

[159] **Rhodri Glyn Thomas:** Mae'r ddarpariaeth yna. Ar hyn o bryd, mae'r adnoddau sydd ar gael ar gyfer y ddarpariaeth honno yn ddigonol. Petai mwy o alw ar y ddarpariaeth, byddwn yn chwilio am fwy o adnoddau ariannol i sicrhau bod darpariaeth. Hynny yw, byddwn yn darparu yn ôl y galw i Aelodau a staff naill ai sydd am feistroli rhywfaint o'r Gymraeg neu wella eu sgiliau yn y Gymraeg.

Rhodri Glyn Thomas: The provision is there. At present, the resources available for that provision are sufficient. If there were greater demand, we would look for additional financial resources to ensure provision. That is, we would offer provision to Members and staff who wish to master a little Welsh or improve their skills in Welsh according to the demand.

[160] **Kenneth Skates:** So, it is demand-led, but presumably the budget is finite.

[161] **Rhodri Glyn Thomas:** Na. Mae'n gyfrifoldeb arnom fel Comisiwn i ddarganfod yr adnoddau hynny i sicrhau bod y ddarpariaeth ar gael. Ar hyn o bryd, mae'r adnoddau yn ddigonol. Efallai fy mod wedi mynd yn rhy bell, oherwydd mae Non am ychwanegu rhywbeth.

Rhodri Glyn Thomas: No. We have a responsibility as the Commission to find those resources in order to ensure that provision is available. At present, the resources are sufficient. Perhaps I have gone too far, because Non would like to add something.

[162] **Ms Gwilym:** Na, dim o gwbl, nid ydych wedi mynd yn rhy bell, ond hoffwn ychwanegu at yr hyn a ddywedoch. Nid dim ond drwy diwtora y gallwn wella sgiliau dwyieithrwydd pobl; mae'n rhaid inni feddwl am ffyrdd arloesol gwahanol hefyd o sicrhau bod pobl yn gallu defnyddio ac ymarfer eu Cymraeg, ymarfer eu sgiliau drafftio a defnyddio'r gwasanaethau cyfieithu, er enghraifft, mewn ffyrdd gwahanol sydd yn helpu ac yn cynorthwyo pobl i ddatblygu eu sgiliau, rhoi system fentora ar waith—bu i mi drafod hyn y tro diwethaf—sy'n cynyddu hyder pobl i ddefnyddio eu Cymraeg. Nid yw hyn o reidrwydd yn costio arian. Rhaid i ni feddwl am ffyrdd amgen o sicrhau ein bod yn mewnosod y gallu hwnnw i ddysgu ac ymarfer y Gymraeg yn y gweithle.

Ms Gwilym: No, not at all, you have not gone too far, but I would like to add to what you have said. It is not only through tutoring that we can improve people's bilingual skills; we have to think of various innovative ways of ensuring that people can use and practise their Welsh, practise their drafting skills and use the translation services, for example, in different ways that help and support people to develop their skills, to establish a mentoring system—I discussed that last time—that increases people's confidence to use their Welsh. This does not necessarily cost money. We have to think about alternative ways of ensuring that we embed that ability to learn and practice Welsh in the workplace.

[163] **Eluned Parrott:** What were the annual costs of training Assembly staff during the whole of the third Assembly, and how effective was the training provided in helping staff to develop their Welsh-language skills?

[164] **Rhodri Glyn Thomas:** Bydd rhaid i ni roi nodyn ar hynny i'r pwyllgor, a byddwn yn hapus i wneud hynny.

Rhodri Glyn Thomas: We will have to provide a note on that to the committee, and we will be happy to do so.

[165] **Eluned Parrott:** Can you tell us how you assess the effectiveness of the training that has been provided?

