

Mr Mark Isherwood AM  
Chair – Legislation Committee 5  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

20<sup>th</sup> March 2009

0141 566 4866

*Dear Mr Isherwood,*

**Proposed National Assembly for Wales (Legislative Competence) (Welsh Language) Order 2009**

Thank you for the opportunity to submit written evidence to the Committee on the above Legislative Competence Order.

ScottishPower Ltd manages regulated and competitive businesses in the UK serving more than 3 million network customers (which includes over 400,000 in North and Mid Wales) and over 5 million gas and electricity retail customers (around 192,000 are in North and Mid Wales).

Our aim is to deliver an equally high standard of service to our customers through the medium of Welsh and English.

I have enclosed for your information ScottishPower's '*Welsh Language Scheme*' which was prepared in accordance with Sections 12 to 14 of the Welsh Language Act and in accordance with guidelines issued by the Welsh Language Board. The current scheme came into effect in April 2008 and replaced the previous scheme which was approved in April 1997.

We believe our work in this area demonstrates how it is possible to provide a high standard of service to Welsh speaking customers on a voluntary basis.

With regards to the specific Legislative Competence Order, while ScottishPower engages fully in the development of legislation that affects our businesses, we do not think it is appropriate for us as company to take a position on the legislative competence of the devolved legislatures in Wales, Scotland or Northern Ireland.

We would however be delighted to provide further information to the Committee highlighting our work and experience in this area.

Yours sincerely



Phil Henderson  
**Head of Public Affairs**



# Welsh Language Scheme

Prepared under the Welsh Language Act 1993

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## 1. INTRODUCTION

Under the Welsh Language Act 1993 every public body providing services to the public in Wales has to prepare a Scheme setting out how it will provide those services in Welsh.

### **This is our Scheme.**

It describes how we will give effect, so far as is both appropriate in the circumstances and reasonably practicable, to the principle established by the Welsh Language Act that, in the conduct of public business and the administration of justice in Wales, the Welsh and English languages should be treated on a basis of equality.

The Scheme covers the services that we provide to the public in Wales.

In this Scheme, the term **public** means individuals, legal persons and corporate bodies. It includes the public as a whole, or a section of the public, as well as individual members of the public. The term includes voluntary organisations and charities. Directors and others representing limited companies are also within the meaning of the term 'public'. It does not, however, include persons who are acting in a capacity which is representative of the Crown, Government or the State. Consequently, persons who fulfil official functions of a public nature, even though they are legal persons, do not come within the meaning of the word *public* when they are fulfilling those official functions.

Further information about the scope and purpose of Welsh language Schemes can be found in the Welsh Language Board's guidelines - [www.welsh-language-board.org.uk](http://www.welsh-language-board.org.uk)

This Scheme was prepared in accordance with Sections 12 to 14 of the Act – and in accordance with guidelines issued by the Welsh Language Board under Section 9 of the Act. It came into effect on 15/04/08, and replaces the Scheme that was approved by the Board on 23/04/97.



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## 1.1 ScottishPower

ScottishPower (SP) manages regulated and competitive businesses in the UK to serve more than 3 million electricity and gas customers, which includes over 400,000 customers in North and Mid Wales.

The Welsh Licensed area of the SP group is geographically diverse encompassing the highly industrialised and populated areas of Deeside and Wrexham as well as the mountainous regions of Snowdonia. The linguistic profile of the area is as diverse as its geography, with Ceredigion, Ynys Mon and Gwynedd being predominantly Welsh speaking, with more English being spoken as the first language further to the east of the region.

SP aims to deliver an equally high standard of service to its customers through the medium of Welsh and English.

## 1.2 Goals and Objectives

1.2.1 In its dealings with the public and in the exercise of the democratic process, SP will treat Welsh and English on the basis of equality. Both languages will enjoy the same status and validity.

1.2.2 ScottishPower:

- Will offer the public in Wales the right to choose which language to use in their dealings with the organisation;
- Recognises that members of the public can express their views and needs better in their preferred language;
- Recognises that enabling the public to use their preferred language is a matter of good practice not a concession;
- Recognises that denying them the right to use their preferred language could place members of the public at a real disadvantage

## 2. SERVICE PLANNING AND DELIVERY

### 2.1 Policies and Initiatives

2.1.1 Any plans, initiatives or policies formulated by SP will comply with the requirements of this Scheme. Reference will be made to this Scheme, where relevant, in SP plans, initiatives and policies. SP will make an

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assessment of likely linguistic results of any policy or initiative during preparation and in monitoring that policy initiative.

