

**Senedd Cymru**

**Y Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol**

**Ymchwiliad:** Bil Iaith Arwyddion Prydain (Cymru)

**Ymateb gan:** RNID Cymru

**Welsh Parliament**

**Equality and Social Justice Committee**

**Inquiry:** British Sign Language (Wales) Bill

**Evidence from:** RNID Wales



Senedd Cymru | Welsh Parliament

**Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol | Equality and Social Justice Committee**

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You do not need to answer every question, only those on which you wish to share information or have a view.

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

(We would be grateful if you could keep your answer to around 500 words).

**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?**

(We would be grateful if you could keep your answer to around 500 words).

We strongly support the proposed Bill and believe that the legislation is necessary to achieve the desired change and equality for BSL users in Wales.

This Bill would give BSL users in Wales legal recognition of their distinct language and cultural identity, and would bring Wales in line with other UK Nations who have BSL legislation. Including the British Sign Language (Scotland) Act 2015, the British Sign Language Act 2022 of Westminster, and the Northern Ireland Sign Language Bill which is currently going through the Assembly with the support of their Government.

This legislation is needed to address the significant and persistent inequality experienced by BSL users in Wales. Deaf BSL users in Wales, of which there are estimated to be between 5,600 and 7,300<sup>1</sup>, continue to face significant barriers in everyday life, due to the lack of access to public services – including healthcare,

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<sup>1</sup> (Bowen & Holtom, 2020)

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local authorities and education – as well as employment and wider cultural and social life. Despite the limited data on the experiences of deaf BSL users in Wales, RNID analysis of census data shows that one in three (38%) of BSL users of working age are economically inactive, highlighting how they are further from the labour market than people with hearing loss more widely, and the general population.<sup>2</sup>

We believe the draft Bill is strong, wide-reaching and has the potential to go further than existing legislation, but only if effectively implemented in collaboration with the deaf community. We know that significant effort is needed to achieve this, and to ensure that the provisions and duties within the Bill have the required strength and detail; and that public bodies and Ministers are equipped with the right support and guidance to meaningfully implement the Bill.

There is also significant effort needed to improve the wider population's understanding and awareness of BSL. RNID's ***It Does Matter*** report looked at public attitudes towards deaf people, and of the general public who took our survey, 34% said they didn't know how to communicate with a BSL user. This lack of understanding and awareness has a significant impact on deaf BSL user's daily lives.

We also believe that this Bill and the priorities within it are closely aligned with existing Welsh Government priorities, including the Strategic Equality Objectives and the More Equal Wales goal within the Wellbeing of Future Generations Act.

We look forward to supporting this Bill and its implementation.

**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?**

(We would be grateful if you could keep your answer to each section to around 500 words).

We welcome the statutory framework to promote and facilitate the use of BSL within Wales and believe this is a vital step towards inclusion and recognition for the deaf community.

We believe that the proposed provisions provide a clear and coherent structure and mechanism which should achieve the intended policy aims of the Bill. We expand on each of these below, and believe that, taken together, these provisions provide a strong framework to implement and enforce the Bill.

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<sup>2</sup> RNID analysis of 2021 census data.

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Throughout the legislative process we want to see a strong commitment to the following approaches:

- Principles of co-production or participatory policy making with deaf BSL users in Wales, to ensure their needs are understood by the Ministers and public bodies whose duty it is to meet them;
- Clear, measurable and timely goals tied to the national BSL strategy and BSL plans to ensure implementation is meaningful and reporting processes are grounded in targets. This should also align the BSL strategy and plans with wider Welsh Government objectives and strategies, e.g. the Strategic Equality Plan, etc;
- Identification of key immediate barriers that could undermine the impact of the Bill; for example, the lack of interpreter workforce in Wales. BSL interpreters play a crucial role in ensuring that services and institutions can meet the needs of deaf BSL users, and while it's not a silver bullet, without action to address the dwindling interpreter workforce in Wales, we may not be able to progress at the desired pace.

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

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We welcome the duty on Welsh Ministers and believe this is a necessary provision to ensure there is cross-government understanding and awareness of the Bill and the needs of the deaf community.

We want to see this provision result in measures to raise the visibility and availability of BSL both within Government and more widely. For example, during the Covid-19 pandemic, the principle was established to ensure BSL access during Government announcements, so that when the First Minister spoke to the nation, there was always an interpreter present. Since 2023, this has lapsed, without consultation. We would like to see a recommitment to this principle and provision of BSL.

