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Bridgend County Borough Council



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Cyfarwyddiaeth y Prif Weithredwr / Chief Executive's Directorate

Deialu uniongyrchol / Direct line /: 01656 643148 / 643147 / 643694

Gofynnwch am / Ask for: Democratic Services

Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Tuesday, 2 November 2021

Dear Councillor,

CABINET COMMITTEE EQUALITIES

A meeting of the Cabinet Committee Equalities will be held remotely - via Microsoft Teams on **Monday, 8 November 2021 at 10:00.**

AGENDA

1. Apologies for Absence
To receive apologies for absence from Members.
2. Declarations of Interest
To receive declarations of personal and prejudicial interest (if any) from Members/Officers in accordance with the provisions of the Members' Code of Conduct adopted by Council from 1 September 2008.
3. Approval of Minutes 3 - 12
To receive for approval the Minutes of 27 07 2021
4. Community Cohesion Annual Report 13 - 28
5. Annual Update Report on progress made with meeting the objectives within the Welsh Language Standards Five Year Strategy 29 - 154
6. Update report on the work of Bridgend Community Cohesion and Equality Forum. 155 - 158
7. Consideration For Adoption Of The All-Party Parliamentary Group On British Muslims' Definition Of Islamophobia By Bridgend County Borough Council 159 - 236
8. Update report on implementation of Welsh Language (Wales) Measure 2011 and Welsh Language Standards 237 - 354
9. Urgent Items
To consider any other item(s) of business in respect of which notice has been given in accordance with Rule 4 of the Council Procedure Rules and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the

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meeting as a matter of urgency.

Note: Please note: Due to the current requirement for social distancing this meeting will not be held at its usual location. This will be a virtual meeting and Members and Officers will be attending remotely. The meeting will be recorded for subsequent transmission via the Council's internet site which will be available as soon as practicable after the meeting. If you have any queries regarding this, please contact cabinet_committee@bridgend.gov.uk or tel. 01656 643147 / 643148.

Yours faithfully

K Watson

Chief Officer, Legal and Regulatory Services, HR and Corporate Policy

Councillors:

SE Baldwin
TH Beedle
NA Burnett
HJ David
SK Dendy
J Gebbie

Councillors

DG Howells
JE Lewis
D Patel
JC Radcliffe
KL Rowlands
CE Smith

Councillors

E Venables
SR Vidal
HM Williams
RE Young

Present

Councillor D Patel – Chairperson

SE Baldwin
DG Howells
RE Young

TH Beedle
JE Lewis

NA Burnett
CE Smith

HJ David
HM Williams

Apologies for Absence

SK Dendy, J Gebbie and E Venables

Officers:

Debra Beeke	Group Manager – Human Resources and Organisational Development
Nicola Bunston	Consultation Engagement and Equalities Manager
Nicola Echanis	Head of Education & Family Support
Riaz Hassan	Regional Community Cohesion Coordinator
Michael Pitman	Democratic Services Officer - Committees
Mark Shephard	Chief Executive

102. DECLARATIONS OF INTEREST

None

103. APPROVAL OF MINUTES

RESOLVED: That the minutes of the 08/03/2021 be approved as a true and accurate record

104. ALL WALES RACE EQUALITY ACTION PLAN UPDATE REPORT

The Consultation, Engagement and Equalities Manager presented a report which updated Cabinet Committee Equalities on the All Wales Race Equality Action Plan and consultation.

She provided background on the All Wales Race Equality Action Plan which was at section 3 of the report. She added that the plan was a large complex document at 147 pages with around 64 goals and approximately 340 actions. It covers 13 policy themes and 5 cross-cutting themes.

The Consultation, Engagement and Equalities Manager stated that a public consultation for the Welsh Government Race Equality action closed on 15 July 2021, and the Council Equality team sought responses from Corporate Directors to fully understand the operational implications of implementing the proposed actions before submitting a formal response to the consultation on behalf of the Local Authority.

The Regional Community Cohesion Coordinator highlighted the key areas within the Action Plan at Appendix 1 of the report. He drew attention to the diagram in Appendix 1 which summarised the whole approach towards the development of the REAP and that how the Vision-setting and the Goals fit together. He also outlined Local Government Commitment to Zero Racism and were summarised as follows:

- Local government in Wales has always stood firmly against racism and discrimination and is committed to promoting equality and fairness for all communities.
- There is widespread recognition that inequalities remain embedded in Wales and in its communities and that councils, the Welsh Government and public services need to do more individually and collectively to address entrenched inequalities.
- Councils responded to COVID-19 and the Black Lives Matter movement during the summer of 2020, with several establishing race forums or task and finish groups to tackle racism or to undertake reviews of statues or street names.
- The WLGA contributed to several Welsh Government convened groups including the BAME Socio-Economic Advisory Sub-Group and the Welsh Government's Audit of statues and street names.
- The WLGA is coordinating the Welsh Government funded Hate Crime Project in schools, working with partners such as the North Wales Race Equality Network Ltd, Race Council Cymru, Race Equality Wales and Show Racism the Red Card and SAPERE: Philosophy for Children (P4C), to deliver the Hate Crime in Schools project across Wales, which will deliver training and produce resources on critical, collaborative, creative and caring thinking skills to teachers and others around tackling hate crime.
- Local authorities have a proud record in supporting and welcoming refugees and asylum seekers and in supporting their integration into local communities. All Welsh authorities participated in the Syrian Refugee Resettlement Programme and the majority have committed to continuing their participation in the further settlement of refugees across Wales. Four local authorities have also accommodated dispersed asylum seekers in their areas and more recently the majority of authorities also agreed to their participation in the future.
- The WLGA Council recently made a commitment to deliver an ambitious 'Diversity in Democracy' programme ahead of the 2022 elections to seek to encourage more diverse candidates to stand for election.
- The WLGA and each of Wales' 22 councils signed the #ZeroRacismWales pledge in advance of the publication of the draft REAP and to mark UN International Day for the Elimination of Racial Discrimination on 21st March. The pledge sees all councils commit to:
 - take a stand against racism and promote a more inclusive and equal society for all.
 - not tolerate racial prejudice, discrimination, harassment, victimisation, abuse, or violence against any individual.
 - stand in solidarity, come together, and say no to racism, in all its forms.
 - promote good race relations between people from diverse ethnic backgrounds in organisation.
 - promote equal and fair opportunities for people from diverse ethnic backgrounds to attain promotion.
 - eliminate unlawful race discrimination, harassment, victimisation and abuse

The Regional Community Cohesion Coordinator highlighted the following sections of Appendix 1:

- Leadership and Representation
- Local Government
- Social Care
- Education
- Housing

The Chairperson welcomed the report and iterated that Welsh Government had put a lot of work in this as could be seen from the level of detail provided in the report which showed the commitment from them in eradicating racism from Wales.

The Cabinet Member Social Services and Early Help echoed the comments made and said that it was pleasing to see the detail provided and the commitment from Welsh Government. She stated that social care staff were always needed in Bridgend and anything that can be done to encourage ethnic minority groups into our workforce was a welcomed.

A Member stated that there were a large number of complaints being made with underlying racism and this was something that as a society needed to be dealt with. He believed that a race equality commissioner, similar to that of a Welsh language commissioner, would be beneficial in tackling racism throughout the public and private sector.

The Leader welcomed the report and stated that it was a landmark initiative from Welsh Government. There were a significant number of action points to digest and it was important that this report came back to the Committee on a regular basis. He added that as communities across Wales differ greatly, it was important to tailor the plan to be specific to the Bridgend area to ensure the most is achieved from it.

The Consultation, Engagement and Equalities manager agreed that a report in March of 2022 would be beneficial to review the progress.

RESOLVED: That the Committee considered the report and the attached appendices.

105. **BRIDGEND COUNTY BOROUGH COUNCIL WELSH LANGUAGE PROMOTION STRATEGY 2021-2026**

The Consultation, Engagement and Equalities manager presented a report which updated the Committee on the development of the BCBC draft 5 year promotion strategy from 2021 – 2026.

She explained that the Welsh Language Standards placed a requirement on the council to produce a Five year Welsh Language Promotion Strategy. This was the Council's second strategy aimed to build on progress made over the last five years. She highlighted the Welsh Language Standards section at 3.2 of the report and the six objectives of focus that were part of the first strategy, this was listed at 3.3 of the report.

The Consultation, Engagement and Equalities manager explained that in devising this strategy, consideration had been given to the policy context and created a language profile of Bridgend County. Six overarching objectives have been developed and used information gathered from the consultation to work with services across the council to develop an action plan to achieve these aims. The Draft five-year Welsh Language Strategy was at Appendix one of the report.

The Consultation, Engagement and Equalities Manager explained that A public consultation had been carried out, where key stakeholders including Welsh-medium schools in the county borough, and members of the WESP forum were engaged. The consultation received a total of 439 completions, and the responses were used to develop the Five-year Welsh Language Strategy 2021- 2026 action plan. This meant that our strategy used established national criteria but localises the information and targets. Details of the consultation were at Appendix two of the report.

The Consultation, Engagement and Equalities Manager stated that following the information acquired from the consultation and local and national developments, the following overarching objectives have been developed:

- Promote the use of the Welsh Language within the workforce
- Increase awareness of the Welsh Language and opportunities to use Welsh within Bridgend County Borough Council
- Support and promote the Welsh in Education Strategic Plan (WESP)
- Promote the use of Welsh Language and culture in town centre businesses and charities
- Participation and engagement
- Implement the new early years settings in Bridgend County Borough

Further details of these objectives were at 4.5 of the report.

She added that in addition to these objectives, a target had been set to increase the Welsh speaking population of Bridgend, in line with the Welsh Government 2050 target of one million Welsh speakers. The Welsh Government's strategy, Cymraeg 2050: A million Welsh speakers, notes the Government's ambition of reaching a million Welsh speakers by 2050. She provided statistics of the projected number of Welsh speakers by 2050 as well as the current Welsh speakers identified in the consultation. Figures of these were at 4.6 and 4.7 of the report.

The Consultation, Engagement and Equalities Manager explained that the survey responses received and the feedback gained was used to support the final development of the Draft five-year Welsh Language Strategy. A detailed action plan will now be developed during July and August 2021. The action plan will outline the specific tasks and actions to be undertaken over the next five years and will be outcome focused.

A Member was pleased with the report and positive engagement with the consultation. He added that the announcement from the Cabinet Member on developing Welsh medium primary education was very pleasing to see and believed that this would contribute to the 2050 goal. He added that some members of the public had issues with signage not being bilingual. He asked that we ensured future signage created was bilingual.

The Chairperson was pleased that we were going to promote the Welsh language within town centre and businesses and it was important to encourage the use of Welsh language outside of schools.

The Cabinet Member Education and Regeneration agreed with the points made about using the Welsh language outside of schools and ensuring that it was practiced in all settings. He said that regular use of the language would also ensure that people did not forget how to use it from inactivity and to achieve the 2050 goal we cannot just focus on schools.

The Leader added that the proportion of Welsh speakers in the Bridgend area differed greatly and that the number of Welsh speakers in the highest speaking area was almost double that of the lowest speaking area. He believed that this needed to be considered when making plans on increasing the usage of the Welsh language in Bridgend.

RESOLVED: That Cabinet Committee Equalities approved the draft Five-year Welsh Language Promotion Strategy and endorsed the development of the action plan.

106. **EQUALITY DIVERSITY AND INCLUSION POLICY STATEMENT**

The Consultation, Engagement and Equalities Manager presented a report on Equality, Diversity and Inclusion Policy Statement and sought approval by the Committee.

She explained that an Equality, Diversity and Inclusion Policy Statement had been developed which demonstrated the council's existing commitment and approach to equalities. The policy statement provides the foundation for all policies, strategies and schemes and links directly to the council's Strategic Equality Plan. This policy statement was attached at Appendix 1 and reinforces the council's position on:

- Eliminating direct and indirect discrimination
- Harassment and victimisation
- Promotion of equality of opportunity
- Developing relations between people from different groups

The Consultation, Engagement and Equalities Manager added that as an employer and provider of services within our communities, the policy statement outlines the council's commitment to not discriminate against people on the grounds of age, disability, gender identity/reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or, belief, sex, sexual orientation, socio-economic disadvantage or the use of the Welsh language. It is also recognised the importance of achieving a diverse workforce and the importance of recruitment practices being fair and consistent.

She advised consultation has taken place with the recognised trade unions and schools Governing Bodies will be encouraged to adopt this policy statement.

The Group Manager – Human Resources and Organisation Development added that the policy statement could be seen as a practical step to reinforce what the Council already had in place. The Policy Statement added an additional document in conjunction with the Council's strategic equality plan.

The Cabinet Member Communities welcomed the report and the Equality Diversity and Inclusion Policy Statement. He asked in relation to page 89 under the responsibilities section, if that could be reworded to include all staff so that it was clear that all members of staff had a responsibility to implement. He believed that it also made sure that staff felt that they could speak out against inequalities that they saw or heard.

The Group Manager – Human Resources and Organisation Development added that all employees of the Council had a section in their job description that outlined their responsibilities in terms of safeguarding and upholding equality. The Leader followed on from this stating that it was important that the leaders of the authority were held accountable, but equally as important as the Cabinet member raised that all staff had a level of responsibility. He suggested that when communicating the implementation of the strategy that it was made clear on the responsibilities.

RESOLVED: That the Committee approved the Equality, Diversity and Inclusion Policy statement in Appendix one.

107. **ANNUAL REPORT ON EQUALITY IN THE WORKFORCE (2020/21)**

The Group Manager – Human Resources and Organisation Development presented a report, which summarised the equality profile of the council’s workforce as at 31 March 2021.

She advised that appendix 1 provided an equality profile of the council’s workforce as at 31 March 2021, with comparative data from the previous two years. The profile included protective characteristics of the workforce (gender, disability, ethnicity, age and sexual orientation); details of those in the workforce with caring responsibilities and Welsh language skills. There was a full data set available on gender and age although it is not mandatory for employees to disclose their sensitive personal information for equality monitoring.

She added that the equality information gathered for monitoring purposes has been reviewed to ensure that data collected will enable a better understanding of the council’s employment profile. Going forward this will mean employees will have additional options in relation to Gender, Transgender/Gender Identity, and Marital Status. Employees are encouraged regularly to provide and/or update their sensitive information and further promotion will take place once the system has been revised.

The Group Manager – Human Resources and Organisation outlined some key areas of the trend analysis for the previous 2 years as of 31/03/2021 which included the overall headcount and gender, disability, minority groups, age, sexual orientation and others.

The Cabinet Member Communities mentioned that there was a slight increase in data for other groups other than straight, but wondered if there was any indication as to why there was not more data for these groups. He also asked about the layout and headings used in the tables if this could be made clearer.

The Group Manager – Human Resources and Organisation noted the comments as something they were going to look in to in future reports.

The Chairperson added that in terms of gathering more statistics on groups, we needed to work together to ensure that people felt comfortable in talking about their sexuality and would value the comments and experiences of the Cabinet Member Communities and other staff wished to share their experience. The Cabinet Member Social Services and Early Help agreed with the comments made but wanted to assure others that they were not being pressured to talk about something that they did not want to.

RESOLVED: That the Committee noted the information contained in this report and within Appendix one.

108. **STRATEGIC EQUALITIES PLAN ACTION PLAN REPORT (UPDATE ON WORK UNDERTAKEN BY DIRECTORATES IN THE LAST 12 MONTHS)**

The Consultation, Engagement and Equalities Manager presented a report which updated the committee on the progress made in delivering the Strategic Equality Plan (SEP) 2020 - 2024 during 2020 to 2021. She advised that this was the first review for this plan.

The Consultation, Engagement and Equalities Manager explained that the 2020-2024 SEP was a statutory plan that impacted the whole of the council. It outlined the six overarching equality objectives as listed below:

- Education:
- Work

- Living standards
- Health and wellbeing
- Safety and respect
- Participation

The Consultation, Engagement and Equalities Manager highlighted the background at section 3 of the report and directed members to the progress for 2020-2021 attached at appendix 1. She highlighted the key points to note from the appendix which were listed at section 4.1 of the report and in detail in appendix 1.

The Cabinet Member Communities welcomed the report and stated that this was evidence of the commitment of BCBC and its staff and Elected Members and thanked everyone involved and for the continued hard work in making progress.

The Chairperson echoed these comments and believed that the report showed the hard work that had been put in while helping to raise awareness on issues. She added that the report shows the level of engagement within the Council as well as outside organisations.

RESOLVED: That Cabinet Equalities Committee received and considered the report and appendix

109. **WELSH LANGUAGE STANDARDS ANNUAL REPORT 2020/2021**

The Consultation, Engagement and Equalities Manager presented a report which informed Cabinet Committee Equalities of the content and approach taken with the council's sixth Welsh Language Standards Annual Report for 2020/2021.

She advised that the council's Welsh Language Standards Annual Report 2020/2021 covered the period 1 April 2020 to 31 March 2021 and was published, as required, by 30 June 2021 and was also available on the BCBC website as of this date. The report was attached as Appendix one (Welsh) and Appendix two (English)

The Consultation, Engagement and Equalities Manager stated that as part of the report, we were required to report specifically on the following information:

- the number of complaints received by the council during the period;
 - the number of employees who disclosed Welsh language skills as at 31 March 2021;
 - the number of employees attending training courses offered in Welsh during the period;
 - the number of new and vacant posts advertised during the period categorised as posts where either:
 - Welsh language skills were essential;
 - Welsh language skills were desirable;
 - Welsh language skills need to be learnt;
 - Welsh language skills are not required.
- In addition to the information specified in section 4.2, updates on Equality Impact Assessments, customer contact and promotional activities have also been included.