- 2.1.2 SP will consult the Welsh Language Board about any proposed policies or initiatives that would affect SP's Welsh Language Scheme or the Scheme of another organisation. The Scheme will not be altered without the Board's agreement.
- 2.1.3 Introducing policies and initiatives will enable SP to promote the use of Welsh in its services and to progress towards achieving the objectives of this Scheme. SP will pursue these objectives at every opportunity to help implement the principle of equality.
- 2.1.4 The measures described in the Scheme will be applied to all policies and initiatives. Members of staff and others engaged in framing and implementing them will be made aware of the Scheme and the requirements of the Welsh Language Act.
- 2.1.5 Guidelines and instructions will be prepared for all staff responsible for policies and initiatives.
- 2.1.6 The SP Welsh Language Panel under the Chairmanship of a Senior Director will monitor this Scheme.

## 2.2 Delivery of Services

- 2.2.1 Our normal practice will be to ensure that our services are available to the public in Welsh.
- 2.2.2 We will let the public know when services are available in Welsh

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## 2.3 Partnership Working

2.3.1 When we are the strategic and financial leader within a formal partnership, we will ensure that any public service aspects comply with the Scheme.

2.3.2 When we join a formal partnership, which another organisation is leading, our input to the partnership will comply with this Scheme and we will encourage the other partners to comply.

2.3.3 The above refers only to formal partnerships dealing with services available to the public in Wales.

## 2.4 The Standard of Service in Welsh

2.4.1 Services provided in Welsh and English will be of equal quality and will be provided within the same timescale.

## 2.5 Definition

2.5.1 In the context of this policy document Welsh and English are the two languages implied by the word "bilingual".

## 2.6 The Scheme

2.6.1 Anyone who wishes to contact SP about this Scheme should contact:

Eifion Griffiths  
ScottishPower  
Customer & Performance England & Wales  
SP EnergyNetworks  
PO BOX 168  
PRENTON  
CH26 9AY

Tel: 0151 609 2390

Fax: 0151 609 2210

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### 3. DEALING WITH THE WELSH SPEAKING PUBLIC

#### 3.1 Written Correspondence

3.1.1 The public are welcome to deal with the SP in writing either in Welsh or English. Correspondence will be answered and signed by SP in the language of the original correspondence and in accordance with our Guaranteed Standards Scheme.

3.1.2 If SP is aware that an individual, group or organisation prefers to receive letters in Welsh, then that language will be used in letters instigated by SP. SP will make arrangements to set up a database of persons and organisations that prefer to correspond or deal in Welsh.

3.1.3 Following face-to-face interview or telephone call which was conducted through the medium of Welsh, any correspondence required will be written in Welsh unless the member of the public has indicated otherwise.

3.1.4 Subject to the scoring system referred to below, when we send circular or standard letters or correspondence to the public, it will be bilingual unless we know that all recipients would prefer to receive it in Welsh or English only.

3.1.5 We will use a scoring system, to be agreed with the Welsh Language Board, to identify objectively any standard or circular correspondence, which need not be published in Welsh, or bilingually (for instance, when the correspondence is very technical or lengthy).

If the Welsh and English versions of any correspondence have to be published separately, our normal practices will be to ensure that both versions are available at the same time.

3.1.6 SP Welsh Language Panel will be responsible for ensuring that all staff are aware of these arrangements and for informing non-Welsh speaking staff of the facilities available for corresponding in Welsh.

The above will apply to e-mail correspondence as well as paper correspondence.