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

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We also welcome the duty for a national BSL strategy to be published by Ministers, and for this to be consulted on and laid before the Senedd. However, provisions within this Bill include multiple strategies and plans that will no doubt overlap and intersect. Implemented properly, this has the potential to create a robust and integrated structure to ensure the promotion and facilitation of BSL, however there is a slight risk that this process could become overly complex. To avoid this, the national BSL strategy put forward by Ministers must be robust and include clear goals, timelines and mechanisms for accountability, as well as clearly setting out how the BSL plans of Government and other public bodies interact with and report to the strategy.

While a clear cohesive strategy for implementation is essential, there is also a need for leadership on prioritisation of time and resource, in collaboration with the BSL

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using community, to ensure this Bill has the desired impact. We would encourage Members to consider how the national strategy could achieve this, and how it can identify the priority areas that need focus within the first six year period.

This strategy should take into account the work that has already taken place on BSL policy across the last year. Since January, a group of deaf BSL signers working or living in Wales, as well as professionals from representative organisations, have been convened by Welsh Government to form the BSL Stakeholder Group and develop a BSL route map. This work was intended to provide a short-medium term action plan of interventions needed to improve the position of BSL users in Wales. We hope that this work can lay some of the foundations for the development of a national BSL strategy and BSL plans across Government and public bodies.

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

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The provision for Ministers to publish BSL guidance is crucial to the success of the Bill and has the potential to address the challenges faced by public bodies and services in ensuring and delivering BSL access.

We know from conversations with some public services, that there is a desire to improve BSL provision, but a lack of knowledge or understanding on how to approach the issue, and a lack of clear guidance and information on how to provide quality BSL communication and information. This is feedback from public bodies who are already engaged and understand the need for BSL information and communication; there are even more services that are further behind on this journey and do not understand the need for BSL, nor how to provide it. This Bill compels them to understand the need to promote and facilitate BSL, and the guidance equips them. Guidance from Welsh Government and the BSL Adviser would provide a framework for BSL provision, improving consistency and quality across public services. We want to see an obligation, alongside this guidance, to ensure public bodies utilise it and apply it to their service provision.

This guidance must be co-produced with BSL users and experts, and must be published before the development of BSL plans by public bodies, to ensure guidance is embedded throughout. We are keen to explore further how co-production can be embedded in the implementation process, with consideration of potential capacity and resource challenges for deaf BSL users and representative organisations. We'd urge the committee to consider this and potential models. In Scotland, for example, a group was appointed by Government who worked with the local authorities for the purpose of co-production, particularly regarding community engagement. This may be something to consider within the role of the Advisory group, or sub-groups addressing specific need.

Within the UK Act, Section 3 includes provision of guidance to be published by the Secretary of State to inform departments on how they can improve their provision of BSL communication. This has not been enacted through secondary

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legislation, and each department has published their own plan without the guidance, which has resulted in inconsistent actions across departments. Wales should learn from this process and ensure that the guidance is in place before the plans are developed to ensure that they meet the needs of deaf BSL users.

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

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This duty is essential to embed BSL provision and inclusivity across public services and to achieve equality for BSL users. Public bodies, including health boards, local authorities and education institutions provide the everyday services that deaf BSL users rely on, and therefore public bodies' BSL plans are crucial for implementation of the Bill and achieving desired policy aims in a way that improves the lives of BSL users.

Plans should be, ideally co-produced, or developed in conjunction with, BSL users. Where public bodies are localised, plans should be consulted on and informed by local priorities and needs. Co-production should be the goal, but we want to acknowledge the capacity challenge this may pose to individuals and smaller organisations, and consider a scalable model to aim for. We believe that the guidance should be co-produced as a priority, as this should form the basis of public bodies' BSL plans.

It is essential that these plans include measurable objectives, clear timeframes for delivery, and interact with the national BSL strategy. These plans should also highlight how engagement with BSL users has or will take place, and how their views have been taken into account within the plan.

Crucially, public bodies must also be supported with resources and training to implement these plans effectively, including training for staff, and guidance on how BSL plans must integrate with other reporting priorities and duties. We welcome the estimated costs provided in the explanatory memorandum, and this must be a continued conversation to understand how resource can be most efficiently and effectively allocated.

Finally, regarding public bodies, we share the concern of other organisations and individuals that there are significant omissions within the current proposed list. Most notably, education providers and regulators, like Estyn and Qualifications Wales, but also bodies like the Public Services Ombudsman for Wales whose responsibility it is to regulate public services and escalate complaints; which is a significant need of BSL users. While we understand there will need to be prioritisation of how this legislation is rolled out and implemented, we would urge the committee to consider how, when and which public bodies should also be subject to this legislation.