A Member was pleased with the report and the progress that was being made by BCBC. He agreed with the commissioner in relation to the language used but did not believe this to be a major issue.

The Cabinet Member Social Services and Early Help was pleased to see that the resourcing was there to support Welsh language calls incoming to the Council but noticed that the demand had dropped. She believed that we needed to promote the service to the Welsh speaking community to reassure them that BCBC was equipped to handle calls in Welsh and to ensure that people are using the language in day-to-day life.

The Leader asked if the drop in Welsh medium calls had been reflected in other figures, for example, had there been more uptake in the chatbot or emails. The Consultation, Engagement and Equalities Manager did not have the breakdown figures for emails or the chatbot but could provide those to the committee at a later meeting.

RESOLVED: That Cabinet Committee Equalities received and noted the content of this report and the Welsh Language Standards Annual Report 2020/2021.

110. **EQUALITY IMPACT ASSESSMENT (EIA) ANNUAL REVIEW REPORT**

The Consultation, Engagement and Equalities Manager presented a report which updated the committee on the council's requirement to undertake Equality Impact Assessments (EIAs), an overview of the council's approach to EIAs and an outline of EIAs undertaken in Bridgend County Borough Council (BCBC) service areas in 2020/2021.

She provided an overview on the Councils EIAs and the training that was provided to Officers to enable them to complete them. Further information was at section 4 of the report.

The Consultation, Engagement and Equalities Manager provided figures on the EIAs undertaken in 2019/2020. She stated that between February 2020 and March 2021, four full EIAs were undertaken and accompanied Cabinet reports and these are listed in Appendix one. 26 EIA screenings were undertaken during this period and these are listed in appendix 2. These screenings were referenced in the relevant Cabinet report/s and indicated that the policy/ies being assessed could either be "screened out" or would require a full EIA to be undertaken.

RESOLVED: That the Cabinet Committee Equalities noted the progress made in the council during 2020/2021 in the completion of Equality Impact Assessments, the progress made with training - e-learning and the development of face-to-face training and workshops in preparation for the implementation of the Socio-Economic Duty.

111. **UPDATE REPORT ON IMPLEMENTATION OF WELSH LANGUAGE STANDARDS**

The Consultation, Engagement and Equalities Manager presented a report which updated the Cabinet Committee Equalities (CCE) on the implementation of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards.

She advised that since the council received its compliance notice from the Welsh Language Commissioner in 2015, progress towards implementing the 171 assigned standards has continued. Updates on compliance had been provided at every CCE since 28 April 2016.

The Consultation, Engagement and Equalities Manager provided key progress/updates with compliance since the last update report which were detailed in section 4 of the

CABINET COMMITTEE EQUALITIES - TUESDAY, 27 JULY 2021

report. She added that no new complaints had been received since the last update report.

The Chairperson was pleased to see that there were no new complaints since the last meeting as well as no outstanding complaints.

A Member echoed this comment and said that it was a learning experience for everyone involved and a great amount of progress had been made.

The Leader expressed his appreciation for the team over the years and their ongoing hard work since the departure of a former officer. The Chairperson agreed and said that BCBC was in a positive position and was proud of the progress made.

RESOLVED: That the Cabinet Committee Equalities received and considered the report

112. **URGENT ITEMS**

None

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET COMMITTEE EQUALITIES

8 NOVEMBER 2021

REPORT OF THE INTERIM CHIEF OFFICER - FINANCE, PERFORMANCE AND CHANGE

COMMUNITY COHESION ANNUAL REPORT

1. Purpose of report

- 1.1 The purpose of this report is to provide an annual report to Cabinet Committee Equalities on the work of the Welsh Government Funded Community Cohesion Officer and the community cohesion work of Bridgend Community Safety Partnership.

2. Connection to corporate well-being objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:
- **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
 - **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.

3. Background

- 3.1 In December 2018 Welsh Government issued their 'intention to fund' email to all Regional Community Cohesion Co-coordinators in Wales. Welsh Government indicated that each region would be allocated £140,000 to:
- Identify and mitigate community tensions (hate crime, extremism, anxiety, anti-social behaviour) relating to Brexit;
 - Improve community cohesion communications;
 - Organise events/activities to promote social inclusion; and
 - Deliver non Brexit activities as outlined in the National Community Cohesion Plan (2019).
- 3.2 At that time Bridgend County Borough Council (BCBC), Swansea Council and Neath Port Talbot County Borough Council made up the Western Bay Community

Cohesion Region, led by a Regional Community Cohesion Co-ordinator based in Swansea Council.

- 3.3 To ensure BCBC could access the funding an application for £140,000 for the Western Bay Community Cohesion Region was submitted and accepted.
- 3.4 BCBC appointed a Community Cohesion Officer in September 2019. The post was originally funded until 31 March 2021 and subsequently until 30th June 2021 closely aligned with the Brexit deadline towards the European Union (EU) settlement scheme.
- 3.5 However, in April 2021 Welsh Government extended the funding for the Community Cohesion Officer until March 2022.

4. Current situation/proposal

- 4.1 The role of the community cohesion officer (the officer) up until June 2021 was to :
 - support the delivery of the Western Bay Community Cohesion Delivery Plan by working with the Regional Community Cohesion Coordinator to identify and mitigate community tensions;
 - work with local partners including South Wales Police (SWP) to monitor community tensions and hot spots, and co-ordinate a multi-agency response to reduce tensions and / or undertake preventative work;
 - continue the community mapping exercise to better understand the impacts of Brexit on communities, through direct engagement with local residents and communities;
 - undertake regular engagement with groups vulnerable to community tensions in relation to Brexit (European Union (EU) citizens, Black, Asian and Minority Ethnic (BAME) communities, and other protected characteristic groups), collating intelligence on tensions as they emerge; and,
 - Work with community based groups to support them in building their capacity through social integration initiatives and identification of grant funding opportunities.
- 4.2 In June 2021 Welsh Government amended the themes for the Community Cohesion project for 2021 to 2022. The revised themes are:
 - Engagement and Awareness Raising: engagement with minority communities, involving them in developing initiatives to promote community cohesion based on the needs of that community, the wider community, and mitigate tensions. Fostering good relations by developing events to bring people from across different communities together, whether virtually or in person.
 - Training and capacity building: support public bodies and others in the region to build their awareness and capacity to effectively implement the Public Sector Equality Duty. Support wider Welsh Government training programmes and policy development (as required), bringing in community engagement expertise. Build capacity within groups supporting minority communities to improve engagement, understanding of cohesion issues and routes to support.
 - Tension Monitoring and mitigation: understand ongoing and emerging community tensions and put in place processes and procedures to address them as required. Engagement with relevant networks including the Police to address tensions / hot

spots. This may involve a multi-agency response to reduce tensions and/or undertake preventative work.

- Inclusive policy and decision-making: ensure community cohesion issues are considered in the development of Well-being Plans, Strategic Equality Plans, Equality Impact Assessments, Community Safety planning. Ensure Public Bodies are reaching out to and hearing from minority groups when developing policies or taking decisions which are likely to affect them.
- Research and Evidence: take an evidence based approach to community cohesion using research and evidence to develop provision to meet the changing demographics, challenges, risks and needs of communities.
- Prevention of hate, exploitation and extremism: have an understanding of the likelihood and prevalence of exploitation and extremism in the community and take action to ensure that vulnerable communities are aware of it, are supported and avoid it escalating.

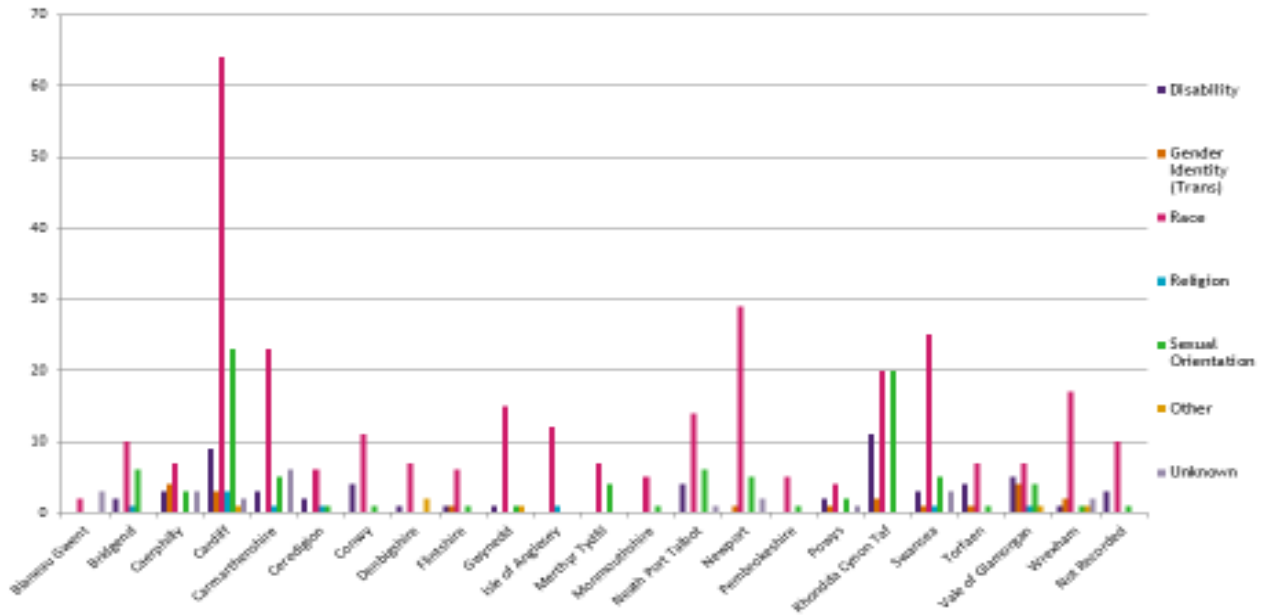
4.3 The Community Cohesion Officer is based within the Bridgend Community Safety Partnership (CSP). Bridgend CSP is a sub board of Bridgend Public Services Board. The CSP brings together public, private and voluntary agencies to reduce crime, disorder and fear of crime. They do this by tackling the needs of both individuals and communities. More information on Bridgend CSP can be found at <https://www.bridgend.gov.uk/my-council/community-safety-partnership/>.

4.4 The Officer works closely with Bridgend CSP partners to avoid duplication and ensure collaboration across all aspects of community safety and cohesion.

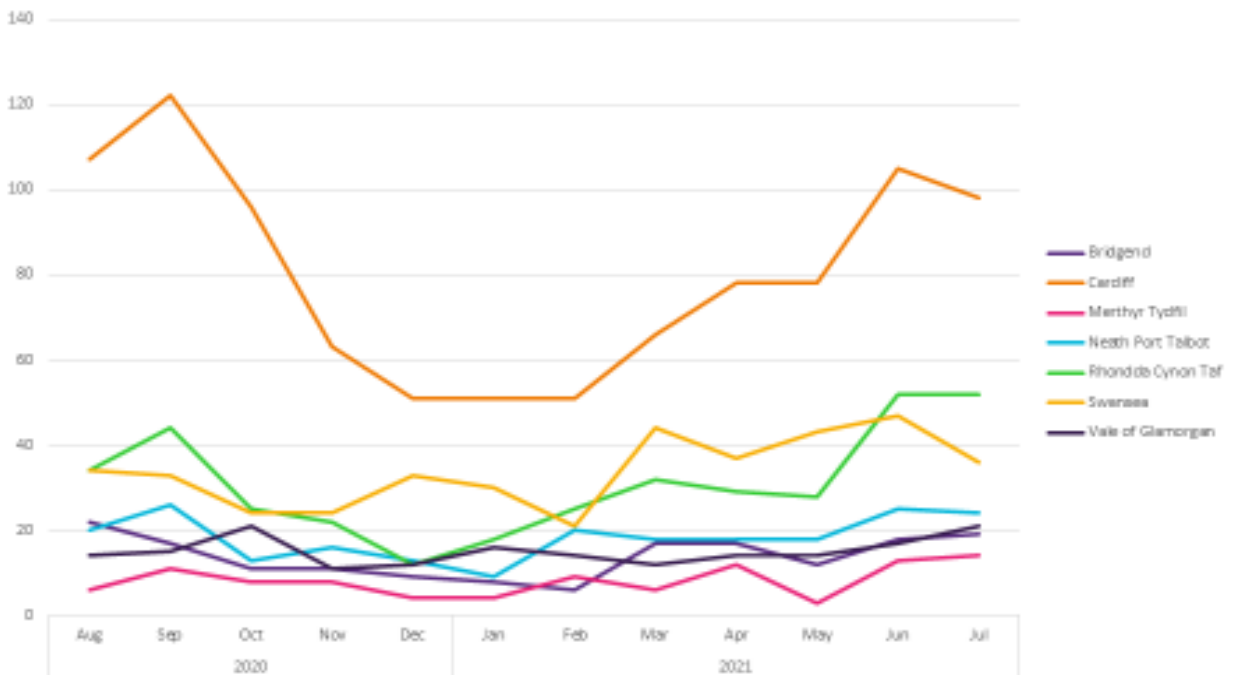
4.5 The last 18 months or so have seen unprecedented changes locally, nationally and internationally.

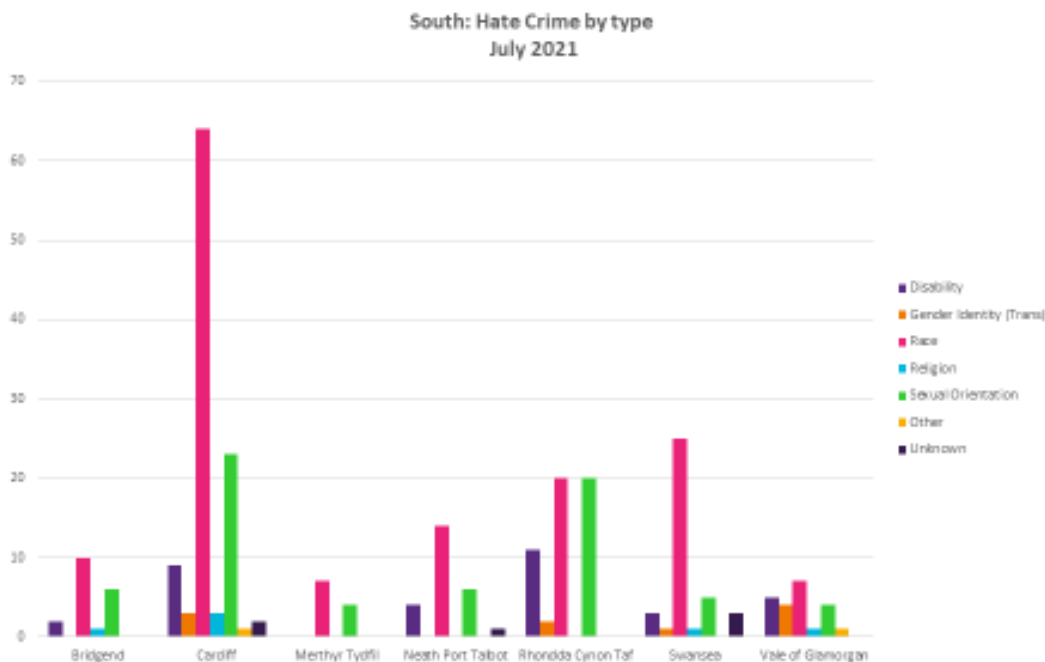
4.6 This makes it difficult to understand the underlying causes of community tensions. The tables below illustrate that hate during this calendar year has been reported at a similar level to last year, with race related incidents being the most common

	April	May	June	July	August	September	October	November	December	January	February	March
Blaneau Gwent	9	9	15	5								
Bridgend	17	12	18	19								
Caerphilly	22	24	28	20								
Cardiff	78	78	105	98								
Carmarthenshire	16	20	25	38								
Ceredigion	9	11	15	10								
Conwy	11	20	18	15								
Denbigshire	7	14	18	10								
Flintshire	6	21	20	9								
Gwynedd	18	19	18	18								
Isle of Anglesey	6	6	5	12								
Merthyr Tydfil	12	3	13	14								
Monmouthshire	6	6	7	5								
Neath Port Talbot	18	18	25	24								
Newport	23	28	52	37								
Pembrokeshire	12	14	17	6								
Powys	15	13	21	10								
Rhondda Cynon Taf	29	28	52	52								
Swansea	37	43	47	36								
Torfaen	5	7	11	13								
Vale of Glamorgan	14	14	17	21								
Wrexham	18	19	15	22								
Not Recorded	17	27	13	12								



Rolling Month South





4.7 Progress to date

4.7.1 the focus of the community cohesion officer has included work on the effects of Brexit, as well as the broader community cohesion agenda.

4.7.2 A key element of the Brexit work has included engaging with individuals and communities to ensure maximum uptake of the European Union Settlement Scheme (EUSS) including some of the examples below. More information on the EUSS can be found in **Appendix 1**.

4.8 Community Tensions

- Alongside community and stakeholder engagement, work continues on tension monitoring within local communities.
- Tensions identified by partners are reported via the tension monitoring system to the Safer Bridgend Inbox.
- Weekly virtual meetings are held between the Community Cohesion Officer and South Wales Police Hate Crime Officer to identify areas of tension and identify additional interventions or actions.
- Fortnightly updates sent to Welsh Government on community tensions and hate crimes/incidents.
- Recent engagement with SWP Hate Crime Officer and Taff Housing to address any issues among Refugee and Asylum Seeker families.