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## 3.2 Telephone Communication

- 3.2.1 The public are welcome to speak Welsh or English when dealing with SP by phone. Our Welsh-speaking staff will answer the telephone with a bilingual greeting. We will encourage the rest of our staff who are based in Wales, to answer the telephone with a bilingual greeting.
- 3.2.2 If a caller rings one of our direct lines situated in Wales and wishes to speak Welsh, but the person taking the call cannot do so, the operator will try to direct the call to a Welsh-speaking officer in the appropriate department, or to a Welsh-speaking staff member qualified to deal with the enquiry.
- 3.2.3 If no Welsh speaker qualified to deal with the enquiry is available, the caller will be given the choice, as appropriate, of having a Welsh speaker phone back as soon as possible, continuing the call in English or submitting their query in Welsh, by letter or e-mail.
- 3.2.4 Staff will be provided with guidance on handling telephone calls from Welsh speakers, including details of officers able to deal with calls in Welsh from all businesses within SP.
- 3.2.5 Our automated telephone system will give callers from Wales the choice of conducting their phone call in Welsh or English. This service will be available only to customers whose telephones are linked to a digital telephone exchange and to those who have not withheld their telephone numbers.
- 3.2.6 When we set up telephone help-lines, call centres, or similar facilities, to give information, services or support to the public, we will provide a Welsh language service. This will be advertised alongside the English language service. Both services will share the same telephone number.
- 3.2.7 Because of their location it would not be practicable for staff in our offices outside Wales to conduct telephone conversations in Welsh.

## 3.3 Public Meetings

- 3.3.1 When SP is arranging public meetings bilingual notices will be issued, which will either note that translation facilities will be available or invite the public to let us know in advance in which language they wish to speak.

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3.3.2 We will let those attending public meetings know when translation facilities are available - and encourage contributions in Welsh. If SP is aware of anyone who wishes to use Welsh it will endeavour to ensure Welsh speaking staff members attend the meetings.

### 3.4 Other Meetings

3.4.1 Customers visiting SP offices are welcome to discuss their business in Welsh, if they wish to do so. SP will make every effort to ensure the presence of a Welsh-speaking employee to deal with Welsh language enquiries. If no suitably qualified Welsh speaker is available, we will offer the choice of continuing the meeting in English, or dealing with the subject by corresponding in Welsh.

3.4.2 On occasions where an appointment is made to visit a customer at home or at some other location away from a SP office and the customer wishes the visit to be conducted in Welsh, a Welsh-speaking employee will be used wherever practicable. Where this service is not available, we will offer the choice of contacting with a Welsh speaking member of staff by telephone, continuing with the meeting in English, or dealing with the subject by corresponding in Welsh.

3.4.3 Because of their location it would not be practicable for staff in our offices outside of Wales to conduct face-to-face meetings with the public through the medium of Welsh.

### 3.5 Other Dealings With the Public in Wales

3.5.1 Surveys or market research conducted within Wales will normally be bilingual including material for enquiry and response. In determining whether local surveys should be bilingual, SP will consider matters such as the nature of the target audience and the community covered.

3.5.2 Emergency announcements or warning to customers and the public at large in Wales will be bilingual in areas where there is a linguistic need.

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## **4. SCOTTISHPOWER'S PUBLIC FACE**

### **4.1 Corporate Identity**

- 4.1.1 SP's public image and corporate identity will be completely bilingual.
- 4.1.2 SP's bilingual corporate identity will be used on its letterheads, compliment slips, fax sheets, business cards, displays and publications.
- 4.1.3 Guidance on the use of the bilingual corporate identity will be issued to staff, designers and others who reproduce SP's corporate image.

### **4.2 Signs**

- 4.2.1 All internal and external signs giving information to the public will be bilingual with the size, quality, legibility and prominence of text respecting the principle of equality.
- 4.2.2 Other signs used by SP or contractors such as highway signs and public information signs will be bilingual.

### **4.3 Publishing and Printing Material for Distribution**

- 4.3.1 We will publish material made available to the public bilingually, subject to the scoring system referred to below, with the Welsh and English versions together in one document.
- 4.3.2 If the Welsh and English versions have to be published separately (For instance, where a single document would be too lengthy or bulky), both versions will be of equal size and quality - and our normal practice will be to ensure that both versions are available at the same time and are equally accessible. Each version will note clearly that the material is available in the other language.
- 4.3.3 We will use a scoring system, to be agreed with the Board, to identify objectively when the material should be published as separate Welsh and English versions or as bilingual documents.
- 4.3.4 The above will also apply to material made available electronically on our website, on CD Rom or otherwise.