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

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We support the appointment of a National BSL Adviser and agree with the importance that the appointed Adviser be able to communicate effectively and

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fluently in BSL. We would add that the following criteria should also be considered for the appointment of that role;

- They should have a firm understanding of the needs of the Deaf community and the day to day experiences of deaf BSL users in Wales
- They should have experience of working within the Deaf community and, either formally or informally, representing the views and interests of BSL users
- They should have a strong understanding of Welsh Government and policy-making, to ensure they are able to achieve the maximum impact in role.

The role of the Adviser will be crucial in informing and advising Welsh Ministers, and be an essential conduit between Government and deaf BSL users across Wales.

While we welcome this role, we want to highlight the weight of responsibility this places on one individual to represent the views of BSL users in Wales, therefore the National Adviser role must be supported by a strong framework, including the proposed BSL Advisory Panel, and clear structures and resource to regularly engage with and feed back to BSL users in Wales.

This also must include appropriate resource for the BSL Adviser to effectively undertake their duties, and we welcome clarity within the Bill and explanatory memorandum on remuneration and facilities for the exercise of the Adviser's functions.

It is unclear at this stage how the Adviser will be expected to liaise with public bodies, but we would like to see the BSL Adviser be able to directly engage with them to support their plan development and implementation, or to intervene when there are concerns.

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

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We support the annual reporting requirements laid out in the Bill and would recommend reports be concise, accessible to BSL users and reflect ongoing monitoring. Reports should highlight progress against clear, measurable targets, as well as highlighting challenges or setbacks, and areas for further focus and improvement. We hope with this framework, annual reports will then be used to track and highlight progress over several years.

It's crucial that this reporting process be meaningful to public bodies and to Welsh Government. We don't want them to view it as a tick box exercise, but as a way to engage with the learnings and areas of improvement for promotion and facilitation of BSL.

These reports should embed a learning approach. Analysis by the BSL Adviser, supported by the BSL Advisory panel, should highlight thematic learnings,

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challenges, successes and opportunities from across Wales and different public bodies, to ensure successful approaches are embedded consistently, and that BSL plans are reflective of and respond to persistent challenges, informing ongoing approaches.

We would also like to see reports on actions taken within Government departments to promote and facilitate BSL. Since the Welsh Government undertook a BSL audit provided by BDA in 2022, there has been a lack of clarity on progress to improve BSL provision within Welsh Government. Reporting on Government activity too allows us to ensure progress at all levels of public life in Wales, and to have a full picture of progress for scrutiny and improvement. This would also align with elements of other UK legislation. For example, the Scottish BSL Act (2015) where Section 4 of the Bill requires progress reports to be laid before the Scottish Parliament and published publicly every 6 years. The reports document measures taken and outcomes attained in relation to the National BSL Plan and the Authority Plans, as well as including examples of best practice or poor performance. Within the UK British Sign Language Act 2022, Government departments are required to publish BSL plans and report on each department's BSL provision and promotion.

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

(We would be grateful if you could keep your answer to around 500 words).

We support the powers within the Bill and believe they are sufficient to deliver the stated policy aims, provided they are exercised transparently and in consultation with the deaf BSL using community.

We particularly welcome the ability for Ministers to add or remove public bodies from the list, as highlighted above, we would like to see this legislation expand to a broader list of public bodies to ensure the rights of BSL users are upheld across all aspects of daily life. All public services should be accessible to deaf BSL users, and therefore the list should reflect that, although we understand there will need to be prioritisation of the most urgent areas for implementation.

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

As highlighted throughout our response, we do not underestimate the significant effort needed to implement and ensure the effectiveness of this Bill, and this effort is needed across Government, public bodies, the Adviser and Advisory panel, and supporting stakeholders, including BSL users themselves and representative organisations like ourselves.

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We believe the statutory framework set out in the Bill provides the structure needed to potentially go further than other UK legislation if effectively implemented.