4.9 Training

- EUSS session delivered via Teams by TGP Cymru and Newfields Law. 40 members of staff and key partners in attendance.
- EU Settlement Scheme and EU Citizens Rights training to staff and key partners, delivered by Citizens Advice on 7th April (25 in attendance).
- 3 Ask & Act training sessions delivered to BCBC staff from various departments. The training focused on domestic violence, including topics such as culturally specific issues (i.e. honour based violence, Female Genital Mutilation) and barriers to disclosure for women from minority communities (31 in attendance).
- Two Far-Right Extremism Awareness sessions delivered by Small Steps organisation to staff and key partners in February and March. A total of 69 in attendance. A further session was delivered on 30 April with 30 in attendance.
- 3 online Census workshops for BCBC staff, elected members, key partners and community groups/leaders.
- Far-Right symbols/stickers training currently being developed in partnership with Swansea University for Channel Panel members and frontline staff.
- Training delivered by Displaced People in Action to staff and key partners during Refugee Week on 18th June (21 in attendance).

4.10 Engagement

- Regular engagement meetings are held with the Well-being & Safeguarding Officer at Bridgend College, to share intelligence and concerns from students, BAME residents and refugees, and provide regular engagement with local Faith group leaders via email and phone.
- Promotion of social media content for Refugee Week (Film by Carmarthen County Borough Council shared by Bridgend).
- Worked with Refuge council for Wales to curate a communications package to challenge misconceptions of Refugees and Asylum Seekers during Refugee Week.
- Supported the Race Council for Wales event for Windrush elders in our community.
- Promoted Jewish History Association of South Wales (JHASW) online talks. Ongoing discussion of how BCBC and JHASW can create an online exhibition of Jewish History in Bridgend.
- Worked in partnership with Bridgend Inclusive Network Group to promote disability friendly sports groups during Learning Disability Awareness Week.
- Workshops attended to gain understanding of new challenges faced by minority groups since Covid, i.e. improving access to higher education and employment for forced migrants, fair work in hospitality, retail and social care and Covid.
- Supported the Census Engagement Manager for Bridgend and Vale of Glamorgan to identify 'Hard to Reach' groups to encourage the completion of Census 2021 forms.
- Extensive communication to promote Census material with local community groups, faith groups and local third sector organisations. Worked with BCBC Communications to ensure Census material is available in various languages and to debunk myths over Census and personal data.
- Continued work with the Department of Work and Pensions to extend support and signposting to EU citizens after 30 June 2021.
- Regular engagement with BAME Outreach Worker (BAVO) to promote vaccination among BAME community and supporting undocumented residents in accessing vaccine.

4.11 Prevention of Hate, Exploitation and Extremism

4.11.1 The Welsh Local Government Association WLGA have commissioned Show Racism the Red Card to support teachers to deliver hate crime prevention sessions in schools. To date, 4 schools in Bridgend County have received sessions from Show Racism the Red Card (SRtRC) via face-to-face delivery or webinars.

4.11.2 Participant numbers and year groups that are targeted are detailed below:

School	Number of pupils participated	Year Groups
Bryntirion Comprehensive	100	8 & 9
CCYD	250	7
Maesteg	571	7, 8 & 9
Pencoed Comprehensive	140	7
Brynteg	Delivery yet to be agreed, but due for completion by March 2022	
Porthcawl		
Llangynwyd		

4.11.3 Agreement has now been made to offer the teacher training to all schools. This would mean that potentially all schools will access the project as opposed to 3 teachers from each of the above attending. It is hoped that this will provide a more sustainable approach to dealing with the issues of Hate Crime in our schools.

4.11.4 The Community Cohesion Officer continues to provide the secretariat for the Prevent Channel Panel. This role includes coordinating requests to partners (partnership scanning) for information from the Welsh Extremism and Counter Terrorism Unit (WECTU) on individuals who are at risk of being drawn into extremism and radicalization.

4.11.5 we have also supported the Welsh Government consultation and response to the Race Equality Action Plan (REAP).

4.12 Future Arrangements

4.12.1 The Community Cohesion Programme is funded by Welsh Government until 31 March 2022. Welsh Government have not yet made a decision on whether the Programme will be funded in future years.

4.12.2 A rapid review of the Community Cohesion programme is due soon which will shape the future delivery of the programme from April 2022 onwards.

5. Effect upon policy framework and procedure rules

5.1 This report has no direct effect upon policy framework and procedure rules

6. Equality Act 2010 implications

6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh language have been considered in the preparation of this report. As a public body in Wales, the Council

must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. This is an information report, therefore it is not necessary to carry out an Equality Impact assessment in the production of this report. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 The Community Cohesion project demonstrates the sustainable development principle by ensuring that by meeting the needs of the present we do not compromise the ability of future generations to meet their own needs. This is evidenced through the 5 ways of working:

- Long term – the project seeks to understand and mitigate the long term implications on Bridgend residents and communities of the decision for the UK to leave the EU and other aspects of community cohesion.
- Prevention – working with partners to map and understand community tensions will help prevent serious problems occurring and mitigate existing tensions.
- Integration – the project contributes to the well-being goals: an equal Wales, a healthier Wales and Wales of Cohesive communities and to the Well-being objectives Supporting communities in Bridgend to be Safe and Cohesive, and Reducing Social and Economic Inequalities.
- Collaboration – the success of the role of the Co-ordinator will rely on collaboration with partners across Bridgend County and the wider regional partnerships.
- Involvement – a significant element of the project is based on engaging and involving residents and community groups.

8. Financial implications

8.1 There are no financial implications resulting from this information report.

9. Recommendation

9.1 That Cabinet Committee Equalities note the content of this report and **Appendix 1**.

GILL LEWIS

INTERIM CHIEF OFFICER - FINANCE, PERFORMANCE AND CHANGE

November 2021

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Background documents:

None

Briefing Paper

EU SETTLEMENT SCHEME (EUSS) – Updates on the latest EU Settlement Scheme (May 2021)

Riaz Hassan

**Community Cohesion Regional Coordinator
(Swansea, Neath Port Talbot, Bridgend)**

EU Settlement Scheme applications exceed 5.4 million



Over **5.42 million applications** have been made to the EU Settlement Scheme (EUSS) according to the latest [monthly statistics](#), with 4 weeks to go before the 30 June 2021 deadline.

The figures show that, up to the 30 April 2021:

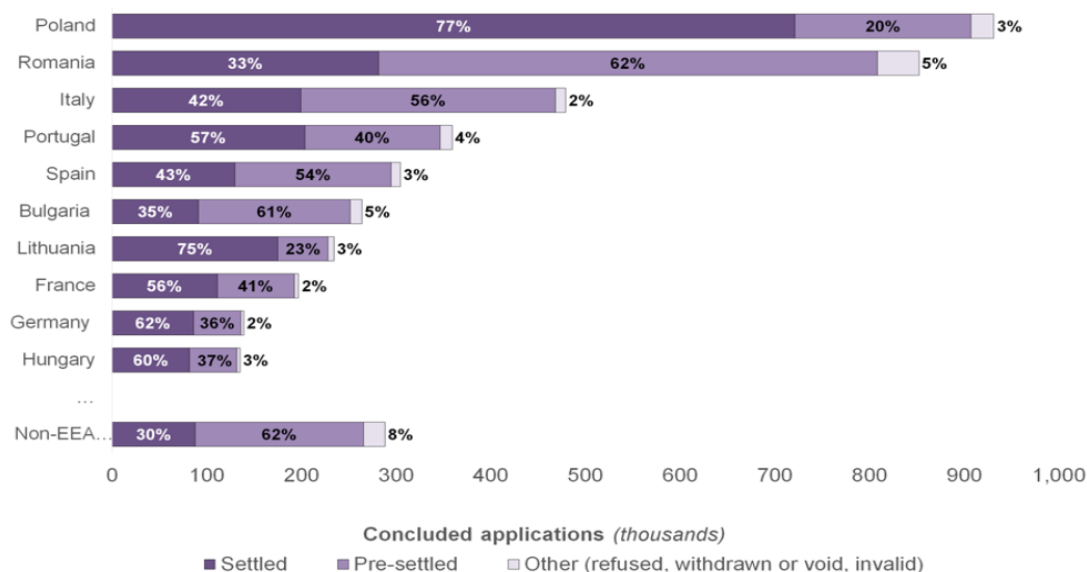
- 5.42 million applications were received,
- 5.12 million applications were processed;

Following is the breakdown:

- 4,884,100 million applications were from England
- 268,500 applications from Scotland
- 89,800 applications from Wales, and
- 88,600 received from Northern Ireland.

- 2,683,700 applicants were granted settled status (52%) and 2,228,800 pre-settled status (44%).
- 65,600 applications were recorded as withdrawn or void (1%), 69,600 were invalid (1%) and 70,500 were refused (1%)

Figure 5 - EU Settlement Scheme: number and proportion of concluded applications by nationality and outcome, 28 August 2018 to 31 March 2021 - top 10 nationalities (and non-EEA nationals) by number of concluded applications



New social media assets to share

A new [social media graphic](#) is available for you to download and use. Please share it with your network to help raise awareness of the scheme among people who may not have applied yet.

Discover EUSS support in your area – postcode checker tool now live

After the successful launch of the Grant Funded Network for 2020-2021, a new support service postcode checker is now live: gov.uk/help-eu-settlement-scheme. This service allows users to find local charities and organisations who can provide a wide range of support for those most vulnerable and at-risk.

Figure 4 - EU Settlement Scheme: proportion and number of applications by UK country by age group, 28 August 2018 to 31 March 2021

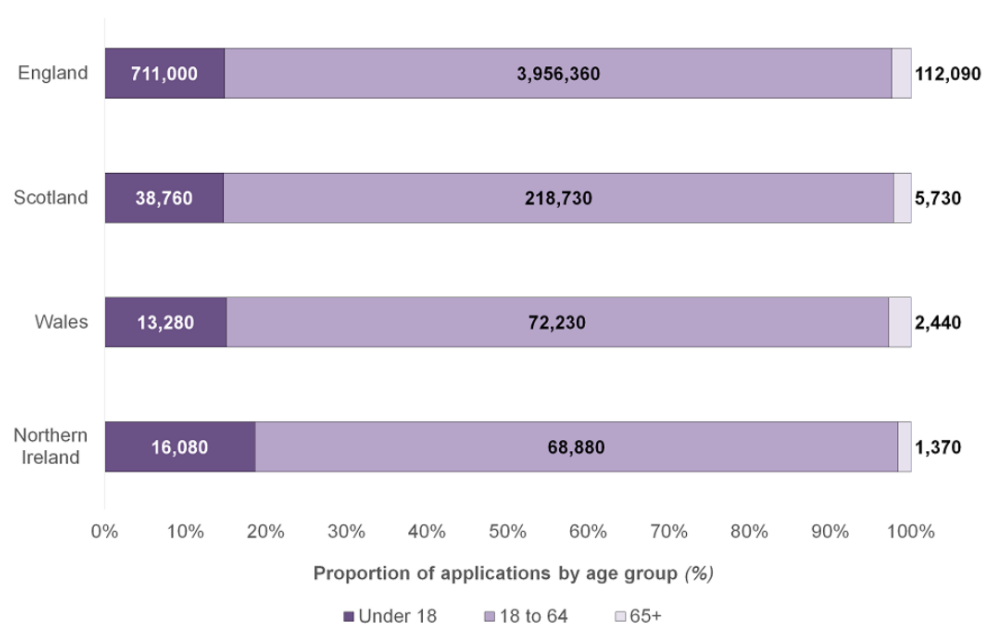


Table 2 - EU Settlement Scheme: top five nationalities by applications received and UK country, 28 August 2018 to 31 March 2021

	England	Scotland	Wales	Northern Ireland
1.	Romania	Poland	Poland	Poland
2.	Poland	Romania	Romania	Lithuania
3.	Italy	Italy	Bulgaria	Romania
4.	Portugal	Spain	Portugal	Portugal
5.	Spain	Bulgaria	Italy	Bulgaria

Welsh Local Authority original estimated number and total concluded application to the EUSS scheme to date

Below is the local authority breakdown of the total number of applications submitted to the EUSS scheme. You will note that there are few local authority areas where more applications submitted to the EUSS scheme as against the original estimated numbers eg. Cardiff, Bridgend, Newport etc.

Local authority	Concluded applications	Welsh Govt original estimated number of EU citizen per LA
Swansea	8,120	8000
Bridgend	2,290	1000
Neath Port Talbot	1,490	3000
Cardiff	21,200	14000
Vale of Glamorgan	1,870	3000
Caerphilly	1,820	3000
Blaenau Gwent	1,240	2000
Torfaen	870	1000
Gwynedd	2,250	1000
Conwy	1,870	2000
Isle of Anglesey	520	1000
Rhondda Cynon Taf	2,670	2000
Merthyr Tydfil	2,400	2000
Newport	9,450	6000
Monmouthshire	1,560	1000
Carmarthenshire	4,590	4000
Powys	2,450	1000
Ceredigion	2,490	2000
Pembrokeshire	2,000	1000
Wrexham	7,940	6000
Flintshire	7,520	5000
Denbighshire	1,360	2000
Sub-Total	87,970	72,000

EU Settlement Scheme: concluded applications by local authority, 28 August 2018 to 31 March 2021

Concluded applications by outcome type, region and local authority, 28 August 2018 to 31 March 2021

The below table shows the number of concluded applications in the three local authority areas in the Western Bay region, by settled / pre-settled status and other outcome types.

Local authority	Total	Settled	Pre-settled	Other outcomes
Swansea	7,640	4,040	3,350	260
Bridgend	2,180	1,500	620	50
Neath Port Talbot	1,370	790	530	50

EU Settlement Scheme: concluded applications by outcome type and local authority, 28 August 2018 to 31 March 2021

Applications by age group, region and local authority, 28 August 2018 to 31 March 2021

The below table shows the number of applicants to the EU Settlement scheme in the three local authority area in the Western Bay region, by age group.

Local authority	Total	Under 18	18 to 64	65+
Swansea	8,120	1,170	6,710	240
Bridgend	2,290	350	1,880	60
Neath Port Talbot	1,490	210	1,240	40

EU Settlement Scheme: applications by age group, region and local authority, 28 August 2018 to 31 March 2021

Western Bay - Total concluded applications by nationality

The table below shows the country breakdown of the total applications submitted to the EUSS scheme between 28th June 2018 to 31 Mar 2021.

The below figures are based on the data published on 27th May 2021 by the Home Office.

Name	Swansea	Neath Port Talbot	Bridgend
Bulgaria	260	80	60
Czech Republic	140	20	30
Cyprus	110	30	-
France	230	30	50
Germany	280	40	70
Greece	300	40	30
Hungary	190	80	70
Ireland	20	-	10
Italy	620	80	90
Latvia	260	30	60
Lithuania	280	70	170
Netherland	150	30	30
Poland	2,400	400	920
Portugal	390	60	80
Romania	1,440	340	440
Slovakia	60	20	20
Spain	440	60	60
Sweden	70	-	10
Non-EEA	240	50	40
Austria	20	-	-
Belgium	40	10	-
Croatia	20	-	-
Denmark	30	-	-
Estonia	20	-	-
Finland	10	-	-
Malta	20	-	-
Norway	40	-	-
Slovenia	10	-	-
Switzerland	20	-	-
Liechtenstein	-	-	-
Luxembourg	-	-	-
Iceland	-	-	-

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET COMMITTEE EQUALITIES

8 NOVEMBER 2021

REPORT OF THE CHIEF EXECUTIVE

ANNUAL UPDATE REPORT ON PROGRESS MADE WITH MEETING THE OBJECTIVES WITHIN THE WELSH LANGUAGE STANDARDS FIVE YEAR STRATEGY

1. Purpose of report

- 1.1 To update Cabinet Committee Equalities on the work undertaken to meet the objectives within the Welsh Language Standards Five Year Strategy (2016 to 2021), during the fifth year since its introduction.

2. Connection to corporate well-being objectives/other corporate priorities

- 2.1 The Welsh Language (Wales) Measure 2011 introduced Welsh Language Standards which impact upon the work of the whole Council. The standards link to the equalities agenda and form a key component of the Council's Transformation Programme and Customer Charter.

- 2.2 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:

Helping people and communities to be more healthy and resilient – taking steps to reduce or prevent people from becoming vulnerable or dependent on the council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.

Smarter use of resources – ensuring that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help deliver the council's well-being objectives.

3. Background

- 3.1 The council's final compliance notice from the Welsh Language Commissioner includes two standards (145 and 146) that require the council to have produced and published a Five Year Strategy by 30 September 2016. The strategy sets out how the council will promote the Welsh language and facilitate its use in Bridgend County Borough for the period covered by the strategy. The strategy includes:

- a target (in terms of the percentage of Welsh speakers in Bridgend County Borough) for maintaining the number of Welsh speakers by the end of the five year period;
- a statement setting out how the council intends to maintain that target. The council is also required to review the strategy and publish a revised version on its website within five years of publishing the initial strategy.

3.2 Five years after publishing the strategy the council must:

- assess to what extent it has followed the strategy and reached the target;
- publish an assessment on its website, containing:
 - the number of Welsh speakers in the Bridgend area and the ages of those speakers;
 - a list of activities that have been arranged or funded during the five years to promote use of the Welsh language.

3.3 It was agreed that the strategy would be split into two sections, section one to address our employees and section two for our public. The following individual objectives were agreed:

3.3.1 Section one: employees

- Objective 1: Identify the capacity in service areas to deliver services in Welsh.
- Objective 2: Provide appropriate learning and development solutions at various levels to meet identified needs within budget allocation.
- Objective 3: Establish arrangements in recruiting to positions where Welsh language skills are essential.

3.3.2 Section two: the public

- Objective 1: Raise the profile of the Welsh language, culture and local activities and events organised by the council and our partners in a structured way.
- Objective 2: Increase promotion and awareness of the council's Welsh in Education Strategic Plan (WESP) particularly in relation to objectives one, two and four of the WESP plan.
- Objective 3: to explore (and implement where possible) any new activities which will support the use of the Welsh language more widely within the county borough, promoting these accordingly.