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4.3.5 We will prepare a programme, to be agreed with the Welsh Language Board, setting out how we will increase the availability of bilingual publications, over time.

#### 4.4 Websites

4.4.1 Our websites will include pages in both Welsh and English and we will provide Welsh versions of interactive pages on our websites.

4.4.2 We will prepare a programme, to be agreed with the Welsh Language Board, setting out how we will increase the Welsh language content of our website, over time.

4.4.3 When designing new websites, or redeveloping our existing websites, we will take into account the Welsh Language Board's *Bilingual Software Guidelines and Standards* and any other guidance issued by the Board with regard to developing websites.

#### 4.5 Press Releases

4.5.1 Press releases to the Welsh language press and broadcasting media in Wales will be issued in Welsh where deadlines permit.

4.5.2 We will ensure that Welsh speakers are available to undertake interviews with the Welsh language press and broadcasting media.

#### 4.6 Advertising and Publicity

4.6.1 Where SP publicises its services and activities within Wales by means of exhibitions, displays, notice boards and representations it will do so bilingually, or as separate Welsh and English versions.

4.6.2 Any advertisements placed in English language newspapers (or similar material) distributed mainly or wholly in Wales, will be bilingual, or will appear as separate Welsh and English versions (with both versions appearing simultaneously, and being equal with regard to size, prominence and quality).

4.6.3 Staff and others involved in planning, designing and conducting advertising, publicity or market research campaigns will be made aware of the requirements of the Scheme and issued with guidance on its implementation.

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## 4.7 Official and Public Notices

4.7.1 Official notices and public notices which appear within Wales will normally appear with Welsh and English versions shown together and equal in terms of format, size, quality, legibility and prominence be that in the press, on notice boards, site notices or otherwise. Notices and advertisements in Welsh language newspapers and journals will normally be in Welsh only, and those published in UK-wide newspapers and journals will normally be in English only.

## 4.8 Staff Recruitment Advertising

4.8.1 Every staff recruitment advertisement published by the Company will be bilingual except:

- (a) Advertisements published in Welsh medium magazines and newspapers, which will be in Welsh only.
- (b) Advertisements published in English medium magazines and newspapers for posts where the Welsh language is an essential qualification should be in Welsh with a short explanatory note in English.

4.8.2 Guidance on the implementation of these measures will be issued to staff involved in the design and production of staff recruitment advertisements.

## 5. IMPLEMENTING AND MONITORING THE SCHEME

### 5.1 Staffing

5.1.1 SP recognises the need to employ sufficient Welsh speaking employees of appropriate skills so as to be able to operate this Scheme, particularly in respect of employees having regular contact with customers.

5.1.2 SP will identify those workplaces and jobs where the ability to speak Welsh is essential or desirable and will formulate job descriptions accordingly. This requirement may be defined as a component of a workplace or team rather than being attached to a particular job.

5.1.3 SP will, as part of its review of the operation of the Scheme, monitor the number of Welsh speakers or those who are learning Welsh and their location within the organisation in order to establish and monitor its

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linguistic resources. It will maintain a list of all employees able to speak Welsh and ensure that job advertisements and job descriptions in the media reflect the requirements of this Scheme as appropriate.

- 5.1.4 SP is responsible for a wide range of services and activities relating to the supply of electricity, many of which require specialised professional and technical skills for their operations. It will not be practicable for all services to be provided through the medium of Welsh but the staff will do their best to assist the public to receive a good quality service. The aim is to build a complement of staff that can help the Welsh speaking public within an integrated service.

We will respond to any shortages through our recruitment and training activities.

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## 5.2 Learning Welsh

- 5.2.1 SP will encourage and support members of staff who wish to learn Welsh or improve their spoken or written Welsh.
- 5.2.2 Training priority will be given to staff in those areas of service delivery where there is regular contact with the Welsh speaking public or where there is an identified shortfall of Welsh-speaking staff.
- 5.2.3 SP's Welsh Language Panel will develop a Welsh language-training programme, which meets the needs of SP in implementing the Scheme. This will also seek to develop Welsh language ability amongst non-Welsh speakers.