[166] **Dr Gwilym:** Gan droi yn ôl at y ffordd y mae sgiliau dwyieithog yn cael eu prif ffrydio yn y gwaith yma, mae gan bob

Dr Gwilym: To return to the way in which bilingual skills are mainstreamed in the work here, each member of staff has a personal

aelod o staff gynllun datblygu personol, a bydd ystyriaeth o'r sgiliau sydd yn addas iddynt hwy i'w dysgu ar gyfer eu swyddi o safbwynt y Gymraeg yn cael eu nodi yn y cynllun hwnnw.

development plan, and consideration of the skills that are appropriate for them to learn for their jobs in terms of the Welsh-language will be noted in those plans.

[167] Yn achos rhai aelodau o staff mae hynny'n golygu profion ac arholiadau. I staff eraill mae'n golygu dynodi pa fath o wasanaeth sydd angen ei ddatblygu ar gyfer y cyhoedd neu Aelodau'r Cynulliad. Mae ffyrdd gwahanol o wneud hyn, ac yn sicr rydym eisiau cryfhau hyn ar sail y cynllun newydd bydd yn dod i rym.

For some staff that means tests and examinations. For other staff it involves identifying what kind of service needs to be developed for the public or for Assembly Members. There are different ways of doing this, and we certainly want to strengthen that on the basis of the new scheme that will come into force.

[168] **Eluned Parrott:** Is that consistent between Assembly Members' support staff and Commission staff?

[169] **Dr Gwilym:** Nid wyf yn glir am hynny. Rwy'n sôn yn benodol am staff y Comisiwn yn y cyd-destun hwn. Nid wyf yn gwybod beth yw'r trefniadau am hynny. Yn sicr gallwn edrych ar hynny a darparu nodyn i chi.

Dr Gwilym: I am not clear about that. I am talking specifically about the Commission staff in this context. I do not know what the arrangements for that are. We can certainly look at that and provide you with a note.

[170] **Eluned Parrott:** To what level of proficiency are you able to support people? I am aware that staff are quite easily able to access early stage Welsh-language training, but is there sufficient provision of higher level training?

[171] **Dr Gwilym:** Oes. Mae darparwr sydd yn gallu addasu gwersi ac adnoddau ar gyfer sawl gwahanol lefel. Eto, byddaf yn hapus i roi nodyn i'r pwyllgor yn amlinellu natur y gwasanaethau sydd ar gael.

Dr Gwilym: Yes. We have a provider that can adapt lessons and resources for many different levels. Again, I will be happy to give a note to the committee outlining the nature of the services available.

[172] **Ann Jones:** How is the demand-led approach to staff training consistent with the objectives of the scheme to ensure that the National Assembly is truly bilingual and allows its Members to work in both languages?

[173] **Rhodri Glyn Thomas:** Yn amlwg, rhaid i ni sicrhau bod cydbwysedd rhwng gwella sgiliau ieithyddol y staff sydd gyda ni ar hyn o bryd—ac mae hynny o reidrydd yn wirfoddol, er y byddwn yn cynnig pob cymhelliad a chymorth iddynt wneud hynny—a phenodi staff newydd pan fydd staff yn gadael. Mater o gydbwysedd ydyw i sicrhau bod y gwasanaethau ar gael trwy gyfrwng y ddwy iaith.

Rhodri Glyn Thomas: Obviously, we must ensure that there is a balance between improving the language skills of the staff that we have at the moment—which is of necessity voluntary, although we will offer every assistance and incentive for them to do so—and appointing new staff when staff leave. It is a balance to ensure that services are available in both languages.

[174] **Mark Isherwood:** How do you plan to monitor the effectiveness of the Welsh-language tuition provided to staff in future?

[175] **Rhodri Glyn Thomas:** Rydym ni'n derbyn bod yn rhaid cryfhau'r broses honno

Rhodri Glyn Thomas: We accept that that process must be strengthened through the

trwy gyfrwng y cytundebau sy'n cael eu cynnig. Byddwn yn edrych ar hynny ac yn adrodd yn ôl ar hynny yn yr adroddiadau blynyddol i'r Cynulliad.

contracts that are offered. We will look at that and report back on that in the annual reports to the Assembly.

