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Senedd Cymru | Welsh Parliament

Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol | Equality and Social Justice Committee

Bil Iaith Arwyddion Prydain (Cymru) | British Sign Language (Wales) Bill

Ymateb gan Cyngor Bwrdeistref Sirol Wrexham | Evidence from Wrexham County Borough Council

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## **What are your views on the general principles of the Bill?**

We recognise the need for the introduction of the British Sign Language (Wales) Bill and support its overarching principles to promote and facilitate the use of BSL across Wales, and that the Bill represents a vital step forward towards improving accessibility, inclusion, and equality for Deaf communities and BSL users.

The Bill rightly acknowledges BSL as a distinct language and would affirm the cultural and linguistic identity of BSL users in Wales by sending out an important message to Deaf BSL signers that their language is valued and their rights to linguistic access recognised.

Without this Bill, the Welsh Government and public bodies in Wales will have significantly weaker statutory duties, placing Deaf BSL signers in Wales at a disadvantage compared to those in other UK nations.

The Bill will go beyond the Equality Act, by protecting, promoting and facilitating BSL as a language it will also bring Wales in line with UK and Scottish legislation ensuring that Deaf BSL signers in Wales are not at a disadvantage compared to those in England and Scotland.

The Bill will help raise awareness and visibility of BSL and will ensure there is greater understanding and awareness of BSL as a language in its own right.

The Bill will also ensure policy makers and service providers consider the language needs of Deaf BSL signers and the barriers they face when designing services in public sectors which will help address language deprivation and social exclusion.

The Bill will help address these issues in Wales by introducing legal requirements to promote and facilitate the use of BSL in Wales.

**What are your views on the Bill's key provisions (set out below), in particular are they workable and will they deliver the stated policy intention?**

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### **1 – A duty on Welsh Ministers to promote and facilitate the use of BSL**

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The duty placed on Welsh Ministers by the British Sign Language (Wales) Bill helps to build a more inclusive Wales by promoting and facilitating the use of British Sign Language (BSL), by acknowledging the cultural identity of the Deaf community and affirms their right to access public life on equal terms.

The Bill and these measures ensure that BSL is not just acknowledged but embedded throughout Welsh Governance and public service delivery.

### **2 - A duty on Welsh Ministers to publish national strategy and guidance**

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Production of a national strategy will help ensure a consistent approach, strategic clarity and a clear framework for the implementation and delivery of the Duty. It is essential that this is developed with key stakeholder input (listed bodies), to ensure it can offer realistic and deliverable measurable goals and timelines.

### **3 - A duty on Welsh Ministers to publish BSL guidance**

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The duty placed on Welsh Ministers to publish guidance on British Sign Language (BSL) is a significant step towards inclusion and equality in Wales and the introduction of formal guidance has the potential to support BSL users to have full access to public services, education and civic life. It is essential that this is developed with key stakeholder input (listed bodies), to ensure it can offer realistic and deliverable, measurable goals and timelines.

### **4 - A duty on specified public bodies to publish BSL plans**

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The requirement for public bodies to produce and publish plans and to report on progress supports transparency and long-term impact.

We welcome the ability to work in partnership with other listed bodies, which will help manage listed bodies' resources, as well as BSL resource, and will help minimise duplication. However, it is not clear how often a listed body must publish / revise a Plan (there is reference to the National Strategy being up to 6 years) and whether this is dependent on the National Strategy.

However, there is the potential to improve efficiency by the provision of co-ordinated and expert central support to assist listed bodies, while still maintaining the ability to 'localise' Plans.

As well as expertise and knowledge, this should also include access to resources for the drafting, consulting and publishing of BSL Plans: this amount of work being undertaken at the same time across listed bodies has the potential to overwhelm the already limited local BSL qualified interpreter resources, and risks listed bodies being unable to deliver on the requirement of publishing a Plan.

## **5 - The appointment of a BSL adviser**

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The creation of a BSL adviser and advisory panel is positive. It ensures that decisions are informed by people with lived experience and expertise within the Deaf community ensuring expert oversight, which is essential for maintaining standards and addressing any regional disparities in interpreter availability.

## **6 - Reporting duties to be imposed on the public bodies and Welsh Ministers in relation to these duties.**

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The requirement to report will reflect a strong commitment to inclusion, accountability, and cultural recognition.

As such this Duty should also apply to Welsh Government/Welsh Ministers in order to provide evidence as to progress with delivery of the National Strategy in terms of costs and deliverables, as well as impact.