A series of actions sit underneath each objective.

3.4 Internally it was agreed to report on the strategy to Cabinet Committee Equalities on an annual basis rather than just report at the end of the five-year period. This would provide an opportunity to identify any gaps and keep developments and activities on track.

4. Current situation/proposal

Since the last annual report the following developments in the period October 2020 and September 2021 can be noted:

4.1 General developments:

- The 'Stepping Forward' - The Welsh Language Commissioner's assurance report for 2020-21 was issued in September 2021, focusing on:

- Regulation during the pandemic
- The effect of COVID-19 on the provision of Welsh language services
- The effect of COVID-19 on organisations' internal arrangements

A copy of the 'Stepping Forward' Welsh Language Commissioner assurance report can be seen in **Appendix one** (Welsh) and **Appendix two** (English).

- The Welsh in the Workplace policy has been promoted and is available to all staff via our staff intranet.
- Work has continued with Menter Bro Ogwr (MBO) on agreed actions. These can be summarised as:
 - Bridgend County Borough Council (BCBC) to work with MBO to advertise Welsh-essential jobs on their website and Facebook page
 - MBO to continue working with Halo and Awen Trust to provide recreational courses through the medium of Welsh for adults in Bridgend
- The 2021 to 2026 Welsh Language Promotion Strategy and action plan, building on progress made over the last five years, has been developed and was published on 1 September 2021.

4.2 Employee developments:

4.2.1 Objective 1: Identify the capacity in service areas to deliver services in Welsh

- A Welsh language assessment tool has been undertaken in key front line services i.e. Customer Services, Bridgend Resource Centre and Trem-y-Mor. These services now have detailed updated Welsh language training plans in place which will be updated yearly.
- Welsh language skills are assessed for each vacancy when advertised. The assessment has been reviewed and guidance been completed to assist managers and clarify requirements for applicants.
- Monitoring continues to be carried out monthly to identify the demand for Welsh services across all access channels within Customer Services including telephone, face-to-face, email and online, albeit the face-to-face channel is currently suspended due to Covid-19. Between October 2020 and September 2021 the demand for the Welsh language telephone line has increased from 0.03% of all calls, to 0.08% of all calls (an increase of 0.05% on the previous reporting period).

4.2.2 Objective 2: Provide appropriate learning and development solutions at various levels to meet identified needs within budget allocation

- Awareness of Welsh language in the workplace has been raised by promoting two new e-learning modules: Welsh Language Standards (13 completions) and Welsh language awareness (17 completions).

- A Welsh language training programme is offered to employees at various levels:
 - Cwrs Mynediad/Mynediad blwyddyn – Entry Level Year 1 (October 2020 to September 2021) – **11** enrolled
 - Work Welsh – Entry Level 1 (October 2020 to September 2021 – **4** enrolled

Funding for community based learning is available to those employees who are unable to access the Welsh language training due to the nature of their role, working hours or the level of provision provided. A total of 7 employees were supported during October 2020 to September 2021 to access this training.

4.2.3 **Objective 3:** Establish arrangements in recruiting to positions where Welsh language skills are essential

- New guidance has been developed to ensure that there is clarity about the Welsh language skills needed for vacancies. This includes updating the recruitment documentation so that managers are explicit about the skills needed and candidates can better determine their suitability for roles. Online recruitment is available in Welsh to enable the submission of Welsh applications.
- Vacancies have been advertised via Menter Bro Ogwr.
- Four Welsh speaking Apprentices have been appointed to permanent roles across the council

4.3 **Public developments:**

4.3.1 **Objective 1:** Raise the profile of the Welsh language, culture and local activities and events organised by the council and our partners in a structured way

The rolling calendar of Welsh language activities and events is still in place and details are shared across internal and external communications channels, such as press, social media and Bridgend, depending on the target audience and nature of the event. During the period the following activities and events have been promoted:

- Two Welsh-medium childcare facilities for more than 30 children are to be built in the Ogmore Valley and Bettws areas.
- Access simple steps on how to support your children to use the Welsh language at home #StaySafe #StayLearning
- Welsh lessons on Facebook live
- Exploring options for increasing the provision of Welsh medium education
- ClwbCylch online sessions
- Welsh summer activities
- Welsh Me and my baby programme
- #Brackla relocation and extension of Welsh medium primary
- Shwmae sumae
- Welsh medium booklet
- Welsh language and adopting in Wales

- #IaithGwaith
- Saint Dwynwens day
- Welsh Language rights day
- St David's Day
- Welsh in the workplace

4.3.2 **Objective 2:** Increase promotion and awareness of the council's Welsh in Education Strategic Plan (WESP) particularly in relation to objectives one, two and four of the WESP plan.

- The draft WESP 2022-2032 was written with the members from the WESP Forum in summer term 2021. Cabinet gave approval to consult on the draft WESP on 14 September 2021. The consultation runs from the 27 September 2021 to 19 December 2021.

Progress on Outcome 1:- More seven-year-old children being taught through the medium of Welsh include:

It is pleasing to note the growth observed in numbers after the opening of the new school YGG Calon y Cymoedd (CYC) (opened January 2019) (formerly YGG Cwm Garw). Please see table below.

PLASC Data All Pupils YGG Cwm Garw/YGG Calon y Cymoedd (opened January 2019*)

	Nursery	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total	
2015	31	13	23	21	17	18	18	13	154	
2016	23	31	15	21	20	17	17	18	162	5%
2017	20	21	29	14	21	17	15	17	154	-5%
2018	31	20	18	26	13	20	16	12	156	1%
2019*	27	28	21	20	28	14	20	15	173	11%
2020	35	23	29	23	21	30	13	20	194	12%
2021	35	30	25	30	28	22	29	14	213	9.7%

Welsh-medium proportion of the whole cohort for Year 3

YEAR 3 PUPILS (age 7-8) *excluding special schools and excluding dual registrations							
PLASC Year (January)	Ysgol Bro Ogwr	YCG/CYC (**CyC opened in Jan 2019)	Ysgol Cynwyd Sant	Ysgol Y Ferch O'r Sger	TOTAL Welsh-medium year 3 cohort	Year 3 cohort for all schools*	% Year 3 pupils in Welsh-medium education
2016	65	20	37	27	149	1631	9.14%
2017	41	21	37	25	124	1593	7.78%
2018	55	13	41	29	138	1694	8.15%
2019**	64	28 **	41	29	162	1780	9.10%
2020	53	21	38	24	136	1713	7.94%

- Given the small numbers involved, any difference year-on-year needs to be interpreted cautiously because a small change can impact on the proportions (eg one family move in/out of the area or a new school opens). The figures above show a similar pattern over the years with little variation. As part of our aspiration to meet ambitious targets set by Welsh Government, there has been a significant amount of promotional work designed to encourage more families to consider Welsh-medium education for their child/ren. Given that these are pitched at mothers from the birth of their child/ren, we anticipate that the increase in numbers should begin to feed through to Year 3 in approximately five years' time.
- While the actual number has decreased from 2019-2020, this is reflective of the smaller cohort. The proportion of the cohort learning through the medium of Welsh has remained similar to previous years, although 2019 showed a slightly higher figure – potentially related to the opening of Ysgol Gynradd Gymraeg Calon y Cymoedd in January 2019.

Progress on Outcome 2: More learners continuing to improve their language skills on transfer from primary to secondary school include:

- The data table below tracks the numbers of pupils transferring from one year in Year 6 into Year 7 the following year. Although it shows a decrease in numbers from Year 6 to Year 7 each year it is encouraging that the 'leakage' has reduced since 2017.

	Welsh Primary Schools Year 6 Pupils	Ysgol Gyfun Gymraeg (YGG) Llangynwyd Year 7 Pupils	Percentage increase/decrease
2016	122		
2017	119	110	-9.84
2018	110	114	-4.2
2019	131	106	-3.64
2020	113	125	-4.58
2021		112	-0.88

- The Council is committed to inspiring children and young people to use Welsh in all aspects of their lives. There is strong collaboration with Central South Consortium and the school to share good practice. Since launching the Siarter Iaith in our Welsh-medium schools and the Siarter Iaith Cymraeg Campus in our English-medium schools, innovative work has been undertaken by the schools to increase the social use of Welsh within the whole school community.

Siarter Iaith Cymraeg Campus (English-medium)

	Bronze	Silver	Gold
Number of schools	10	3	1

Siarter Iaith (Welsh-medium)

	Bronze	Silver	Gold
Number of schools	4	4	

Ysgol Bryn Castell and Maesteg School are currently involved in the Cymraeg Campus pilot for secondary schools.

Progress on Outcome 4: More learners' aged 16-19 studying subjects through the medium of Welsh include:

The table below shows that the number of 14 to 16 year-old students studying Welsh as a first language (through the medium of Welsh) has remained stable at around 100 pupils per year apart from the dip in 2018. These numbers match the cohort size of the only Welsh-medium secondary school in the borough.

We have also included the numbers of students who have been entered for examinations in Welsh as a second language and the impact of the Welsh second language full course becoming compulsory in 2017.

	Welsh 1st Language	Welsh 2nd Language (Full)	Welsh 2nd Language (Short)
2016	98	585	784
2017	99	877	769
2018	77	1185	*
2019	99	1094	*
2020	100	1122	*
2021	99	1189	*

The table below shows that the number of 16 to 19 year-old students studying Welsh as a first and second language declined in the year 2020. However, numbers increased again in 2021. Data is from WJEC USA files.

	Welsh 1st Language	Welsh 2nd Language
2016	9	22
2017	10	29
2018	10	14
2019	9	16
2020	2	9
2021	9	19

YGG Llangynwyd Year 12/13 population figures from PLASC 2016-2021 show there was a decrease in the numbers continuing to study through the medium of Welsh, although this may be attributed in part to the smaller cohort size. The numbers have increased in 2021. We do not have data on numbers studying in college or work-based learning settings.

PLASC figures for YGG Llangynwyd

January	Year 12	Year 13
2016	55	55
2017	69	42
2018	65	53
2019	45	49
2020	53	32
2021	66	48

- There are strong collaboration arrangements already in place between Bridgend and Rhondda Cynon Taf. There is also some collaboration with Bridgend College at post-16. Further education institutes (FEIs) are working to investigate demand for Welsh-medium provision for younger pupils (Year 10 and up) and to look at their capacity to deliver courses through the medium of Welsh.
- Secondary schools are supported to take steps to increase the number of qualifications that learners can study through the medium of Welsh through collaboration. The local authority funds transport costs for collaborative courses offered.
- Welsh language is offered as A-level subject in schools, and schools are supported to maintain smaller class sizes through collaboration between schools to create a viable class size. Transport costs are provided by the local authority.

Progress on increasing capacity within the Welsh medium sector implemented through school 21st Century Schools and Education programme include:

Additional provision for three-year-olds will be available at the following schools:

Ysgol Gymraeg (YG) Bro Ogwr

- The local authority is proposing to increase Welsh-medium primary school places to serve the Valleys Gateway, Bridgend and Pencoed areas of the county borough by enlarging and relocating YG Bro Ogwr to an alternative nearby site.
- 90 places will be available for three year-olds.
- The proposal will be subject to a consultation process under the School Organisation Code during the school year 2021-2022 and subject to Cabinet approval.
- The school will be funded by Welsh Government's 21st Century Schools and Colleges Programme plus BCBC capital funding if the matter proceeds.
- The new school, if approved, is currently scheduled to open in September 2025.

Ysgol Y Ferch O'r Sgêr

- Ysgol y Ferch O'r Sgêr will be enlarged to a two-form-entry school.
- 60 places will be available for three year-olds.
- The proposal has already been subject to a consultation process under the School Organisation Code and Cabinet approval has been received to proceed.
- Part funded by Welsh Government's revenue Mutual Investment Model funding and BCBC, the enlarged school will serve the west of the county borough.
- The new school is currently programmed to open in September 2024.

Porthcawl

- In addition, there is an aspiration to create a Welsh-medium seedling school to serve the Porthcawl area. Currently, no funding has been allocated for the scheme. Cabinet have approved the submission of an expression of interest to Welsh Government in respect of the Welsh-medium capital grant funding. If successful, there would be an additional 30 places for three year-olds.
- The Welsh-medium childcare hubs, which we call Cymraeg 2050 hubs, are progressing. The projects at Bettws and Ogmere Valley are scheduled for completion by September 2022. There are a further two Welsh-medium childcare projects planned for the County Borough. The Bridgend Town provision has been aligned with the Bridgend North East project, as part of Band B of the School Modernisation Programme. This Welsh-medium childcare provision will form an integral part of the replacement school for YG Bro Ogwr, subject to Cabinet approval. The Bridgend North East project is scheduled for completion by September 2025. In the interim period, there are plans to offer additional Welsh-medium childcare places at the Flying Start Brackla setting. The timeline for the remaining Welsh-medium childcare project planned for Porthcawl will be determined following the feasibility stage of the project.
- The aim of the project is to provide 16 sessional Welsh-medium childcare places, together with 6 places for 0 to 2 provision and wrap-around/out-of-school provision, which would operate for 52 weeks of the year at each of the four settings. This will offer the local authority a potential for an additional 176 Welsh-medium sessional sessions available.

Further to the above the Bridgend Childcare Team continues to work with a number of settings regarding the development towards becoming a non-maintained nursery education provider. This will include the new Cymraeg 2050 provisions and those Cylch Meithrin who are not currently registered to this offer (three potential providers).

The following projects are planned for delivery by the end of 2032:

- A dual-stream, two-form-entry entry school at Parc Afon Ewenni (subject to that site being taken forward in the next Local Development Plan) (ie 30 Welsh-medium places for three year-olds)
- A one form entry school at Porthcawl (ie 30 places for three year-olds)

Also, the local authority is undertaking an options appraisal process to create an additional one form entry provision central to the Bridgend area (ie 30 places for three year-olds).

Progress on supporting Flying Start settings include:

Flying Start provision within Bridgend works closely with existing Welsh-medium provision. This offers sustainability for the Cylch Meithrin settings. Flying Start places are provided in partnership with Cylch Meithrin at the following areas:

Afon y Felin provision in Welsh-medium is available at Cylch Meithrin Y Sger;

- Sarn provision in Welsh-medium is available at Cylch Meithrin Plant Bach Sarn;
- Plasnewydd provision in Welsh-medium is available at Cylch Meithrin Cynwyd Sant;
- Garth provision in Welsh-medium is available at Cylch Meithrin Cynwyd Sant.

Within Caerau, Flying Start has in place stand-alone provision at Dechrau'n Deg Blaenllynfi. Within Brackla, the Flying Start setting will be offering 50% (16 places) of the provision via the medium of Welsh from January 2022. The Cymraeg 2050 developments will also be able to offer Flying Start provision in Lewistown, Blackmill, Bettws and Brackla.

- There are 312 English-medium places available within the Flying Start programme;
- There are 77 Welsh-medium places available within the Flying Start programme;
- 19% of the Flying Start places are available via the medium of Welsh.

This number will increase in January 2022 with the decrease of 16 English-medium places at Flying Start Brackla which will be the increase of Welsh-medium places moving forward. This will bring the percentage of places available via the medium of Welsh to 24% which will support the use of the Welsh language more widely within the county borough, promoting these accordingly.

4.3.3 **Objective three: to explore (and implement where possible) any new activities which will support the use of the Welsh language more widely within the county borough, promoting these accordingly.**

During the period BCBC has worked in partnership and supported activities across the county borough including:

Work with Menter Bro Ogwr to deliver school half term activities:

October Half Term	3 events	24 children
February Half Term	2 events	24 children
August Half Term/Summer Play Schemes	4 events	114 children
Summer of Fun programmes	17 events	124 children

Bridgend County Borough Council and the Urdd Sports Department have worked in partnership to:

- Ensure high quality Welsh medium sports provision, with a focus on developing sustainable community based opportunities that support continuity from school engagement programmes. This is in-line with Welsh Government, National Governing Body and Local Authority guidance for COVID-19.
- Continue the development of the School Sport and Wellbeing programmes at YGG Llangynwyd, providing opportunities in the following:
 - **Extra-Curricular:** Weekly sports provision for KS3 and 4 pupils across a variety of sporting opportunities including dodgeball, football, basketball and girls only provision

- **MAT Leaders:** recruitment of 10 new leaders, whilst adapting content to online and face-face provision to support the school and community programmes.
 - **Girls Network:** Created a link with the Urdd #FelMerch campaign to deliver weekly extra-curricular opportunity, as well as training opportunities, and summer programmes
- Continue to develop and grow community opportunities post COVID-19 with all clubs returned successfully, and a growth in new sessions and provision, including a new weekly Rygbi Bach club in Brackla. New developments are in place for a weekly Welsh medium Gymnastics club, as well as community based #FelMerch opportunities for girls 14+
 - Provide opportunities during school holidays for children and young people to continue the use of Welsh language outside of school hours. This included a successful programme of Summer of Fun opportunities across Bridgend, with 3-weeks of multi-sport provision at YGG Llangynwyd as well as a variety of opportunities in the parks for families, surfing for girls 14+, and tots provision for children aged 3 – 6 years.
 - Introduce Welsh medium opportunities within second-language schools. This includes the launch of the national Chwarae yn Gymraeg provision which aims to support and encourage the use of Welsh language throughout the school '*Lead by pupils and enjoyed by pupils*'. Developments are also in place to provide a new weekly Urdd Sports Club at Coety Primary School.
 - Support in partnership with over 2,850 children and young people accessing Welsh medium sports provision, 59% of girls attending weekly provision, over 950 attending holiday provision, and 27 leaders and coaches receiving training to support provision in the community.

5. Effect upon policy framework and procedure rules

There is no effect upon the policy framework and procedure rules.