[176] **Mark Isherwood:** Given that the resources available for the next couple of years for delivering enhanced bilingual services are likely to be flatlining, how do you intend to enhance those services? What new ways of working are you proposing?

[177] **Rhodri Glyn Thomas:** Ar hyn o bryd, rydym yn credu y bydd yr arian sydd ar gael yn ddigonol, ac, os nad yw, fy ngwaith i yw dadlau'r achos yn y Comisiwn am arian ychwanegol i sicrhau hynny. Mae rhyw gymaint o hyblygrwydd yng nghyllideb y Comisiwn. Mae'n hawdd i ni ddweud nad yw hyn yn fater o arian, ond, yn y pen draw, os oes gennym gyllideb, rhaid i ni weithio o fewn y gyllideb honno, a'r cwestiwn sydd yn codi bob amser yw sut mae modd defnyddio'r arian yn y gyllideb honno. Mae pob ewyllys da yn y Comisiwn i sicrhau bod unrhyw ddarpariaeth angenrheidiol ar gael i unrhyw un sy'n ei dymuno. Dyna'r egwyddor yr ydym yn ei sefydlu a rydym yn hyderus y gallwn ymateb i hynny yn ôl ein hadnoddau ariannol.

Rhodri Glyn Thomas: Currently, we believe that sufficient funds are available, and, if not, my job is to argue the case in the Commission for additional funding to ensure that. There is a certain degree of flexibility in the budget of the Commission. It is easy for us to say that this is not about money, but, in the end, if we have a budget, we must work within that budget, and the question that always arises is how can we use the money in that budget. There is every goodwill in the Commission to ensure that any necessary provision is available for anyone who wishes it. That is the principle that we are establishing and we are confident that we can respond to that within our financial resources.

10.30 a.m.

[178] **Mark Isherwood:** Why do the additional costs of monitoring compliance with the scheme not appear in the explanatory memorandum? What will those costs be?

[179] **Dr Gwilym:** Mae adrodd nôl i'r Comisiwn ar gydymffurfiaeth â'r cynllun iaith yn rhan o gyfrifoldeb pob pennaeth gwasanaeth sy'n cael ei gyflogi gan y Comisiwn. Felly, mae'n rhan o'r swydd.

Dr Gwilym: Reporting back to the Commission on compliance with the Welsh language scheme is part of the responsibility of every head of service employed by the Commission. So, it is part of the job.

[180] **Mark Isherwood:** So, why is it not in the explanatory memorandum? What will those costs be?

[181] **Dr Gwilym:** Byddai angen inni edrych ar yr amser; hynny yw, amser staff fyddai'r gost. Gallwn edrych ar beth fyddai hynny gan ein bod yn adrodd nôl yn flynyddol ar hynny. Mae hefyd yn ddyletswydd ar bob swyddog ac aelod o staff i nodi lle nad yw'r gwasanaeth yn cael ei ddarparu, fel bod hynny'n adrodd nôl i'r adroddiad cydymffurfio blynyddol. Bydd hynny'n rhan o'r dyletswyddau a fydd ar bob aelod o staff i gydymffurfio â'r polisi. Byddai hynny'n rhan o'r swydd.

Dr Gwilym: We would need to look at the time; that is, the cost would be staff time. We can look at what that would be as we report back annually on that. It is also the duty of all officials and members of staff to note any occasions where the service is not provided, so that it would be reported back as part of the annual compliance report. That will be one of the duties on all members of staff to comply with the policy. That would be part of the job.

[182] **Mr Griffiths:** Mae'r broses hon yn rhan o'r broses bresennol gyda'r cynllun iaith a'r adroddiadau blynyddol i Fwrdd yr Iaith Gymraeg. Felly, nid oes cost ychwanegol yn gysylltiedig â hyn, oherwydd mae'n rhywbeth sy'n digwydd ar hyn o bryd. Felly, nid oes cost yn deillio o'r cynllun na'r Bil y mae'r pwyllgor yn eu hystyried.