In terms of listed bodies, the costs outlined in the Memorandum are significant, within the context of current financial situation in the public sector. Without central resource or additional Welsh Government funding to support the

reporting requirement, and the monitoring and assessment mechanisms which would make it meaningful, this risks being an exercise which by necessity superficial and does not add value.

The memorandum states that the implementation reports must be published within 12 months of the day on which they publish their BSL Plan (or revised version) and this is unrealistic. Any meaningful performance reporting would require monitoring and assessment mechanisms to be meaningful, and this should take place with 12 months of data. Most other such Plans require reporting within 12 months of the end of each reporting year. i.e. annual reporting on 2024-25 must be published during 2025-26.

We would also highlight our experience of the Anti-Racist Wales Action Plan (ARWAP) where central structures, support and co-ordination, including training for listed bodies, were not in place at the beginning of the Plan, and the negative impact that this has had on the realistic delivery and focus of that Plan.

## **How appropriate are the powers in the Bill for Welsh Ministers to make subordinate Legislation?**

The power to make subordinate legislation allows the Welsh Government to adapt the Bill's implementation over time, which will enhance its long-term viability.

## **Are there any barriers to the implementation of the Bill's provisions and does the Bill take account of them?**

We support the views of the WLGA as included in the memorandum in terms of the capacity to deliver on the aims of the Bill, and feel that Welsh Government should lead on developing capacity and resource in advance on placing duties on listed bodies (section 208 onwards).

Key issues are:

- Capacity to deliver duties set out in the bill, the additional resources local authorities would need to implement the changes, set within the context of existing financial pressures in other statutory areas.
- Councils will need to allocate additional resources and funding to meet this new duty to provide qualified BSL interpreters and creating BSL friendly materials.
- Extent of unqualified costs.
- Recruitment and retention of suitably skilled individuals to support the provisions set out in the bill.
- Lack of availability and access to BSL interpreters - as recognised within the Bill addressing any shortage of qualified BSL interpreters in Wales and ensuring high standards of interpretation being readily available is key.
- As noted in the memorandum – there is already a shortage of BLS interpreters across critical service areas, and for urgent and unplanned needs. Increases in capacity should be used to focus on these areas where the risks of safeguarding issues, with long-term negative impacts on health, education, and mental well-being, are highest.

As recorded in the Memorandum, there is already a significant shortage of qualified British Sign Language (BSL) interpreters in Wales, including North Wales. The bill focuses on devolved services, particularly health, social care and education, which will mean councils will have direct responsibility for providing interpreters in these critical areas, often where BSL users face the most barriers.

As stated in the memorandum, there is already a critical lack of interpreters available for short-notice and unplanned situations like emergency care.

The Wales Interpretation and Translation Service (WITS) has highlighted a shortfall of interpreters, especially for urgent, unplanned needs.

The demand for interpreters outweighs the supply, with a typical booking time of 3-4 weeks with the lack of available BSL interpreters to provide support at short notice and during emergency care incidents.

Research undertaken by Welsh Government also found instances / circumstances where some interpreters are reluctant to work, such as police interviews, owing to the level of scrutiny involved and the possibility of being required to attend court. There is also a need for more qualified teachers and resources to train new interpreters and address this shortage so careful consideration on how this is addressed before the bill is implemented is essential.

This deficit already leads to significant barriers for the Deaf community when accessing public services, resulting in potential negative health, educational, and social outcomes.

### **What are your views on the assessment of the financial implications of the Bill as set out in Part 2 of the Explanatory Memorandum?**

Whilst the Bill sets out strong foundations, we believe successful implementation will depend on adequate funding being made available to public bodies to successfully implement.

The Bill requires public bodies not only to produce BSL plans and report on progress there will be the need to hire interpreters and translators, train staff in BSL awareness whilst also updating digital and physical infrastructure to accommodate BSL users.

Given current budget pressures within Local Authorities, Local Authorities would not be able to absorb any additional costs without diverting funds from other essential services.

Full funding for costed principles must be provided if the aims of the Bill are to be delivered.

### **Are there any other issues that you would like to raise about the Bill and the accompanying Explanatory Memorandum?**

Inclusive consultation – Ongoing and meaningful engagement with listed bodies throughout the Bill's development and implementation phases.

Monitoring and Evaluation – Guidance on clear mechanisms for evaluating the effectiveness of the Bill, the National Strategy and the Plans.

### **Anything else?**

A Welsh version of our written response will follow at a later date. It will be with you by early next week