6. Equality Act 2010 implications

- 6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. This is an information report, therefore it is not necessary to carry out an Equality Impact assessment in the production of this report. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

7. Well-being of Future Generations (Wales) Act 2015 Assessment

- 7.1 The well-being goals identified in the Act were considered in the preparation of this report. The following is a summary to show how the five ways of working to achieve the well-being goals have been used to formulate the recommendations within this report:

Long-term -The consideration and approval of this report will assist in supporting Welsh Language objectives the short-term and in the long term.

Prevention – Compliance with the Welsh Language Standards ensures that there the Welsh Language is treated no less favourably than the English Language.

Integration – Compliance with the Welsh Language Standards support all the wellbeing objectives and ensures integration for all people within our communities.

Collaboration - Monitoring compliance of the Welsh Language Standards is done in collaboration with all council services.

Involvement - Publication of the report ensures that the public and stakeholders can review the work that has been undertaken.

8. Financial implications

8.1 There are no financial implications associated with this report.

9. Recommendation

That the Cabinet Committee Equalities receives and considers this report.

Mark Shephard
Chief Executive
8 November 2021

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Background papers:

None

Camu Ymlaen

Adroddiad sicrwydd
Comisiynydd y Gymraeg
2020-21



Comisiynydd y
Gymraeg
Welsh Language
Commissioner



Cyhoeddwyd yn unol ag adran 4 Mesur y Gymraeg (Cymru) 2011
Medi 2021

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Rhagair y Comisiynydd

Bu'n flwyddyn heb ei thebyg - fel y mae pandemig Covid-19 wedi gorfodi pob un ohonom i fyw ein bywydau o ddydd i ddydd mewn ffyrdd gwahanol, bu'n rhaid i sefydliadau cyhoeddus Cymru hefyd addasu'n sydyn i 'normal newydd'. 'Normal' lle'r oedd cyfarfodydd ac apwyntiadau yn cael eu trefnu'n rhithwir; 'normal' lle nad oedd ots ble roedd staff sy'n ateb y ffôn wedi eu lleoli yn ddaearyddol; 'normal' lle nad oedd modd darparu gwasanaethau derbynfa arferol a 'normal' lle'r oedd cyfarwyddiadau a negeseuon yn cael eu cyhoeddi'n gyson ac ar frys i boblogaeth gyfan ar gyfryngau cymdeithasol.

Yn sicr, cyflwynodd cyfnod y pandemig heriau lu ac mae'n parhau i wneud hynny, ond rhoddodd hefyd gyfleoedd i'n sefydliadau cyhoeddus i ddarparu gwasanaethau mewn ffyrdd gwahanol ac arloesol. Cofleidiodd rhai sefydliadau y cyfle i roi lle canolog i'r Gymraeg tra bod eraill wedi methu â manteisio ar y cyfle i sicrhau bod eu trefniadau newydd yn cynnal a hybu darpariaeth gwasanaethau i siaradwyr Cymraeg.

Fy arfer yn flynyddol yn fy adroddiad sicrwydd yw datgan barn ar y modd y mae sefydliadau cyhoeddus wedi gweithredu i gydymffurfio â'u dyletswyddau statudol. Eleni fodd bynnag, mae'r pwyslais yn wahanol oherwydd fy mod yn awyddus i gydnabod pa mor anodd oedd y cyfnod, yn enwedig i weithlu'r sector iechyd a sefydliadau cyhoeddus allweddol eraill ar draws Cymru.

Pwrpas yr adroddiad hwn felly yw crynhoi'r hyn wyddom hyd yn hyn ynghylch effaith y pandemig ar ddarpariaeth Gymraeg sefydliadau a phrofiadau siaradwyr Cymraeg o'u gwasanaethau - nid yn unig y rhwystrau a gafodd effaith andwyol ond hefyd ar yr arferion effeithiol sydd wedi deillio o'r cyfnod. Prif werth hynny yw ei fod yn amlygu'r gwersi sydd i'w dysgu er mwyn galluogi sefydliadau i weithredu er mwyn cryfhau eu darpariaeth Gymraeg a chynyddu defnydd ohonynt i'r dyfodol.

Bydd pandemig Covid-19 yn sicr o newid sut mae gwasanaethau cyhoeddus yn cael eu darparu yng Nghymru o hyn ymlaen ac mae gwir angen i rai sefydliadau addasu i ymateb i negeseuon yr adroddiad hwn, fel mae eraill eisoes wedi gwneud. Rhaid iddynt weithredu i sicrhau, nid yn unig eu bod yn darparu'r gwasanaethau cyhoeddus sy'n hawlgan siaradwyr Cymraeg, ond eu bod hefyd yn cymryd eu cyfrifoldeb o'u hybu o ddifri, er mwyn annog dinasyddion Cymru i'w defnyddio.



Aled Roberts
Comisiynydd y Gymraeg
Medi 2021

1 Adroddiad cryno: prif ganfyddiadau

Mae'r adran hon yn crynhoi canfyddiadau'r Comisiynydd ynghylch effaith pandemig Covid-19 ar ddefnydd o'r Gymraeg gan sefydliadau cyhoeddus yn ystod 2020-2021.

Ar ôl cyfnod heriol y pandemig cynigir arweiniad, i roi cyfle eleni i sefydliadau cyhoeddus ddysgu o'r canfyddiadau a gweithredu er mwyn cryfhau darpariaeth a chynyddu defnydd o'r Gymraeg i'r dyfodol - eu cyfrifoldeb hwy yw sicrhau eu bod yn cydymffurfio â'u dyletswyddau.

Manteisiodd sefydliadau ar gyfleoedd i arloesi a chryfhau darpariaeth gwasanaethau Cymraeg

- Llwyddodd rhai sefydliadau i arloesi ac ymateb ar frys gan gyflwyno gwasanaethau newydd ar-lein yn Gymraeg yn gynnar yn ystod y pandemig. Mae'n dangos bod modd i sefydliadau ystyried y Gymraeg o'r cychwyn wrth roi prosiectau ar waith.
- Wrth newid i gynnal cyfarfodydd yn rhithiol roedd nifer o sefydliadau wedi canfod datrysiadau technegol er mwyn gallu parhau i ddefnyddio'r Gymraeg. Roedd sefydliadau eraill fodd bynnag, yn adrodd nad oedd modd iddynt addasu ac roeddent felly yn methu darparu gwasanaeth yn Gymraeg neu hwyluso gallu staff barhau i ddefnyddio'r Gymraeg wrth eu gwaith.

Lluniodd y Comisiynydd arweiniad brys: Cynnal cyfarfodydd fideo [dwyieithog](#) i ddarparu cyngor ymarferol i sefydliadau ar sut mae modd cynnig gwasanaethau dwyieithog yn rhithwir. Mae diffyg cyfieithu ar y pryd mewn rhai platfformau cyfarfod ar-lein o hyd ac oherwydd hyn mae angen i sefydliadau roi trefniadau eraill ar waith i alluogi defnydd o'r Gymraeg.

- Er bod pwysau mawr wedi bod ar wasanaethau cyfieithu sefydliadau yn ystod y pandemig gyda'r gofyn arnynt i gyhoeddi deunydd pwysig a swmpus ar frys; mae'n ymddangos i nifer lwyddo i ddygymod. Mae'r datblygiadau i drefniadau rhai sefydliadau, gan gynnwys datrysiadau technegol, yn dangos pa ymdrechion wnaed i addasu a bod yn fwy hyblyg er mwyn sicrhau bod y Gymraeg a Saesneg yn parhau i gael eu defnyddio ochr yn ochr.

Mae gan y Comisiynydd nodyn cyngor: Drafftio dwyieithog, [cyfieithu](#) a defnyddio'r Gymraeg wyneb yn wyneb sy'n darparu arweiniad i sefydliadau ar sut i wneud defnydd arloesol, effeithiol a chyfrifol o wasanaethau cyfieithu o bob math er mwyn hwyluso cynnig gwasanaethau dwyieithog o'r ansawdd uchaf. Mae'r adroddiad hwn hefyd yn rhoi enghreifftiau o sefydliadau sydd wedi sefydlu trefniadau ar gyfer cyfieithu testun ar frys a phrosesau ar gyfer blaenoriaethu mathau penodol o wybodaeth lle bo capasiti'r gwasanaeth cyfieithu wedi ei effeithio, fel mewn sefyllfa o bandemig.

Amlygodd rhwystrau y bwlch oedd eisoes yn ymddangos rhwng y sefydliadau sy'n cydymffurfio'n dda a'r rhai sydd heb drefniadau digonol

- Llwyddodd sefydliadau sydd â phrosesau hunan reoleiddio cadarn i ragweld a delio yn well gydag anawsterau oedd yn codi yn ystod y pandemig. Hwy oedd fwyaf tebygol o fod â darpariaeth Gymraeg oedd yn ddigon gwydn i beidio cael ei effeithio'n andwyol. Rhoddwyd trefniadau parhad busnes, neu drefniadau goruchwyllo penodol mewn lle ganddynt er mwyn parhau i gydymffurfio â'u dyletswyddau yn ystod y cyfnod heriol.

Mae angen i sefydliadau oedd wedi methu parhau i weithredu gymryd golwg ar drefniadau y rhai lwyddodd. Mae gan y Comisiynydd nodyn cyngor : [Goruchwyllo cydymffurfiaeth](#) sy'n darparu arweiniad ar roi trefniadau atebolrwydd, rheoli perfformiad a gwirio yn eu lle i sicrhau bod sefydliad yn gweithredu ei ddyletswyddau.

- Gwnaed penderfyniadau brys gan rai sefydliadau heb ystyried y Gymraeg. O ganlyniad, mewn rhai sefyllfaoedd nid oedd gwasanaeth Cymraeg ar gael fel yr oedd yn flaenorol.

Mae angen i sefydliadau ddiwygio eu cynlluniau a'u strategaethau ar gyfer ymateb i argyfwng i sicrhau fod ystyriaeth yn cael ei roi i effaith penderfyniadau ar y ddarpariaeth Gymraeg, maent angen cynlluniau parhad busnes cadarn mewn lle sy'n cynnwys parhau i hwyluso defnydd o'r Gymraeg.

- Er bod gwasanaethau cyfieithu nifer o sefydliadau wedi dygymod yn dda yn ystod y pandemig gwelwyd datganiadau a deunyddiau brys ynghylch y pandemig yn cael eu cyhoeddi yn Saesneg yn unig, neu'n cael eu cyhoeddi'n Gymraeg yn ddiweddarach na'r Saesneg.

Mae angen i sefydliadau sicrhau bod eu gwasanaethau cyfieithu yn ddigon gwydn i alluogi cyhoeddi gwybodaeth bwysig yn y Gymraeg; gall hyn olygu fod angen datblygu gwasanaethau cyfieithu, addasu trefniadau neu gynyddu capasiti sgiliau Cymraeg y gweithlu yn fwy cyffredinol.

- Dangosodd y symudiad at gyfarfodydd rhithiol ddibyniaeth sefydliadau ar ddarpariaeth platfformau cyfathrebu ar-lein cwmnïau rhyngwladol mawr er mwyn gallu cydymffurfio gyda'r safonau a defnyddio dwy iaith.

Mae Llywodraeth Cymru eisoes yn gweithredu'n strategol gyda'r cwmnïau perthnasol. Mae hyn yn gam hanfodol er mwyn galluogi sefydliadau i gynnal cyfarfodydd rhithiol mewn dwy iaith ac er mwyn sicrhau nad yw defnydd gweithwyr o'r Gymraeg yn parhau i fod wedi ei gyfyngu fel rhan o drefniadau gweithio newydd.

Amlygwyd pwysigrwydd gweithgaredd hybu i gynyddu defnydd o'r Gymraeg

- Mae safonau'r Gymraeg yn gosod dyletswydd ar sefydliadau nid yn unig i ddarparu gwasanaethau ond hefyd i hybu'r gwasanaethau Cymraeg hynny, er mwyn sicrhau fod pobl yn ymwybodol ohonynt ac yn eu defnyddio. Wrth i fwy o wasanaethau cyhoeddus gael eu darparu yn ddigidol yn sgil y pandemig, mae angen cydnabod bod carfan o ddefnyddwyr yn cymryd yn ganiataol ar sail profiad na fydd gwasanaethau ar gael – mae'n hanfodol rhoi gwybod iddyn nhw bod y gwasanaethau ar gael i sicrhau defnydd cynyddol o'r Gymraeg.

Mae angen i sefydliadau sicrhau fod gwasanaeth Cymraeg sy'n cael eu darparu yn cael eu hyrwyddo yn effeithiol ac adnoddau yn cael eu neilltuo i ganiatáu hynny.

- Gwelwyd arferion newydd yn cael eu mabwysiadu yn sgil cyflwyno patrymau newydd o weithio yn ystod y pandemig – megis yr anogaeth a roddwyd i staff nad oedd yn arfer drafftio testun yn Gymraeg i wneud hynny yn hytrach na dibynnu ar wasanaeth cyfieithu, gan fod angen symud yn gyflym i gyfleu negeseuon.

Mae'n adeg pwysig i sefydliadau ystyried pa ymyriadau mae modd iddynt eu cynllunio a'u gwireddu fel rhan annatod o gyflwyno ffyrdd newydd o weithio, er mwyn cynyddu defnydd o'r Gymraeg yn y gweithle.

- Manteisiodd rhai sefydliadau ar ddarpariaeth newydd ar-lein rhaglen 'Cymraeg Gwaith' y Ganolfan Dysgu Cymraeg Genedlaethol i gynnig cyfleoedd i'w staff ddatblygu eu sgiliau Cymraeg. Amlygwyd bod potensial i niferoedd uwch fanteisio ar y ddarpariaeth newydd oherwydd nad oes angen cymaint o fuddsoddiad o ran amser a chostau teithio a bod mwy o hyblygrwydd o ran amser astudio.

Mae angen i'r sefydliadau hynny sydd wedi profi anhawster i gynnal darpariaeth yn ystod y pandemig ystyried pa addasiadau mae modd iddynt eu cynllunio a'u cyflwyno er mwyn cynnig cyfleoedd i'w staff ddatblygu eu sgiliau Cymraeg.

- Bydd sefydliadau'n wynebu penderfyniadau polisi newydd a gwahanol yn sgil y pandemig ac mae'n hanfodol fod yr effaith ar y Gymraeg yn cael ei hystyried yn llawn.¹

Yn ystod 2021-22 dylai sefydliadau Rheoliadau Rhif 1 ystyried traweffaith Covid-19 ar y Gymraeg wrth adolygu eu strategaethau hybu a'u haddasu ar gyfer y 5 mlynedd nesaf – effeithiau megis y newidiadau i arferion gwaith ar y farchnad dai mewn rhai siroedd a'r cyfleoedd sy'n codi yn sgil bwriad y Llywodraeth i sefydlu hybiau cymunedol.

¹ yn unol â gofynion y safonau llunio polisi

2 Cyd-destun: rheoleiddio yn ystod y pandemig

- 2.1 Ym mis Mawrth 2020 pan oedd sefydliadau ar draws y sector cyhoeddus yng Nghymru yn gwneud cynlluniau i ddelio ag amgylchiadau eithriadol Covid-19, roedd cyfrifoldeb ar y Comisiynydd i ystyried effaith hynny ar ei allu i arfer ei swyddogaethau dan Fesur y Gymraeg. Roedd safonau'r Gymraeg a chynlluniau iaith Gymraeg yn parhau'n weithredol ac yn creu hawliau pwysig – roedd am weld cyfleoedd i ddefnyddio'r Gymraeg yn cael eu cynnal er gwaethaf heriau'r pandemig.
- 2.2 Roedd y Comisiynydd wedi datgan yn ei adroddiad sicrwydd ar gyfer 2019-20, Cau'r Bwlch, ei fod yn gweld risg o fwllch yn agor rhwng y sefydliadau oedd yn cydymffurfio'n dda gyda'u dyletswyddau statudol a'r rhai oedd heb drefniadau digonol i sicrhau hynny. Daeth yn amlwg fod risg i'r pandemig ddwysáu'r tueddiadau yn enwedig gan fod rhai sefydliadau, lle'r oedd pryderon eisoes yn bodoli am ddiffyg cydymffurfedd, yn adleoli staff oedd â chyfrifoldeb am y Gymraeg i adrannau eraill ymgymryd â gwaith yn gysylltiedig â'r pandemig.

Addasu dulliau rheoleiddio

- 2.3 Er mwyn cynorthwyo ymdrechion i atal ymlediad y firws, nid oedd y Comisiynydd yn dymuno rhoi pwysau ychwanegol ar sefydliadau cyhoeddus. Roedd yn sylweddoli mai blaenoriaeth sefydliadau'r sector iechyd yn enwedig dros y cyfnod heriol i ddod, fyddai ymdopi gyda'r dasg o atal ymlediad Covid-19 a delio gyda'r pwysau cynyddol o ofalu am nifer sylweddol o gleifion. Rhagwelai y byddai cyflogeion rhai sefydliadau yn gweithio dan amgylchiadau dwys ac nid oedd am iddynt orfod dygymod â straen ychwanegol tra bo'r galwadau arnynt ar eu hanterth. Byddai sefydliadau mewn sectorau eraill hefyd yn debygol o orfod newid eu trefniadau arferol, gyda llai o'u staff ar gael a nifer yn gweithio o adref. Roedd y Comisiynydd yn rhagweld na fyddai modd iddynt hwythau o bosibl, ddilyn eu prosesau arferol ar bob achlysur, ac y byddai cyfyngiadau sylweddol ar amser ac adnoddau. Er hyn, roedd o'r farn y byddai cyfrifoldeb sefydliadau i rannu gwybodaeth a chyngor cyffredinol i ddinasyddion Cymru yn wasanaeth pwysig.
- 2.4 Cysylltodd y Comisiynydd â sefydliadau cyhoeddus ddiwedd Mawrth 2020 i rannu gwybodaeth ynghylch sut yr oedd yn bwriadu addasu ei ddulliau rheoleiddio dan yr amgylchiadau. Pwysleisiodd fod dyletswydd arno o hyd i reoleiddio a gofynnodd i sefydliadau wneud eu gorau i barhau i ddefnyddio'r Gymraeg wrth ymwneud â'r cyhoedd i'r graddau yr oedd hynny'n bosibl. Anogodd sefydliadau i osod trefniadau cyfieithu digonol yn eu lle fel rhan o'u paratodau i gyfathrebu â'r cyhoedd a dywedodd mai mater i'r sefydliadau fyddai gwneud penderfyniadau ynghylch sut i ddefnyddio'r Gymraeg wrth rannu gwybodaeth frys, yn ddibynnol ar yr amgylchiadau ac unrhyw sefyllfa oedd argyfyngus yn ystod y pandemig.