Mr Griffiths: This process is part of the current process with the Welsh language scheme and the annual reports to the Welsh Language Board. Therefore, there are no additional costs associated with this, because it is something that already happens. Therefore, no costs arise from the scheme or the Bill that the committee is considering.

[183] **Mark Isherwood:** Are there any additional costs from monitoring the scheme?

[184] **Rhodri Glyn Thomas:** Na, nid oes costau ychwanegol. Mae'n digwydd yn barod. Ni fydd neb allanol yn gwneud y gwaith ac mae'n digwydd yn barod, felly, ni fydd costau ychwanegol. Wrth gwrs, byddwn yn adrodd nôl yn flynyddol i'r Cynulliad ar y cynllun, felly os oes cwestiynau o'r fath, dyna fydd y cyfle i'w codi.

Rhodri Glyn Thomas: No, there are no additional costs. It is already happening. No external person will be doing the work and it is already happening, so there will be no additional costs. Of course, we will be reporting back annually to the Assembly on the scheme, so if such questions were to arise, that would be the opportunity to ask them.

[185] **Alun Ffred Jones:** Mae cyfieithu electronig yn hanfodol i wireddu amcanion y Bil hwn. Mae cryn dipyn o gyfeirio wedi bod at Google Translator Toolkit. Mae Cymdeithas Cyfieithwyr Cymru wedi dweud bod mwy o becynnau meddalwedd cof cyfieithu ar gael na'r pecyn arbennig hwn. Felly, a wnaeth y Comisiwn ystyried defnyddio rhaglenni meddalwedd cyfieithu eraill ac eithrio Google Translator Toolkit, er enghraifft yr un sydd wedi cael ei datblygu gan Brifysgol Bangor?

Alun Ffred Jones: Electronic translation is essential to realising the aims of this Bill. There has been considerable reference to Google Translator Toolkit. The Association of Welsh Translators and Interpreters has said that more translation memory software packages are available than just this particular toolkit. So, did the Commission consider using other translation software programmes other than Google Translator Toolkit, for example the one that has been developed by Bangor University?

[186] **Rhodri Glyn Thomas:** Do. Ystyriwyd pob math o gyfieithu electronig. Roedd rhai egwyddorion sylfaenol; roeddem am sicrhau na fyddai unrhyw gost ymhlyg yn y defnydd o gyfieithu electronig ac na fyddai unrhyw gyfyngiadau arno i'r dyfodol. Roeddem am sicrhau bod gennym reolaeth lawn drosto. Buom yn ymgynghori gyda nifer o bobl a buom yn gweithio'n agos iawn gyda Bwrdd yr Iaith Gymraeg er mwyn sicrhau bod yr adnodd mwyaf pwrpasol ar gael ar ein cyfer. Mae'n gweithio'n effeithiol iawn ar hyn o bryd. Nid wyf wedi derbyn unrhyw gŵyn amdano, ond os oes unrhyw fath o feddalwedd ar gael a fydd yn gwella'r ddarpariaeth, edrychwn arno. Nid ydym wedi cyfyngu ein hunain i'r hyn sydd gennym ar hyn o bryd.

Rhodri Glyn Thomas: Yes. We considered all types of electronic translation. There were some fundamental principles; we wanted to ensure that no cost would be involved in the use of electronic translation and that there would be no limitations on its future use. We wanted to ensure that we had full control over it. We consulted with many people and we worked very closely with the Welsh Language Board to ensure that the most appropriate resource was available to us. It is working very effectively at present. I have not had any complaints about it, but if there is any kind of software available that will improve the provision, we will look at it. We have not limited ourselves to what we have at present.

[187] **Alun Ffred Jones:** Nid wyf yn arbenigwr yn y maes hwn, ond mae rhai

Alun Ffred Jones: I am not an expert in this field, but some experts say that this is not the

arbenigwyr yn dweud nad hwn yw'r system orau y byddech wedi gallu ei chael. Gwn ei bod yn rhatach, wrth gwrs.

best system that you could have had. I know, of course, that it is cheaper.

