

Welsh Language Standards – Third Party Contracts and Tenders

Under the Welsh Language [Wales] Measure 2011 the University has a statutory duty to comply with **5** Standards in relation to third party contracts and tenders. These Standards are in place to provide members of the public the right to choose whether to use Welsh or English language when applying for a contract with the University. It is also expected that any third party providing a service on behalf of the University will also comply with the relevant Standards.¹

Invitations to Tender

- Standard 80 requires all invitations to tender to be published bilingually.
- By invitation to tender we mean the initial advertisement that is published e.g. in sell2wales.
- However, invitations which require publication in the Official Journal of European Union (OJEU) Procurement Regulations do not need to be bilingual.
- The invitation must state that bids may be submitted in Welsh.
- The invitation must state that bids submitted in Welsh will not be treated less favourably than those submitted in English.
- The closing dates must be the same for bids submitted in Welsh as those submitted in English.
- The timetable for responding to the bids must be the same for bids submitted in Welsh as those submitted in English.

If you receive a bid for a contract in Welsh and it is necessary to interview as part of your assessment you should:

- ask if they would like to use Welsh in the interview
- hold the interview in Welsh if they wish to use Welsh
or
- arrange simultaneous translation to enable them to use Welsh in the interview.

If a bid has been submitted in Welsh you should

- relay your decision about the application in Welsh.

Contract Notices

- By Contract Notice, we mean the actual tender/request for quotation documents.
- When drawing up a Contract Notice you should consider:

¹ Welsh Language Standard (No. 6) Regulations 2017, 1 (5)(a) p.5-6.

- does the subject matter of the tender relate directly to the Welsh language?
- does the anticipated audience, and their expectations, suggest that the document should be produced in Welsh?
- If the answer to the above question is affirmative :
 - The Contract Notice should be bilingual (other than those which require publication in the Official Journal of European Union (OJEU) Procurement Regulations).

Third Party Services

- If a Third Party is contracted to provide a service on behalf of the University, the Third Party is expected to comply with the Welsh Language Standards.
- The Procurement Office's checklist for purchases worth £5000+ refers to the consideration of obligations vis-à-vis the Welsh language. The Centre for Welsh Language Services should be contacted if guidance is needed on this.
- It may be necessary to advise the Third Party of what is expected of them to comply with the Standards. E.g. :
 - If the Third Party places signs on the University campus, those signs should be bilingual
 - If the Third Party corresponds with students, the public or staff on behalf of the University, the correspondence should be bilingual
 - If the Third Party offers a face to face service to students or the public, that service should be available in Welsh also.
 - If the Third Party offers a face to face service to staff you should check whether there are Operational Standards (the Standards that are relevant to staff) that state that this service should be available for staff in Welsh.
 - If the Third Party uses their own website to publicise the University in any way, that publicity should be bilingual
 - If a Third Party is used to recruit staff they will need to comply with the Standards that relate to recruiting staff.

Welsh Language Commissioner Guide

The Welsh Language Commissioner has prepared a guide for people working under contracts or receiving grants called *Bidding for Contracts and Grants: Welsh language considerations*. Providing a copy to successful applicants is recommended. A copy can be downloaded from the Commissioner's website or from the Centre for Welsh Language Service's website.

Useful templates

Statement for invitations to tender

Mae croeso i chi gyflwyno'ch tendr yn Gymraeg. Ni fydd ceisiadau a gyflwynir yn Gymraeg yn cael eu trin yn llai ffafriol na thendrau a gyflwynir yn Saesneg.

You are welcome to submit your tender in Welsh. Bids submitted in Welsh shall not be treated less favourably than tenders submitted in English.

Clause to use in invitation to interview when the application/tender has been submitted in Welsh. (This message would be in Welsh only)

Mae croeso i chi ddefnyddio'r Gymraeg yn y cyfweiliad. Er mwyn ein helpu ni i drefnu gwasanaeth cyfieithu ar y pryd os bydd angen, byddwn yn ddiolchgar petaech yn rhoi gwybod a fyddai'n well gennych ddefnyddio'r Gymraeg neu'r Saesneg yn y cyfweiliad.

TICIWCH: Ar gyfer y cyfweiliad hwn hoffwn ddefnyddio'r :

Gymraeg Saesneg