Cymhwysedd dyletswyddau safonau'r Gymraeg mewn pandemig

- 2.5 Hysbyswyd sefydliadau ym mis Mawrth 2020 fod eithriadau wedi eu cynnwys yn rheoliadau safonau'r Gymraeg sy'n rhoi ystyriaeth i sefyllfaoedd o argyfwng a allai fod yn berthnasol i gyfnod y pandemig. Er enghraifft, mae rheoliadau rhif 2, 5 a 7 yn caniatáu rhoi ystyriaeth i eithrio gofynion corff i gyflenwi gwasanaeth pan fo argyfwng yn digwydd a'r gwasanaeth sy'n cael ei ddarparu ganddo yn angenrheidiol at ddiben atal, rheoli neu leddfu agwedd ar yr argyfwng hwnnw, a bod taer angen am y gwasanaeth. Felly, mewn amgylchiadau lle bodlonir yr amodau perthnasol, ni fyddai gofyniad ar rai sefydliadau i gydymffurfio â rhai o safonau'r Gymraeg.
- 2.6 Derbyniwyd nifer o geisiadau gan sefydliadau am eglurder ynghylch cymhwysedd eu dyletswyddau - amlygodd ymchwiliadau i gwynion gan y cyhoedd i'r Comisiynydd wedi hynny bod diffyg dealltwriaeth yn parhau yn achos rhai sefydliadau a bod hynny wedi arwain at benderfyniadau bwriadol ac anfwriadol i beidio cydymffurfio gyda'r safonau. Cafodd hynny yn ei dro effaith andwyol ar ddarpariaeth gwasanaethau Cymraeg i'r cyhoedd.

Gohirio proses delio â chwynion ac ymchwiliadau statudol

- 2.7 Rhwng Ebrill a Gorffennaf 2020 gohiriwyd pob ymchwiliad statudol i fyrddau iechyd ac ymddiriedolaethau GIG Cymru. Cafodd rhai ymchwiliadau i sefydliadau mewn sectorau eraill eu gohirio yn ogystal – hysbyswyd cynghorau sir a Gweinidogion Cymru bod y Comisiynydd yn barod i oedi prosesau ymchwilio pe bai sefydliad yn ei hysbysu nad oedd yn gallu ymateb i ddarparu gwybodaeth o fewn yr amserlen arferol.
- 2.8 Cysylltodd y Comisiynydd ag achwynwyr i'w gwahodd i gyflwyno sylwadau ar ei fwriad i ddiwygio amserlen yr ymchwiliadau statudol yr oedd wedi eu cychwyn eisoes. Rhoddwyd sicrwydd i achwynwyr, lle'r oedd y Comisiynydd yn gwneud penderfyniad i ohirio ymchwiliad, y byddai'n ail afael yn y broses unwaith yr oedd yn ystyried ei bod yn briodol gwneud hynny.
- 2.9 Penderfynwyd hefyd gohirio gwneud penderfyniadau ynghylch sut i ddelio â'r cwynion newydd dderbyniwyd rhwng Ebrill 2020 a Gorffennaf 2020, gan gynnwys pob cwyn a dderbyniwyd am fyrddau iechyd ac ymddiriedolaethau GIG Cymru. Ail gydiwyd yn llawn yn y broses ym mis Awst gan fod y Comisiynydd o'r farn bod pwysau ychwanegol pandemig Covid-19 wedi lleihau yn ddigonol.

Roedd y disgrisiwn a ddangoswyd gan y Comisiynydd wrth ddelio â chwynion rhwng mis Mawrth ac Awst yn gymorth sylweddol i ryddhau amser swyddogion i weithio i sicrhau parhad gwasanaethau dwyieithog yn ystod yr amgylchiadau heriol y pandemig. Symudwyd llawer iawn o swyddogion i rolau hanfodol ar ddechrau'r pandemig (ailgyflwynwyd y polisi yma ar ddechrau mis Hydref), gan ei gwneud yn anodd ymateb i ymchwiliadau parhaus. Ychydig iawn o gwynion yn ymwneud â'n gwasanaethau dwyieithog a dderbyniwyd gan y cyhoedd yn ystod y cyfnod hwn.

Gweinidogion Cymru

Ar ddechrau'r cyfnod clo, roedd hi'n fwy anodd cynnal ymchwiliadau cwynion. Roedd hyn am fod cryn dipyn o newidiadau wedi digwydd a hynny'n sydyn, roedd rhaid rhoi cyfle i swyddogion ymdopi gyda'r sefyllfa newydd a rhoi trefn ar y dulliau newydd o weithredu ... cawsom gyfnod o seibiant rhag gorfod cynnal ymchwiliadau gan Swyddfa Comisiynydd y Gymraeg. Wrth i amser fynd rhagddo, ac i swyddogion ddechrau gweithio yn ôl trefn y 'normal newydd' rydym yn medru delio gyda chwynion yn y dull arferol gan ddilyn y broses cwynion corfforaethol.

Awdurdod Lleol

- 2.10 Derbyniwyd cyfanswm o 117 o gwynion yn erbyn cyrff sy'n gweithredu safonau'r Gymraeg yn ystod y 12 mis rhwng Ebrill 2020 a Mawrth 2021 – dros draean yn llai o ran nifer na'r ddwy flynedd flaenorol. Roedd 24 ohonynt yn ymwneud â gwasanaethau yn gysylltiedig â Covid-19. (Derbyniwyd 11 o gwynion eraill yn ymwneud â materion yn gysylltiedig â Covid rhwng 1 Ebrill a 31 Gorffennaf 2021). Yn ystod cyfnod cychwynnol y pandemig, derbyniwyd llai o gwynion am gydymffurfiaeth sefydliadau cyhoeddus â'r safonau nag yn ystod yr un misoedd mewn blynyddoedd blaenorol. Roedd nifer y cwynion yn isel iawn ym misoedd Ebrill a Mai 2020 ond gwelwyd cynnydd wedi hynny hyd nes iddynt ddychwelyd i lefelau arferol erbyn mis Awst a Medi 2020.
- 2.11 Cysylltodd nifer o unigolion gyda'r Comisiynydd yn ystod y flwyddyn i dynnu sylw at yr hyn yr oeddent yn ei ystyried yn ddiffygion o ran darpariaeth gwasanaethau yn Gymraeg gan sefydliadau, ond mynegwyd ganddynt nad oeddent am gyflwyno cwyn. Roedd nifer o'r sylwadau yn ymwneud â gwasanaethau profi ac olrhain a rhaglen frechu Covid-19 ac wrth ddarparu gwybodaeth am eu profiadau cyfeiriodd pobl at yr amgylchiadau heriol yr oedd y sefydliadau yn gweithredu ynddynt fel rheswm dros beidio bod eisiau cyflwyno cwyn.

Oedi proses herio dyletswyddau

- 2.12 Roedd y Comisiynydd yn delio â nifer o geisiadau gan sefydliadau GIG Cymru i herio dyletswyddau dan adran 55 Mesur y Gymraeg ym mis Mawrth 2020. Penderfynwyd caniatáu rhagor o amser iddynt ymateb i'w sylwadau cychwynnol ar eu ceisiadau nag a ganiateir fel arfer – dyfarnwyd ar yr holl geisiadau yn derfynol erbyn Hydref 2020.

Addasu dulliau monitro: cynnal arolwg thematig ar effaith y pandemig

- 2.13 Bu'n rhaid i'r Comisiynydd ohirio cynnal ei weithgareddau monitro ac ymgysylltu arferol yn ystod 2020-21 oherwydd cyfyngiadau'r pandemig. Fel arfer bydd yn cynnal cyfres o arolygon siopwr cudd er mwyn rhoi ei hun yn esgidiau'r defnyddiwr a chasglu tystiolaeth am brofiadau o ddefnyddio gwasanaethau cyhoeddus yn uniongyrchol. Bydd yn ymweld â derbynfydd i brofi gwasanaethau rheng flaen, ynghyd â darpariaeth arwyddion a pheiriannau hunan wasanaeth. Bydd hefyd yn cynnal arolygon i brofi gwasanaethau eraill megis ffôn, gohebiaeth a gwefannau. Canfyddiadau'r arolygon hyn yw'r brif sail tystiolaeth ar gyfer ei adroddiad sicrwydd blynyddol fel arfer. Oherwydd cyfyngiadau'r pandemig bu'n rhaid gohirio gweithgaredd monitro hwn.
- 2.14 Yn hytrach, cafodd astudiaeth thematig Covid-19 ei chynnal yn Hydref 2020 i gasglu barn sefydliadau cyhoeddus ynghylch effaith y pandemig ar eu gallu i ddarparu gwasanaethau Cymraeg. Mae'r Comisiynydd hefyd wedi dibynnu ar wybodaeth o ffynonellau eraill fel sail tystiolaeth i'w adroddiad eleni.²
- 2.15 Mae'r Comisiynydd yn cydnabod nad oes modd dibynnu ar dystiolaeth yr arolwg thematig Covid-19 yn unig i adrodd ar effaith y pandemig ar ddarpariaeth gwasanaethau Cymraeg. Dewisol oedd ymateb i arolwg y Comisiynydd ac mae'n debygol mai'r sefydliadau sydd â'r adnoddau a'r awydd i ymateb oedd wedi gwneud hynny ac y gallai hynny roi gogwydd mwy cadarnhaol ar y canfyddiadau. Nid yw'r Comisiynydd felly'n awgrymu bod y canfyddiadau'n gynrychioladol o'r sefyllfa drwyddi draw.
- 2.16 Er mwyn ceisio cydbwysedd a chynnwys tystiolaeth gan ddefnyddwyr ynghylch eu profiadau hwy o ddefnyddio gwasanaethau cyhoeddus yn ystod y pandemig mae modd cyfeirio at dystiolaeth a gyflwynwyd i'r Comisiynydd gan aelodau o'r cyhoedd yn eu cwynion yn ystod y cyfnod rhwng Ebrill 2020 - Mawrth 2021, a chanfyddiadau'r Arolwg Omnibws Siaradwyr Cymraeg blynyddol.

Disgwyliadau'r cyhoedd: Arolwg Omnibws Siaradwyr Cymraeg

- 2.17 Yn flynyddol mae canfyddiadau Arolwg Omnibws Siaradwyr Cymraeg yn caniatáu i'r Comisiynydd weld os oes newidiadau dros amser yn agweddau'r cyhoedd tuag at wasanaethau Cymraeg sy'n cael eu darparu iddynt. Gall y canfyddiadau fod yn llinyn mesur o'r graddau y mae profiadau pobl sy'n defnyddio'r Gymraeg yn gwella wrth i'r gyfundrefn safonau wreiddio. Eleni fodd bynnag mae'n bosibl nad yw cymhariaeth â blynyddoedd blaenorol yn gwbl deg gan fod y pandemig wedi gorfodi newid methodoleg y gwaith ymchwil gyda'r newid o gyfweliadau wyneb yn wyneb i gyfweliadau ar-lein. Roedd y gwasanaethau yn cael eu cyflwyno mewn ffordd wahanol gan sefydliadau hefyd.
- 2.18 Ym mis Tachwedd 2020 dangosodd yr arolwg Omnibws:

² Mae rhagor o fanylion am fethodoleg arolwg thematig Covid-19 a'r ffynonellau tystiolaeth eraill yn atodiad 1

- Bod 35% o'r siaradwyr Cymraeg o'r farn fod cyfleoedd i ddefnyddio'r Gymraeg gyda sefydliadau cyhoeddus yn cynyddu a 45% o'r farn eu bod yn aros yr un peth – gostyngiad o 2% ers llynedd yn y rhai oedd yn cytuno fod cynnydd.
- 16% o'r siaradwyr Cymraeg oedd yn ffafrio defnyddio'r Gymraeg wrth ddelio â chyrff cyhoeddus, gostyngiad o ganfyddiadau'r ddwy flynedd flaenorol (33% a 32%).
- Roedd 82% o'r siaradwyr Cymraeg yn cytuno eu bod, fel arfer, yn gallu delio â sefydliadau cyhoeddus yn Gymraeg os ydynt yn dymuno gwneud hynny.
- Roedd 20% o siaradwyr Cymraeg yn nodi fod rhywun wedi eu rhwystro rhag siarad Cymraeg gyda rhywun arall oedd hefyd eisiau siarad Cymraeg - cynnydd o 5% i'r ganran a nododd eu bod wedi profi ymyrraeth y llynedd.

2.19 Dylid nodi fod yr arolwg wedi ei gynnal ym mis Tachwedd 2020 yn ystod cyfnod, pan nad oedd modd i'r cyhoedd ddefnyddio'r gwasanaethau cyhoeddus i'r un graddau neu yn yr un modd ac yr oeddent wedi ei arfer mewn blynyddoedd blaenorol. Mae tystiolaeth yn adran 3 yr adroddiad hwn yn cadarnhau nad oedd gwasanaethau bob amser yn cael eu darparu yn Gymraeg ar bob achlysur. Efallai felly nad yw'n syndod bod llai o siaradwyr Cymraeg wedi datgan eu bod yn ffafrio defnyddio'r Gymraeg gyda sefydliadau cyhoeddus.

2.20 Roedd 70% o'r siaradwyr Cymraeg a holwyd yn cytuno bod gwasanaethau Cymraeg sefydliadau cyhoeddus yn gwella – cynnydd o 6% dros ddwy flynedd.

2.21 Roedd 61% o'r siaradwyr Cymraeg yn cytuno eu bod yn teimlo bod ansawdd gwasanaethau cyhoeddus Cymraeg yr un mor dda â gwasanaethau Saesneg – mae hyn yn cynrychioli cynnydd o 14% dros ddwy flynedd.

2.22 Dywedodd 43% eu bod yn anghytuno fod sefydliadau yn ei gwneud hi'n glir sut mae cwyno os ydynt yn anfodlon â'u gwasanaethau Cymraeg.

Cynnal cyfarfodydd rhithwir yn ddwyieithog

2.23 Mae gan lawer o sefydliadau yng Nghymru ddyletswyddau statudol i ddarparu gwasanaethau Cymraeg – i'r cyhoedd ac i'w staff eu hunain. Mae'r dyletswyddau hyn yn cynnwys y gofyniad i alluogi pobl i ddefnyddio'r Gymraeg mewn cyfarfodydd o bob math, yn rhai cyhoeddus a phreifat. Gall y rhain fod yn gyfarfodydd o natur sensitif, er enghraifft cyfarfodydd ynghylch lles unigolyn, gwrandawiriadau disgyblu ac ati. Yn aml gellir ystyried galluogi unigolyn i ddefnyddio ei ddewis iaith mewn sefyllfaoedd o'r fath fel rheidrydd yn hytrach na dewis, ac yn rhan annatod o ddyletswydd sefydliadau i ofalu am unigolion.

2.24 Yn fuan ar gychwyn y cyfnod clo daeth yn amlwg bod newidiadau sylfaenol i batrymau gwaith a bywyd pobl yn sgil y cyfyngiadau yn achosi chwyldro yn y defnydd o dechnoleg, yn enwedig y technolegau hynny sy'n caniatáu i bobl gynnal cyfarfodydd o bell. Roedd

sefydliadau cyhoeddus erbyn hyn yn cael eu gorfodi i gynnal eu gwasanaethau trwy ddarpariaeth cyfarfodydd rhithwir ac erbyn mis Mai 2020 roedd y Comisiynydd wedi paratoi nodyn cyngor er mwyn rhoi arweiniad ymarferol ar sut i barhau i gynnig gwasanaethau dwyieithog o safon. Roedd y cyngor yn seiliedig yn bennaf ar brofiadau Senedd Cymru oedd wedi bod yn cynnal cyfarfodydd rhithwir dwyieithog yn llwyddiannus ers Ebrill 2020 a mewnbwn arbenigol Cymdeithas Cyfieithwyr Cymru a'r Consortiwm Astudiaethau Cyfieithu.

- 2.25 Amlygwyd i'r Comisiynydd gan rai sefydliadau cyhoeddus eu bod yn ffafrio defnyddio Microsoft Teams i gynnal cyfarfodydd rhithwir, tra bod eraill wedi mabwysiadu meddalwedd wahanol fel Zoom yn benodol oherwydd bod y feddalwedd honno'n galluogi cael sianel ychwanegol ar gyfer cyfieithu ar y pryd. Sylweddolwyd bod risg i sefydliad fethu â chydymffurfio â'i ddyletswyddau statudol os nad yw'r feddalwedd a ddefnyddir ganddo i gynnal cyfarfod yn galluogi pobl i ddefnyddio'r Gymraeg, heb sôn am yr effaith andwyol allai hynny gael ar les pobl.
- 2.26 O ganlyniad, penderfynodd y Comisiynydd ysgrifennu at Microsoft ym mis Tachwedd 2020 i gyfleu ei bryder gwirioneddol bod sefydliadau cyhoeddus oedd yn dewis parhau i ddefnyddio Microsoft Teams mewn perygl o fethu â chydymffurfio â'u dyletswyddau statudol ac yn esgeuluso darparu cyfleoedd i bobl ddefnyddio'r Gymraeg. Wrth gydnabod y buddsoddiad arloesol gan Microsoft i ddatblygu rhyngwynebau Cymraeg yn y gorffennol, roedd yn datgan ei obaith y byddai'r cwmni yn defnyddio'r un arloesedd i gefnogi'r defnydd o'r Gymraeg yn y cyd-destun hwn ar fyrder – yn enwedig gan fod cyfarfodydd rhithwir bellach yn rhan annatod o arferion gwaith dyddiol pobl.