[188] **Rhodri Glyn Thomas:** Ar ba sail y maent yn dweud hynny? Nid wyf wedi cael unrhyw gŵyn ynglŷn ag ansawdd y cyfieithiad o'r Cofnod.

Rhodri Glyn Thomas: On what basis are they saying that? I have not had any complaints about the quality of the translation of the Record.

[189] **Alun Ffred Jones:** Rwy'n credu mai'r hyn sy'n cael ei awgrymu yw efallai bod yr hyn sy'n digwydd ym mhen draw'r broses yn dderbyniol, ond os oes mwy o waith i'r cyfieithwyr ei wneud i gywiro'r gwaith cyfieithu electronig sy'n digwydd, wrth gwrs, nid yw'n effeithiol. Fodd bynnag, nid wyf yn gwybod hynny. Rwy'n awgrymu bod tystiolaeth Cymdeithas Cyfieithwyr Cymru yn dweud bod dulliau eraill yn well.

Alun Ffred Jones: I think that what is being suggested is that perhaps what happens at the end of the process is acceptable, but if the translators have to do more work to correct the electronic translation, then, of course, it is not effective. However, I do not know whether that is the case. I am just suggesting that the Association of Welsh Translators and Interpreters' evidence says that other methods are better.

[190] **Rhodri Glyn Thomas:** Nid wyf yn dilyn y rhesymeg honno yn llwyr. Hynny yw, os mai dyma'r dull mwyaf cost-effeithiol o'i wneud, ac os yw'r hyn sy'n cael ei ddarparu ar y diwedd yn fwy na derbyniol ac yn gywir, mae'n gweithio.

Rhodri Glyn Thomas: I do not quite follow that logic. That is, if this is the most cost-effective way of doing it, and if what is provided at the end is more than acceptable and accurate, then it works.

[191] **Alun Ffred Jones:** Efallai y gallwch roi nodyn i mi am y broses yr aethoch drwyddi er mwyn dewis y dull hwn.

Alun Ffred Jones: Perhaps you could give me a note on the process that you followed in order to select this method.

[192] **Rhodri Glyn Thomas:** Gwnaf, yn sicr.

Rhodri Glyn Thomas: Yes, certainly.

[193] **Janet Finch-Saunders:** The Public and Commercial Services Union states that it believes that paragraph 103 is completely unrealistic when applied to most posts, other than those at the most senior levels. What is your response to that?

[194] **Rhodri Glyn Thomas:** Nid wyf yn cytuno â'r undeb, ac nid wyf yn deall pam mae wedi dweud hynny.

Rhodri Glyn Thomas: I do not agree with the union, and I do not understand why it has said that.

[195] **Janet Finch-Saunders:** Are you intending to apply the principles as set out in paragraph 103 for posts other than those at the most senior levels?

[196] **Rhodri Glyn Thomas:** Ydym.

Rhodri Glyn Thomas: Yes.

[197] **Kenneth Skates:** Could someone be dismissed if they fail to reach a certain level of proficiency in Welsh?

[198] **Rhodri Glyn Thomas:** No, not unless it was specifically stated in their contract that that was a requirement of the job. If you appoint someone to a post on condition that they learn Welsh within a certain time, and if they fail to do that, it is perfectly reasonable that their contract is reviewed, because it would be the same as appointing someone on the basis that they would reach a certain standard in other areas of qualification, and failing to do that.

[199] **Kenneth Skates:** So, they could be dismissed.

[200] **Rhodri Glyn Thomas:** Well, if you are in a post that is dependent on passing any sort of examination at certain points, if you do not pass them you are sacked. That is the nature of the workplace. However, if we say to people working here ‘We will give you every opportunity to learn Welsh and to use the Welsh language’, and if they say either ‘No’ or ‘We have tried but have not been able to do it’, those people would not be sacked.

[201] **Kenneth Skates:** They will not be sacked.