## 5.3 Recruitment

- 5.3.1 When recruiting new staff there will be an assessment of the linguistic requirements of the post.
- 5.3.2 The Welsh Language Panel will examine service needs and ascertain the areas of priority for recruiting Welsh speakers in order to meet the requirements of the Scheme. In so doing the Panel will consider the situations where the recruitment of Welsh-speaking staff is essential or desirable in order to provide as full a service as possible. Where linguistic ability is considered to be essential or desirable this will be stated in job advertisements.
- 5.3.3 In a case where Welsh is an essential skill for the post, the post is advertised as such stating that any non-Welsh speaker appointed to the post will be expected to learn the language with every assistance from SP. This will take place within a reasonable period, which has been discussed and agreed with the post-holder to a standard where he/she can speak the language sufficiently well to carry out the duties of the post effectively. The reasonable period will be reviewed and monitored by SP's Head of Personnel.
- 5.3.4 When no suitable Welsh speaking candidates can be found for a post where Welsh is essential (or whilst a candidate unable to speak Welsh has been appointed and is learning the language) we will make temporary arrangements under which the Welsh language service can be provided (by using, for example, Welsh speaking staff from elsewhere in our organisation to deliver parts of the service).

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## 5.4 Vocational Training

5.4.1 Senior Managers in consultation with the Personnel Manager will assess the need for specific vocational training through the medium of Welsh for identified members of staff.

## 5.5 Information and Communications Technology

5.5.1 The need to provide information and services in Welsh, and operate in accordance with this Scheme, will be catered for as we develop, design and purchase information and communications technology products and services.

5.5.2 We will modify our existing information and communications technology systems to ensure that they enable us to provide information and services in Welsh - and operate in accordance with this Scheme.

5.5.3 As we develop or procure ICT systems we will take into account the Board's Bilingual Software Guidelines and Standards.

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## 5.6 Administrative Arrangements

- 5.6.1 The Scheme has been approved and carries the full authority of SP's Board of Directors.
- 5.6.2 The Managing Director has ultimate responsibility for ensuring the Scheme's implementation and he will discharge this duty by the establishment of a Welsh Language Panel.
- 5.6.3 The Panel includes some of SP's senior managers including the Personnel Manager. They will advise managers on the steps required to implement the Scheme within their departments.
- 5.6.4 SP will prepare, and continuously update, separate detailed action plans for the Retail Business and Energy Networks, which will be agreed with the Welsh Language Board. The action plans will set out how we will ensure that we will operate in accordance with this Scheme. The action plans will come into effect on the date on which the Scheme comes into effect, or as soon as possible thereafter. The plans will include targets, deadlines and a report on progress against each target. The overall aim of the action plans will be to ensure that we deliver the commitments set out in this Scheme as soon as possible.
- 5.6.5 All members of staff will be made aware of the requirements of the Scheme and issued with appropriate guidance and instructions.
- 5.6.6 We will ensure that we use only qualified translators or interpreters to help with the delivery of the Scheme.
- 5.6.7 Any form of contact with the public in Wales, which is not specifically dealt with by this Scheme, will be undertaken in a manner which is consistent with the general principles enshrined in this Scheme.

## 5.7 Monitoring

- 5.7.1 SP will monitor how well it is meeting its commitments in this Scheme against the targets set out in the accompanying action plans. The Chair of the Welsh Language Panel will report quarterly to SP's Board of Directors at the regular management meetings.
- 5.7.2 It will be the responsibility of the Welsh Language Panel to co-ordinate and implement the Scheme and for its review and revision. If requested by the

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Welsh Language Board, the Chair of the Panel will prepare a report that SP will submit to the Welsh Language Board.

We will use a self-assessment procedure, to be agreed with the Board, in order to monitor progress against the target.

## **5.8 Reviewing and Amending the Scheme**

5.8.1 We will review this Scheme within four years of its coming into effect.

5.8.2 Also, from time to time, we may need to review this Scheme, or propose amendments to this Scheme, because of changes to our functions, or to the circumstances in which we undertake those functions, or for any other reason.

## **5.9 Complaints and Suggestions for Improvement**

5.9.1 Complaints related to this Scheme, or suggestions on how to improve our Welsh language service should be made in writing and addressed to

Chairman Welsh Language Panel  
SP EnergyNetworks  
PO BOX 168  
PRENTON  
CH26 9AY