Cynghori ar faterion moesol a moesegol Covid-19

- 2.27 Galwyd grŵp ynghyd gan Lywodraeth Cymru yn Ebrill 2020 i ddarparu cyngor annibynnol i wasanaethau iechyd ar faterion yn ymwneud ag ystyriaethau moesol, moesegol, diwylliannol a ffydd yn ystod pandemig Covid-19. Roedd Grŵp Cynghori ar Faterion Moesol a Moesegol COVID-19: Cymru yn darparu cyngor er mwyn helpu gwasanaethau iechyd i reoli materion oedd yn deillio o'r pandemig mewn modd teg a chyfiawn, gyda'r nod o sicrhau fod holl ddinasyddion Cymru yn cael gofal a pharch yn gyfartal.

Cyd-destun rhyngwladol

- 2.28 Gan fod pandemig yn rhyngwladol ei natur, gallwn ystyried effaith Covid-19 ar y Gymraeg yn y cyd-destun byd eang. Mae rhwydwaith Cymdeithas Ryngwladol y Comisiynwyr Iaith wedi galluogi'r Comisiynydd i ddysgu am yr heriau a gyflwynwyd gan y pandemig ac sy'n gyffredin i ieithoedd lleiafrifol ar draws y byd yn ogystal â rhannu gwybodaeth am ei effaith ar y Gymraeg hyd yn hyn.

2.29 Adroddwyd gan Gomisiynydd Ieithoedd Swyddogol Canada bod y pandemig wedi dangos ar un llaw gryfder a gwydnwch sefydliadau cyhoeddus y wlad tra ar y llaw arall, ei fod wedi amlygu beth sydd ddim yn gweithio: yn benodol, y rhwystrau mewnol sefydliadol.

Yn ystod cyfnodau o argyfwng, daw gallu cyfyngedig sefydliadau ffederal i ddarparu gwasanaethau i'r cyhoedd yn y ddwy iaith swyddogol i'r amlwg. Os yw sefydliad ffederal wedi tanamcangyfrif lefel y sgiliau iaith sydd eu hangen ar gyfer ei gyflogeion, er gwaethaf tasgau a dyletswyddau eu swyddi, yna yn ystod argyfwng, mae'n debygol na fydd y gweithwyr hynny'n gallu ymateb i'r cyhoedd gyda'r un sylw i fanylion ac ansawdd y gwasanaeth yn y ddwy iaith swyddogol. Mae'r un peth yn wir am reolwyr o ran cefnogi eu gweithwyr.

'Roedd pandemig COVID-19 yn gorfodi ein sefydliadau ffederal i ymateb yn brydlon ac yn bendant ... yn rhy aml, dim ond mewn un o'n dwy iaith swyddogol y cyhoeddwyd cyfathrebu diogelwch brys, a bu'n rhaid i Ganada aros am y cyfieithiad i'r iaith swyddogol arall. Roedd y sefyllfa hon yn amlygu diwylliant corfforaethol llawer o unedau gwaith mewn sefydliadau ffederal nad ydynt bob amser yn blaenoriaethu ieithoedd swyddogol nac yn parchu'r egwyddor o gydraddoldeb Saesneg a Ffrangeg.

Credaf yn gryf fod angen newidiadau o fewn y llywodraeth ffederal fel bod ieithoedd swyddogol, yn ystod argyfyngau, yn rhoi'r gorau i fod yn ôl-ystyriaeth ac yn dechrau bod yn rhan annatod o reoli argyfwng.

[Raymond Théberge, Comisiynydd Ieithoedd Swyddogol, Canada](#)

2.30 Cyhoeddwyd adroddiad ganddo ym mis Hydref 2020 [A Matter of Respect and Safety: The Impact of Emergency Situations on Official Languages](#) – astudiaeth ar effaith argyfyngau ar ieithoedd swyddogol. Canfyddiad allweddol yr adroddiad oedd bod un iaith swyddogol yn aml yn cymryd sedd gefn mewn sefyllfaoedd brys ac argymhellodd y dylai Llywodraeth Canada sefydlu gweithdrefnau mewnol ar gyfer cyfathrebu yn y ddwy iaith swyddogol, ac yna'n gwerthuso eu heffeithiolrwydd mewn amseroedd arferol ac ar adegau o argyfwng.

Mae'r cwynion y mae fy swyddfa wedi'u derbyn dros y blynyddoedd diwethaf, yr ymchwiliadau yr ydym wedi'u cynnal a'r adroddiad a ryddhawyd gennym ar sefyllfaoedd brys yn dangos yn glir natur reolaidd y broblem hon. Un o achosion sylfaenol y mater hwn yw'r asesiad amhriodol o ofynion iaith swyddi, sy'n golygu nad oes gan lawer o weision cyhoeddus y sgiliau ail iaith i allu ymateb i'r cyhoedd na goruchwyllo gweithwyr yn y naill iaith swyddogol na'r llall.

Yn fy marn i, mae'r broblem yn ymwneud â diffyg aeddfedrwydd penodol ar ran sefydliadau ffederal o ran ieithoedd swyddogol, sy'n cyfateb i ddau beth: diffyg prosesau a mecanweithiau sydd wedi'u diffinio'n glir wedi'u hintegreiddio i brosesau busnes sefydliadau ffederal; ac amgylchedd gwaith lle nad yw gweithwyr yn cael cyfle i siarad neu weithio yn yr iaith swyddogol nad yw'n brif-iaith, boed yr iaith honno yn brif iaith neu'n ail iaith swyddogol iddynt.

[Raymond Théberge, Comisiynydd Ieithoedd Swyddogol, Canada](#)

- 2.31 Yn ei adroddiad blynyddol Tuarascáil Bhliantúil 2020 mae Comisiynydd y Wyddeleg yn nodi bod y wladwriaeth wedi bod yn wynebu heriau enfawr o ran darparu ar gyfer y rhai sydd â'r angen mwyaf yn ystod y cyfnod pan oedd y byd yng nghanol argyfwng iechyd, cymdeithasol ac economaidd. Dywedodd fod profiad gwerthfawr yn cael ei ennill wrth i'r heriau hyn gael sylw a fydd o fudd i'r gwasanaeth cyhoeddus yn yr amseroedd sydd i ddod, ac fod yr amgylchiadau yn rhoi rhywfaint o ddealltwriaeth o'r graddau y mae deddfwriaeth hawliau wedi ei gwreiddio yng ngweinyddiaeth y wladwriaeth.

Roedd un o bob pump cwyn a dderbyniais eleni yn ymwneud â'r argyfwng iechyd; nid oedd gwybodaeth ar gael yn y Wyddeleg neu roedd oedi cyn ei ddarparu yn y Wyddeleg o'i gymharu â'r Saesneg. Un mater a oedd yn peri gofid i achwynwyr oedd bod cyrff cyhoeddus yn codi arwyddion uniaith Saesneg ynglŷn â COVID-19, fel pe na bai'r rheoliadau o dan y Ddeddf yn bodoli o gwbl ... Mae hyn yn fethiant sylweddol a gweledol o ddyletswydd statudol sylfaenol sydd wedi bod ar waith ers dros ddegawd.

Y teimlad cyffredinol ymhlith y rhai a gysylltodd â'm Swyddfa oedd bod yr iaith swyddogol gyntaf yn cael ei rhoi o'r neilltu neu fod yr iaith a siaradwyr yr iaith Wyddeleg yn cael eu gwthio i'r cyrion ar adegau, mewn cyfnod pan oedd angen dod â'r cyhoedd at ei gilydd at ddiben cyffredin.

[Rónán Ó Domhnaill, Comisiynydd y Wyddeleg](#)

2.32 Canfu ei ymchwiliadau yn ystod 2020-21 themâu cyffredin yn yr ymatebion a gafwyd gan gyrff cyhoeddus ynghylch eu dyletswyddau statudol – yr angen iddynt gymryd camau penodol ar frys a oedd yn golygu, oherwydd amgylchiadau eithriadol yr argyfwng iechyd, gwneud penderfyniadau i beidio â gweithredu dyletswyddau iaith statudol, neu i'w gohirio, neu i'w hanwybyddu gan y byddai'n oedi pa gamau bynnag oedd yn cael eu cymryd.

2.33 Mae Comisiynydd y Wyddeleg yn nodi na ddylai fod gwrthdaro rhwng y camau cenedlaethol difrifol sydd ar y gweill i ddelio â'r pandemig a chyfrifoldebau o ran hawliau ieithyddol. Sail dadleuon cyrff cyhoeddus, meddai, yw maint yr adnoddau sydd ar gael i gydymffurfio â dyletswyddau ieithyddol ac y gallai darparu gwasanaethau'n ddwyieithog arwain at oedi. Pe bai hynny'n wir, byddai'n creu sefyllfa lle byddai darparu gwasanaethau yn Wyddeleg yn dibynnu ar y sefyllfa benodol dan sylw a blaenoriaethau neu adnoddau'r corff cyhoeddus - gallai hyn arwain at sefyllfa lle mai'r mwyaf pwysig a brys yw'r gwasanaeth, y lleiaf o gyfle fyddai i'r cyhoedd eu derbyn yn Wyddeleg.

Ni ddylai fod gwrthdaro rhwng y camau cenedlaethol difrifol sydd ar y gweill ac ymrwymadau o ran hawliau iaith.

Rónán Ó Domhnaill, Comisiynydd y Wyddeleg

3 Effaith COVID-19 ar ddarpariaeth gwasanaethau Cymraeg

Cyd-destun

- 3.1 Soniwyd eisoes fod y Comisiynydd wedi cynnal arolwg yn Hydref 2020 i gasglu barn sefydliadau cyhoeddus ynghylch effaith pandemig Covid-19 ar eu darpariaeth Gymraeg. Mae'r adran hon o'r adroddiad yn crynhoi'r dystiolaeth a gyflwynwyd ynghylch yr effaith ar ddarpariaeth gwasanaethau – dewiswyd y dyfyniadau i adlewyrchu gwahanol safbwyntiau'r darparwyr.
- 3.2 Adroddwyd gan fwyafrif y sefydliadau a ymatebodd i'r arolwg na chafodd y pandemig fwy o effaith ar eu gwasanaethau Cymraeg rheng flaen megis derbynfa a ffôn – o'i gymharu a'u gwasanaethau cyfatebol Saesneg – a bod gwasanaethau Cymraeg yn parhau i gael eu cynnig fel yr oeddent cyn yr argyfwng. Nid yw hyn fodd bynnag yn golygu fod y sefydliadau yn cydymffurfio gyda'u dyletswyddau ond yn hytrach eu bod yn parhau i gynnig y gwasanaethau Cymraeg i'r un graddau ag yr oeddent cyn y pandemig.
- 3.3 Lle nodwyd gan sefydliadau yn eu hymateb i'r arolwg na fu effaith o gwbl ar y ddarpariaeth Gymraeg, nid yw hynny ychwaith yn golygu bod y ddarpariaeth Gymraeg yn ddigonol, nac yn cydymffurfio. Yn ogystal, oherwydd nad yw'r un dyletswyddau wedi eu gosod ar bob sefydliad a bod eithriadau i rai dyletswyddau mewn argyfwng mewn rhai achosion, nid yw cyfeiriadau at oedi neu ddiffygion gwasanaethau Cymraeg yn ystod y pandemig o reidrwydd yn golygu fod diffyg cydymffurfiaeth.
- 3.4 Ceir yn yr adran hon hefyd ychydig o'r dystiolaeth dderbyniwyd gan aelodau o'r cyhoedd wrth iddynt gyflwyno cwynion i'r Comisiynydd rhwng Ebrill 2020 a Mawrth 2021. Dewiswyd enghreifftiau o gwynion sy'n adlewyrchu profiadau amrywiol mewn achosion ble mae'r Comisiynydd wedi llwyddo i gwblhau'r broses ymchwilio a hysbysu'r sefydliadau o'i ddyfarniad a'r camau y mae'n gofyn iddynt eu cymryd i gywiro unrhyw ddiffygion.

Gwasanaethau rheng flaen

Derbynfa

- 3.5 Roedd nifer o sefydliadau cyhoeddus yn adrodd bod eu gwasanaethau derbynfa wedi dod i ben yn llwyr gan fod swyddfeydd ar gau (naill ai'n yn gyfan gwbl neu i ymwelwyr). Ble roedd gwasanaeth derbynfa wedi ailgychwyn neu barhau, mae awgrymiadau ei fod wedi ei addasu, e.e. yn digwydd ar sail apwyntiad yn unig, neu gyda llai o staff.

Roedd cau adeiladau a chyfyngu ar niferoedd staff yn ei gwneud yn anodd i gael / dyrannu staff â sgiliau Cymraeg. Cafodd nifer o weithwyr eu secondio hefyd i weithio yn adran Tracio, Olrhain a Diogelu, a ostyngodd nifer y siaradwyr Cymraeg.

[Awdurdod Lleol](#)

- 3.6 Nododd rhai sefydliadau fod addasiadau wedi golygu bod llai o staff Cymraeg ar gael, ond mewn sefydliadau eraill adroddwyd na chafodd capasiti gwasanaethau Cymraeg eu heffeithio.

Ffôn

- 3.7 Adroddwyd gan nifer o sefydliadau iddynt drosglwyddo'u gwasanaethau ffôn i gael eu darparu o gartrefi staff heb i hynny effeithio ar y ddarpariaeth Gymraeg. Ond roedd hefyd enghreifftiau o sefydliadau'n cael trafferth cyfeirio galwadau at siaradwyr Cymraeg, naill ai am resymau technegol neu oherwydd diffyg staff. Tra gwelodd rhai sefydliadau gynnydd cyffredinol yn y defnydd o wasanaethau ffôn, roedd eraill yn adrodd na chynyddodd y defnydd o'r gwasanaeth Cymraeg i'r un graddau â'r Saesneg.

Mae galwadau ffôn yn dal i gael eu hateb yn ddwyieithog felly nid oes unrhyw effaith ar y gwasanaeth ateb. Fodd bynnag, ni ellir trosglwyddo galwadau ffôn yn uniongyrchol gan fod staff yn gweithio gartref ... mae oedi posibl cyn siarad â phersonél allweddol sy'n siarad Cymraeg.

[Awdurdod Lleol](#)

- 3.8 Cyfeiriodd rhai sefydliadau yn benodol at ddatrysiadau technegol newydd oedd yn cyflwyno gwelliannau i drefniadau trosglwyddo galwadau ffôn gan alluogi darparu'r gwasanaeth Cymraeg tra roedd staff yn gweithio gartref.

Fe wnaethom gyflwyno system ffôn newydd a oedd yn galluogi preswylwyr i nodi dewis iaith - Cymraeg neu Saesneg - cyn dewis pa wasanaeth yr oeddent am siarad â chynghorydd yn ei gylch. Gyda'r mwyafrif helaeth o'r trigolion yn dymuno siarad yn Saesneg roedd hyn yn golygu, y rhan fwyaf o'r amser, bod ein siaradwr Cymraeg eisoes yn delio â siaradwr Saesneg ac nad oedd bob amser ar gael. Cafodd hyn ei adnabod fel mater o bryder a chafodd cyfleuster arbed neges llais ei hychwanegu, lle gallai siaradwr Cymraeg adael neges fyddai'n cael ei throsglwyddo i gynghorydd sy'n siarad Cymraeg i ddelio a'r mater fel blaenoriaeth.

[Awdurdod Lleol](#)

Bu angen cael datrysiad technegol ar frys ddiwedd mis Mawrth er mwyn galluogi staff ein Canolfan Gofal Cwsmer fedru ateb galwadau ar ein prif rif ffôn oddi gartref, gan ddefnyddio ffonau symudol. Roedd system debyg mewn lle yn barod ar gyfer argyfwng. Addaswyd y system yma er mwyn ymateb galwadau fel yr arfer. Nid oedd y datrysiad brys cyntaf a gyflwynwyd ddiwedd mis Mawrth yn cynnig dewis iaith i'r cwsmer tu hwnt i neges wedi ei recordio yn Gymraeg ond datryswyd hyn yn fuan iawn i sicrhau bod y system yn cynnig dewis iaith yn rhagweithiol i bob cwsmer fel yr arfer.

[Corff a noddur gan Lywodraeth Cymru](#)

- 3.9 Cyfeiriodd rhai sefydliadau eu bod wedi cyflwyno sgwrsio ar-lein fel modd o leihau cyswllt drwy'r dderbynfa a dros y ffôn, a'u bod wedi sicrhau bod staff Cymraeg ar gael.

Cyfarfodydd

- 3.10 Cyflwyno cyfarfodydd ar-lein oedd y datblygiad technegol amlycaf a gyflwynwyd gan sefydliadau yn ystod y pandemig. Er bod cyfeiriadau wedi eu gwneud at drafferthion o ran diffyg cyfieithu ar y pryd mewn rhai platfformau cyfarfod ar-lein, roedd yn ymddangos fod nifer wedi gallu goresgyn hyn trwy er enghraifft, ddefnyddio platfform sy'n caniatáu cyfieithu ar y pryd, defnyddio dwy system i gael dwy ffrwd sain neu sicrhau bod pawb yn y cyfarfod (mynychwyr a staff) yn siarad Cymraeg.