[202] **Rhodri Glyn Thomas:** No. That is not possible. I am thinking of people in senior posts with a job description that says that Welsh is either essential or desirable—it happens quite often—but the people who apply for that job are well qualified for the job but unfortunately do not have a qualification in the Welsh language. Within that contract, there is quite often a condition placed on appointment that they learn the Welsh language. People say, ‘Yes, we will learn the Welsh language’. So, if they did not manage to do that, that would be the same as failing to reach any other standard required of that job.

[203] **Kenneth Skates:** You say that it is desirable for that job, not a necessity. So, they could—

[204] **Rhodri Glyn Thomas:** The answer to your question is ‘no’. However, I do not want to rule out the possibility. If we were to appoint someone to a job where speaking Welsh was clearly an essential part of that job and we say, ‘You are the best qualified person, and we would like to appoint you, but we would need an assurance from you that you are prepared to achieve this qualification in Welsh’. If they fail to do so, that would be a reason to review that contract. That is the only thing I am not prepared to rule out. However, basically, the answer to your question is ‘no’, and voluntarily trying to learn the language and failing to reach a certain standard would not be a reason to discipline someone. I would be unhappy with the situation if that was in any way suggested to anyone.

[205] **Ann Jones:** Bethan and Joyce want to come in on this point.

[206] **Bethan Jenkins:** Yn fyr, a fyddech chi’n cadarnhau yn y contract fod methu â chyrraedd y safon yn fater disgyblu? Nid oes manylion yn y cynllun, ac oherwydd ei fod yn ‘desirable’, nid yw’n nodi’r faith y bydd rhywbeth yn digwydd o ganlyniad i fethu â chyrraedd y safon. Hynny yw, pe bai rhywun yn dweud, ‘Rwyf wedi cael y swydd a byddaf yn mynd i gwpl o wersi, ond ni fyddaf yn mynd i’r afael â dysgu’r iaith mewn gwirionedd’ beth fydd y canlyniadau?

Bethan Jenkins: In short, would you confirm in the contract that not meeting the standard would be a disciplinary matter? There are no details in the scheme, and because it is ‘desirable’ it does not state that not reaching the standard will have consequences. So, if they say ‘I got the job and I will go to a couple of lessons, but I will not really get to grips with learning the language’ what would be the consequences?

[207] **Rhodri Glyn Thomas:** Mae gen i brofiad o gynnig cytundebau i bobl, fel pob Aelod Cynulliad. Serch hyn, nid wyf yn arbenigwr ym maes cytundebau, ond rwy’n meddwl y byddai’n dibynnu ar y cytundeb. Byddwn am sicrhau staff presennol y Cynulliad nad yw’r sefyllfa yn berthnasol iddynt hwy, rhag bod unrhyw awgrym y gallai eu swyddi fod o dan fygythiad

Rhodri Glyn Thomas: I have experience of offering contracts to people, like all Assembly Members. I am not an expert in the field of contracts, but I think it would depend on the contract. I would want to reassure existing Assembly staff that this does not apply to them, in case any suggestion is made that their jobs could be threatened, either because they fail to meet some standard or

oherwydd eu bod yn methu â chyrraedd rhyw safon neu wedi dewis peidio â gwneud hynny. Pe bai cytundebau newydd yn cael eu cyflwyno, a bod y cytundebau hynny'n nodi bod disgwyl i staff ehangu eu sgiliau yn y Gymraeg neu ddysgu'r Gymraeg a'u bod yn methu â chyrraedd y safon, yn yr un modd ag y mae unrhyw un sy'n cael ei gyflogi yn methu â chyrraedd safonau a osodir yn ei gytundeb gwaith, byddai lle i adolygu'r cytundeb. Ni chredaf y gallwn ddweud mwy am hynny ar hyn o bryd.

choose not to do that. If new contracts are introduced and those contracts state that staff are expected to enhance their skills in Welsh or learn Welsh and they then fail to reach the standard, just as anyone who is employed might fail to reach the standards set out in their contract of employment, there would be an opportunity to review the contract. I do not think that we can add anything else at this time.