As we have raised elsewhere, our only concerns are;

- That there must be clear, measurable and time-bound targets throughout the national strategy and BSL plans to drive progress;
- That each of the Bill's provisions has a clear purpose and is situated within the wider statutory framework; to ensure the numerous strategies, plans and guidance work together rather than create a confusing and complex structure;
- That the BSL Bill must be embedded within wider Welsh Government policy and legislation to ensure public bodies are aware of how their duties under the BSL (Wales) Bill, also contribute to wider goals, for example the Wellbeing of Future Generations Act's 'A more equal Wales' goal.
- That a test and learn approach must be embedded throughout implementation, to ensure that plans are responsive to and reflective of challenges and successes in achieving the aims of the Bill.
- That currently, the list of public bodies within the Bill is not adequate to address the challenges faced by BSL users in every aspect of their life. We would like to see this list expanded to include organisations like the Public Services Ombudsman, and crucially, education institutions like Estyn.
- That the National BSL Adviser is appropriately resourced to carry out their duties, including remuneration, provision of facilities including staff, and appropriate powers to compel or investigate public bodies.
- That effort is needed to tackle immediate challenges that could compromise the success of the Bill; for example, the provision of BSL interpreters and Video Relay Service (VRS) technology. We know these things are not a silver bullet, but they will be needed in the short-term to address immediate challenges of BSL access and provision.
- There is currently a lack of clarity about enforcement powers within the Bill, and what action can be taken by the BSL Adviser, Advisory Panel and Welsh Ministers if they feel that public bodies are falling short of their duties under the Bill. We would welcome further clarity on powers to investigate and intervene in these instances.

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

(We would be grateful if you could keep your answer to around 500 words).

The assessment of financial implications within the explanatory memorandum is helpful in estimating some of the anticipated costs of implementation. This needs further exploration to understand the resource needed by public bodies to meet

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their duties within the Bill, and this should be an ongoing discussion throughout the legislative process and during implementation.

We also welcomed the commitment by the Cabinet Secretary for Social Justice of £240,000 in funding for the year 2026/7 made in the Senedd in July. This will support initial rollout of the legislation and support for public bodies.

Throughout this inquiry, we would encourage the committee to consider how processes can be streamlined to most efficiently use resource and ensure that funding is allocated in a way that has the biggest direct impact on BSL users; for example, aligning BSL reporting duties with existing duties, such as the Wellbeing of Future Generations reporting process, reporting on Welsh Government equalities plans, or Welsh Language reporting duties.

While we understand the existing cost pressures faced by public bodies, the inequality faced by BSL users in Wales already poses a cost to public services and the Welsh economy, due to their poorer health and economic outcomes.

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

### **Anything else?**

The Bill will not address all the barriers faced by BSL users in Wales, and we particularly want to draw attention to the barriers in healthcare that have a hugely detrimental effect on people's quality of life, as demonstrated by our findings in our [2025 Still Ignored: The Fight for Access Healthcare](#) report.

With NHS trusts and health boards listed public bodies under the Bill, this is one of the key areas we want the BSL (Wales) Bill to address. Some key findings are below - although we were not able to provide a separate specific breakdown by BSL user respondents, 18% of those surveyed were BSL users, and broadly our research showed that they faced even more significant barriers than deaf people or people with hearing loss who did not use BSL:

- 1 in 4 (25%) of deaf people and people with hearing loss in Wales have been denied the information and communication support they need at NHS appointments, despite being legally entitled to it.
  - 1 in 5 (18%) said a health condition was made worse due to this lack of accessible communication.
  - Almost 1 in 10 told us they have avoided calling an ambulance or going to A&E due to this lack of access.
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- More than half (56%) have had to rely on either a partner, children, family or friends to interpret or relay information for them at an appointment. These individuals may also not be equipped with the right language to adequately translate medical information – this is a **patient safety issue**, and also strips **them of their privacy, dignity and independence** when accessing healthcare.
- **Despite the All Wales Standards for Accessible Communication and Information being introduced more than a decade ago in 2013**, only 1 in 5 (18%) agreed that their information and communication needs are met more often now than a decade ago.

The report also revealed challenges to accessing communication support handled through the Wales Interpretation and Translation Service (WITS) who book interpreters and other support – but confirmation and information regarding the booking is rarely shared with BSL users.

We expect the BSL Bill to be a step in the right direction as health boards and NHS trusts are listed public bodies under the Bill, but further action must be taken in order to address these issues and ensure deaf people have access to healthcare.

The revised and strengthened All Wales Standards are due to be published in the coming months, and this provides a key opportunity for both these areas of work to align on shared priorities, and work closely with health boards to support implementation.

Further details of RNID's recommendations to Welsh Government, NHS Wales, Health Boards, Trusts and other public bodies can be found in our [Still Ignored](#) report, and encourage policy makers to engage with us if they would like more evidence and information.

We want to end by saying that we are in strong support of the draft Bill, and believe that it provides a potentially strong framework to significantly improve the lives of BSL users in Wales. Implementation will now be crucial, and alongside other charities supporting deaf BSL users, and BSL campaigners, we hope to support Welsh Government and other public bodies to meet the duties set out in the Bill, and improve access, as well as the linguistic and cultural rights of deaf BSL users.

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