[208] **Mark Isherwood:** Do you agree with the Welsh Language Board that raising awareness of the Bill and the scheme among Assembly staff will be crucial in ensuring the implementation of the scheme?

[209] **Rhodri Glyn Thomas:** Yes.

[210] **Mark Isherwood:** Given your answer, why does the scheme not refer to language awareness training for staff? Has it been costed, and if so, what is the cost? Would the cost be covered by the projections included in the explanatory memorandum?

[211] **Rhodri Glyn Thomas:** Certainly, we do carry out language awareness sessions with staff. Non will be able to explain to you the content of those sessions, which are covered within the costs of ensuring that the opportunity to learn Welsh is available to all staff. For example, I am aware that staff who work here are given the opportunity to learn social skills through the medium of Welsh, such as the ability to greet people, and I have noticed a vast improvement increase in the number of staff who do greet people coming to the Assembly in Welsh and in English. So, it seems to be working.

[212] **Dr Gwilym:** Mae'n deg dweud mai staff newydd y Cynulliad sydd wedi elwa fwyaf ar yr hyfforddiant ymwybyddiaeth iaith. Mae'n rhywbeth y byddwn yn ei drafod â chontractwyr sydd hefyd yn rhoi gwasanaethau dysgu sgiliau ieithyddol ar hyn o bryd. Mae cynyddu ymwybyddiaeth ymysg y staff sydd wedi bod yma ers peth amser yn rhywbeth yr ydym yn ei ystyried ar hyn o bryd, er nad yw'n rhywbeth sydd wedi cael ei wneud hyd yma. Mae hwn yn faes yr ydym yn bwriadu ei ddatblygu, o ran y staff sydd yma eisoes.

Dr Gwilym: It is fair to say that staff who are new to the Assembly have benefited most from the language awareness training. It is something that we will discuss with contractors that currently provide language-learning skills services. Increasing awareness among staff who have been here for some time is something that is currently under consideration, although it is not something that has been put into practice yet. We intend to develop that area, in terms of the staff already here.

[213] **Mark Isherwood:** Given that the Welsh Language Board raised this point specifically in the context of this Bill and the scheme, are you saying that there are no additional costs, but that this will be absorbed within the current interaction with staff? Or is there likely to be an additional cost?

[214] **Rhodri Glyn Thomas:** Ar hyn o bryd, nid ydym yn rhagweld unrhyw gynnydd yn y gost. Os oes cynnydd, edrychwn ar y mater, a bydd yn gyfrifoldeb arnaf i geisio canfod yr arian hwnnw.

Rhodri Glyn Thomas: Currently, we do not anticipate any increase in the cost. If there is an increase, we will look at the issue, and the responsibility to try to find that money will lie with me.

[215] **Ann Jones:** I have the last question, if I may. The Welsh Language Society stated that

[216] ‘the Assembly would benefit from consulting with the Welsh language commissioner in terms of assistance and guidance to lead it in the right direction’.

[217] Is this your intention?

[218] **Rhodri Glyn Thomas:** Yn sicr. Rwy'n hapus i siarad ar ran y Comisiwn â'r comisiynydd iaith ar unrhyw adeg—mae'n siŵr y byddaf, o bryd i'w gilydd, yn trafod materion gyda'r comisiynydd iaith. Y ffaith amdani yw bod y comisiynydd iaith yn y pen draw yn atebol i'r Cynulliad yn hytrach na bod y Cynulliad yn atebol i'r comisiynydd iaith. Byddwn er hynny bob amser yn barod iawn i drafod unrhyw beth y gallwn ei wneud i wella ein darpariaeth gydag unrhyw un sydd ag arbenigedd yn y maes hwn.

Rhodri Glyn Thomas: Certainly. I am happy to speak on behalf of the Commission to the language commissioner at any time—I am sure to discuss matters with the language commissioner from time to time. The fact of the matter is that, ultimately, the language commissioner is accountable to the Assembly rather than the Assembly being accountable to the language commissioner. Nonetheless, we would always be happy to discuss anything we can do to improve our provision with anyone who has expertise in this area.

[219] **Ann Jones:** Do you think that that intention should be reflected in the draft scheme?

[220] **Rhodri Glyn Thomas:** Nid oes modd gwneud hynny. Ai yn benodol gyda'r comisiynydd yr ydych yn ei olygu?

Rhodri Glyn Thomas: There is no way of doing that. Do you mean with the commissioner specifically?

[221] **Ann Jones:** Yes.

[222] **Rhodri Glyn Thomas:** Nid oes modd gwneud hynny, gan nad yw'r Cynulliad yn atebol i'r comisiynydd. Mae'r comisiynydd yn berson hyfryd iawn, ac rwy'n fwy na hapus i siarad â hi unrhyw bryd.

Rhodri Glyn Thomas: That is not possible, because the Assembly is not accountable to commissioner. The commissioner is a lovely person, and I am more than happy to talk to her anytime.

[223] **Bethan Jenkins:** Nid a fyddwch yn fodlon cael trafodaethau yw'r cwestiwn. A fydddech yn fodlon cael trafodaethau gyda'r comisiynydd pe bai materion y byddai'n rhaid eu trafod?

Bethan Jenkins: The question is not whether you will have discussions. Would you be willing to have discussions with the commissioner if issues arose that needed to be discussed?

[224] **Dr Gwilym:** Mae cyfeiriad at swyddfa'r comisiynydd iaith yn nechrau'r ddogfen ac yn benodol pan ddaw i dechnoleg gwybodaeth. Gallwn edrych eto, ond mae cyfeiriad penodol iawn at bwysigrwydd cydweithio â'r swyddfa honno.

Dr Gwilym: There is a reference to the office of the language commissioner at the front of the document, particularly with regard to information technology. We can take another look, but there is a very specific reference to the importance of collaboration with that office.

[225] **Rhodri Glyn Thomas:** Os gallwn gynnwys cyfeiriad, fe wnawn ni, ond mae problem o ran atebolrwydd. Nid wyf yn gwrthwynebu cynnwys rhywbeth felly os

Rhodri Glyn Thomas: We will include that reference if we can, but there is a problem with accountability. I have no objection to including something like that if it is

yw'n ymarferol bosibl.

practicable.

[226] **Ann Jones:** I think that we have exhausted all the questions—and we have managed to get through quite a few. Thank you for coming in and giving us further evidence. Thanks to Non and Gwyn for coming in as well. A copy of the transcript will be sent to you to check for accuracy. We will now proceed to gather all the evidence and write our report. Thank you very much for coming today.

[227] **Rhodri Glyn Thomas:** Diolch yn fawr i chi, fel pwyllgor, am eich gwaith yn craffu ar y Bil. Fel Comisiynydd, mae gennyf atebolrwydd i Aelodau'r Cynulliad, felly rwy'n hapus i drafod materion yn ymwneud â'r Bil a'r cynllun gydag unrhyw Aelod Cynulliad. Hefyd, mae pob cyfle i Aelodau godi materion perthnasol gyda mi, a byddaf yn eu cyflwyno i'r Comisiwn ar eu rhan.

Rhodri Glyn Thomas: I thank you, as a committee, for your work in scrutinising the Bill. As a Commissioner, I have accountability to Assembly Members, so I am happy to discuss issues relating to the Bill and the scheme with any Assembly Member. There is also every opportunity for Members to raise relevant matters with me, and I will present them to the Commission on their behalf.

[228] **Ann Jones:** Thanks. That is very helpful.

**Cynnig o dan Reol Sefydlog Rhif 17.42 i Benderfynu Gwahardd y Cyhoedd o'r
Cyfarfod
Motion under Standing Order No. 17.42 to Resolve to Exclude the Public from
the Meeting**

[229] **Ann Jones:** I move that

the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order No. 17.42(ix).

[230] I see that the committee is in agreement.

*Derbyniwyd y cynnig.
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10.45 a.m.
The public part of the meeting ended at 10.45 a.m.*