Rhaid oedd i ni adolygu elfen cyfieithu ar y pryd o'n gwaith ar fyrder i sicrhau bod yr hawl i siarad Cymraeg mewn gwrandawriad Llys yn cael ei gynnal wrth iddynt fynd yn rhithiol. Llwyddodd y tîm i sicrhau hyn trwy ddefnyddio cyfuniad o CVP (platfform cwmwl fideo) a galwad ffôn ar *BTMeetMe* ar gyfer y cyfieithu. Unwaith y cafodd y broses ei chymeradwyo sicrhawyd bod y cyfieithwyr yn cael cyfle i drïo'r system ac yn dilyn hynny cafodd cyfarwyddiadau cynhwysfawr eu llunio ar sut i'w ddefnyddio.

[Asiantaeth Llywodraeth y DU](#)

Mae unrhyw gyfarfodydd gydag unigolion wedi'u cynnal drwy ddulliau rhithiol oherwydd cyfyngiadau yn y gweithle ac yn ehangach. Mae'r effaith wedi bod yn debyg i'r effaith ar gyfarfodydd Saesneg o ran gweinyddu a chymorth i sicrhau trefniadau effeithiol. Cefnogir gallu cyfieithu drwy ein llwyfan cyfarfod a byddem yn ceisio darparu unrhyw wasanaethau iaith gofynnol yn yr un modd â phe bai'n gyfarfod wyneb yn wyneb.

[Comisiynydd Heddlu](#)

Mae meddalwedd ymgynghori fideo yn galluogi paru mwy o aelodau staff sy'n siarad Cymraeg â chleifion sy'n siarad Cymraeg - gallai hynny fod yn anoddach yn y lleoliadau clinigol blaenorol lle byddai angen i staff sy'n siarad Cymraeg deithio'n bell i gwrdd â chleifion.

[Bwrdd Iechyd](#)

Un datblygiad allweddol i ni fel sefydliad fu cyflwyno gwrandawiadau addasrwydd i ymarfer ar-lein, sydd wedi digwydd o bell, gan ddefnyddio Zoom, ers mis Medi 2020. Yn ystod y gwrandawiadau hyn, mae gwasanaeth cyfieithu ar y pryd ar gael, er mwyn sicrhau bod y rhai sy'n cymryd rhan yn gallu gwneud hynny yn eu dewis iaith (Cymraeg neu Saesneg).

[Corff a noddir gan Lywodraeth Cymru](#)

Gosododd y Cyngor Microsoft Teams ar waith trwy'r sefydliad. Mae'n wybodaeth gadarn fod Llywodraeth Cymru yn datblygu gwaith er mwyn i Teams allu hwyluso defnyddio cyfieithu ar y pryd. Rydym yn chwilio'n gyson am welliannau parhaus a dysgu gwersi wrth i ni addasu i ffordd newydd o weithio a defnyddio technolegau newydd.

[Awdurdod Lleol](#)

3.11 Fodd bynnag, cadarnhawyd gan nifer o sefydliadau iddynt gyflwyno cyfarfodydd fideo nad oedd yn galluogi defnyddio'r Gymraeg a bod gorfod symud i gynnal cyfarfodydd ar-lein wedi eu hatal rhag galluogi defnyddio'r Gymraeg. Nid oedd y dystiolaeth ymhob achos yn egluro beth oedd y rhesymau dros beidio â defnyddio plattform sy'n galluogi cyfieithu ar y pryd - awgrymodd rhai bod pryderon diogelwch yn ffactor.

Roedd y datrysiad ddewiswyd gan ein sefydliad ar gyfer cynnal cyfarfodydd rhithwir *Webex* yn atal defnydd o'r Gymraeg, gan nad oes cyfieithu ar y pryd ar gael arno. Oherwydd hyn, nid oedd rhai cyfarfodydd rhanbarthol a fyddai fel arfer wedi cynnig cyfieithu ar y pryd yn cynnig y gwasanaeth pan gynhaliwyd y cyfarfodydd.

[Awdurdod Lleol](#)

Oherwydd fod staff yn gweithio gartref yn ystod y pandemig roedd yn golygu bod cyfarfodydd wyneb yn wyneb naill ai'n cael eu canslo neu'n cael eu cynnal drwy MS Teams sydd ddim yn cefnogi cyfieithu ar y pryd.

[Awdurdod Lleol](#)

Cwyn ynghylch gwe-ddarlledu cyfarfod

Nid oes modd gwyllo cyfarfod o Gabinet fy nghyngor lleol ar ei wefan Gymraeg, yn wahanol i fersiwn Saesneg y wefan lle mae'n bosib gwyllo'r cyfarfod yn ddiraffferth.

Aelod o'r cyhoedd, Tachwedd 2020

Cyflwynwyd cwyn gan aelod o'r cyhoedd am wasanaeth gwe-ddarlledu ei gyngor lleol. Penderfynodd y Comisiynydd ymchwilio i'r gŵyn oherwydd ei fod o'r farn bod ffrydio cyfarfodydd yn wasanaeth oedd yn cael ei ddarparu gan awdurdodau lleol ers peth amser bellach. Roedd yr achos hefyd yn codi cwestiynau am ddealltwriaeth y darparwr trydydd parti o'r gofynion ar y cyngor.

Adroddwyd bod y cwmni oedd yn darparu'r gwasanaeth ar ran y cyngor wedi profi heriau technegol wrth ddefnyddio meddalwedd diogel a phriodol, a darparu cyfarpar i alluogi cyfarfod i gael ei recordio a'i uwch-lwytho o bell i'r rhynggrwyd. Roedd y cyngor yn cydnabod ei fod yn ymwybodol nad oedd yn bosib gwyllo'r cyfarfod ar fersiwn Gymraeg y wefan gwe-ddarlledu, er ei fod ar gael ar fersiwn Saesneg y wefan. Erbyn i'r Comisiynydd gwblhau'r ymchwiliad roedd y cyngor wedi addasu'r broses o archifo recordiadau cyfarfodydd i sicrhau bod modd gwyllo'r cyfarfod ar y wefan gwe-ddarlledu Gymraeg a Saesneg.

Mae'r ymchwiliad wedi amlygu bod angen sicrhau bod addasiadau i wasanaeth yn cael eu cynllunio mewn ffordd sy'n cymryd gofynion safonau'r Gymraeg i ystyriaeth ac y dylid diwygio cynlluniau ar gyfer ymateb i argyfwng i sicrhau fod ystyriaeth yn cael ei roi i effaith penderfyniadau ar y ddarpariaeth Gymraeg. Amlygwyd hefyd yr angen i sefydliadau sy'n defnyddio trydydd parti i ddarparu gwasanaethau gwe-ddarlledu sicrhau fod y darparwyr yn eglur ynghylch unrhyw ofynion dan safonau'r Gymraeg.

Deunyddiau a thestun ysgrifenedig

Gohebiaeth

- 3.12 Nododd mwyafrif y sefydliadau oedd wedi ymateb i'r arolwg nad oedd y pandemig wedi effeithio ar wasanaeth gohebiaeth Gymraeg, gyda rhai'n manylu fod y prosesau arferol ar waith. Cyfeiriodd rhai at enghreifftiau lle anfonwyd gohebiaeth yn Saesneg yn unig, neu at oedi o ran darparu fersiwn yn Gymraeg.

Danfonwyd pob gohebiaeth newydd i fyfyrwyr yn Gymraeg a Saesneg. Pan gyflwynwyd cofrestrriad ar-lein, anfonwyd yr holl negeseuon awtomatig o'r System Wybodaeth ganolog yn Gymraeg ac yn Saesneg.

[Coleg Addysg Bellach/Uwch](#)

Mae pob gohebiaeth yn cael ei thrin yn yr un ffordd â chyn y pandemig, heb unrhyw wahaniaeth rhwng y Gymraeg a'r Saesneg.

[Comisiynydd Heddlu](#)

Ar achlysuron prin iawn mae negeseuon wedi cael eu hanfon yn Saesneg yn unig gyda'r Gymraeg yn dilyn yn fuan wedyn, er enghraifft pan mae'n ofynnol i ni ddarparu ymatebion brys i'n carfan myfyrwyr yn dilyn cyhoeddiadau ynghylch y cyfnod clo a chan Weinidogion. Mae hyn o ganlyniad i bwysau ychwanegol ar ein darparwyr cyfieithu arferol sydd wedi arwain at rywfaint o oedi.

[Coleg Addysg Bellach/Uwch](#)

Mae'r Tîm Cyfieithu wedi bod yn parhau i ddarparu gwasanaeth cyfieithu llawn o adref. Anfonwyd neges i Uwch Reolwyr ar ddechrau'r cyfnod clo i roi gwybod nad oedd effaith ar y gwasanaeth cyfieithu. Roedd y tîm cyfieithu yn blaenoriaethu unrhyw lythyrau, datganiadau i'r wasg, swydd ddisgrifiadau oedd yn ymwneud yn benodol â Covid-19.

[Bwrdd Iechyd](#)

3.13 Nododd rhai sefydliadau nad oedd gwasanaeth ymateb i ohebiaeth ar gael yn Gymraeg o gwbl yn ystod y cyfnod.

Roedd gohebiaeth papur, trwy'r post ac e-byst yn cael eu trin yn y ffordd arferol yn ystod ac wedi'r cyfnod clo. Fodd bynnag, ar adegau, oherwydd y llif o ohebiaeth electroneg a phwysau gwaith aruthrol ar swyddogion yn ystod y cyfnod hwn, roedd yr amser ymateb i rywfaint o ohebiaeth yn arafach na'r arferol. Fodd bynnag, roedd y sefyllfa'r un fath mewn perthynas â gohebiaeth yn y ddwy iaith - nid oedd unrhyw oediad ychwanegol wrth ymateb i ohebiaeth Gymraeg.

[Awdurdod Parc Cenedlaethol](#)

Ystyriwyd bod gohebiaeth yn argyfwng ac nid oedd yn ofynnol i'r staff gyfieithu. Roedd sicrhau cyfathrebu gan y staff yn golygu nad oedd cyfieithu bob amser yn bosibl a bod nifer y cyfathrebu tyfu'n ddyddiol. Yr ydym yn dychwelyd yn araf i amserlen gyfathrebu reolaidd.

[Sefydliad GIG Cymru](#)

Roedd y gwasanaeth e-bost Cymraeg wedi ei gau rhwng 20 Mawrth 2020 a 6 Awst 2020. Roedd cwsmeriaid yn gallu cysylltu gyda ni'n Gymraeg ar ein Cyfryngau Cymdeithasol. Roedd yr holl wasanaethau ar-lein yn gweithio'n dda ac roeddwn yn annog cwsmeriaid i'w defnyddio nhw pan yn bosibl (maent yn parhau y ffordd fwyaf haws a chyflym i drafod gyda ni).

[Asiantaeth Llywodraeth y DU](#)

Cwyn ynghylch ateb gohebiaeth

Rwyf wedi anfon e-byst yn Gymraeg at fy nghyngor lleol ynghylch taliadau debyd uniongyrchol treth y cyngor – dim ond yn Saesneg mae'r Cyngor wedi ymateb.

Aelod o'r cyhoedd, Mai 2020

Cyflwynwyd cwyn gan aelod o'r cyhoedd yn honni iddo dderbyn gohebiaeth Saesneg gan ei gyngor lleol ar ddau achlysur mewn ymateb i ohebiaeth e-bost anfonwyd ato yn Gymraeg. Penderfynodd y Comisiynydd ymchwilio i'r gŵyn oherwydd bod awgrym fod y methiant yn arfer systemig yn hytrach na chamgymeriad untro.

Cadarnhaodd yr ymchwiliad bod yr ohebiaeth wedi ei anfon at yr achwynydd gan aelod staff yn ystod pandemig Covid-19 tra roedd staff y Cyngor i gyd yn ynysig ac yn gweithio o adref. Roedd y Cyngor eisoes wedi llunio canllaw eglur at ddefnydd ei staff sy'n egluro'r camau i'w cymryd wrth ymateb i ohebiaeth yn Gymraeg. Roedd yn cydnabod iddo ymateb yn Saesneg i ohebiaeth a dderbyniodd yn Gymraeg oherwydd bod aelod staff wedi cynnig ymateb cyflym.

[Mae'r ymchwiliad wedi amlygu pwysigrwydd codi ymwybyddiaeth staff ynghylch eu cyfrifoldeb i weithredu unrhyw ganllawiau neu weithdrefnau sydd wedi eu mabwysiadu. Mae'n dangos bod angen gosod trefniadau parhad busnes yn eu lle i sicrhau bod sefydliad yn ystyried effaith unrhyw amgylchiadau ar y Gymraeg yn ystod cyfnodau heriol.](#)

Dogfennau a deunyddiau

- 3.14 Yn y mwyafrif o achosion nodwyd gan sefydliadau na effeithiodd y pandemig ar eu gallu i ddarparu deunyddiau yn Gymraeg – cyfeiriodd nifer at bwysigrwydd gwasanaethau cyfieithu, a oedd dan bwysau ychwanegol, i alluogi hynny. Roedd mwyafrif y sefydliadau yn manylu bod y trefniadau arferol yn parhau mewn lle. Nodwyd gan rai bod ychydig o achosion lle cafodd datganiad neu ddeunyddiau brys ynghylch y pandemig eu cyhoeddi

Cyhoeddwyd dogfennau a deunyddiau brys eraill yn Saesneg yn unig, e.e. y wybodaeth/gohebiaeth sy'n cynnwys gwybodaeth iechyd a diogelwch a gyhoeddwyd ar anterth yr argyfwng. Gwnaed y penderfyniad yng ngoleuni nifer o amgylchiadau: i sicrhau bod gwybodaeth berthnasol am iechyd a diogelwch ar gael mewn modd amserol; cafodd nifer fawr o staff eu hadleoli dros dro i helpu gydag ymateb y Cyngor i'r achosion gan gyfyngu ar gapasiti'r Gymraeg; yn ogystal â'r ffyrdd newydd o weithio i staff ar adeg mor dyngedfennol. Lle nad oedd fersiynau o ddogfennau Cymraeg a Saesneg ar wahân, roedd modd cynhyrchu/cyhoeddi fersiynau Cymraeg a Saesneg ar wahân ac ati.

[Awdurdod Lleol](#)

yn Saesneg yn unig, neu fod oedi wrth gyhoeddi'r fersiwn Gymraeg, yn sgil anallu i gael cyfieithiad yn ddigon cyflym a'r sefyllfa'n newid ar fyr rybudd.

Ar ddechrau'r cyfnod clo anfonwyd llythyr at bob preswlydd yn Saesneg yn unig yn rhoi gwybod iddynt am y Cynllun Ymateb Cyfaill Cymunedol a oedd yn cael ei sefydlu i helpu pobl fregus yn y sir. Gwnaed hyn oherwydd brys y llythyr a chael pobl i ymuno â'r gwasanaeth.

[Awdurdod Lleol](#)

Mae ein system gyfieithu yn gweithio'n effeithiol o bell felly nid oes unrhyw effaith iaith ar ddogfennau. Dim ond pan ddigwyddodd achos Covid dros benwythnos ac roedd angen i ni gael gwybodaeth i rieni ar frys ar ein gwefan ar nos Sul y digwyddodd hynny yn Saesneg yn unig ond cafodd hyn ei gywiro ben bore Llun gan ein tîm cyfieithu (nid yw'r tîm yn gweithio ar benwythnosau).

[Coleg Addysg Bellach/Uwch](#)

Cwyn ynghylch anfon gohebiaeth

Cefais llythyr a thaflen gan fy nghyngor lleol trwy fy mlwch llythyr. Roedd yn cynnwys gwybodaeth yn uniaith Saesneg am y pandemig Covid-19.

Aelod o'r cyhoedd, Ebrill 2020

Cyflwynwyd cwyn gan aelod o'r cyhoedd yn honni iddo dderbyn dogfen uniaith Saesneg gan ei gyngor lleol gyda gwybodaeth ynghylch pandemig Covid-19. Penderfynodd y Comisiynydd ymchwilio oherwydd ei bod yn ymddangos fod penderfyniad strategol wedi ei wneud gan y Cyngor i beidio gohebu yn Gymraeg.

Cadarnhaodd yr ymchwiliad nad oedd gan y Cyngor unrhyw siaradwyr Cymraeg yn rhan o'i Dîm Cyfathrebu ar y pryd ac roedd o'r farn y byddai oedi'n anochel pe bai'n anfon gohebiaeth yn Gymraeg. Roedd y Cyngor yn cydnabod ei fod wedi anfon yr ohebiaeth at yr unigolyn yn Saesneg wedi iddo wneud penderfyniad ar sail iechyd a diogelwch a diffyg adnoddau yn ystod y cyfnod heriol. Dyfarnodd y Comisiynydd bod y Cyngor wedi methu cydymffurfio oherwydd ei fod wedi gwneud penderfyniad pwrpasol i anwybyddu gofynion y safon wrth anfon yr ohebiaeth am wasanaeth newydd i gefnogi preswylwyr bregus yn ystod y pandemig; bod amser wedi ei dreulio yn penderfynu ar y cynnwys a'r dyluniad a barn y Comisiynydd oedd y dylai'r Cyngor fod wedi gwneud pob ymdrech i sicrhau bod amser hefyd i greu fersiynau Cymraeg. Nodwyd ei fod yn disgwyl gweld ymdrech gan y Cyngor i gynnal ei wasanaethau Cymraeg bob amser.

Mae'r ymchwiliad wedi amlygu pwysigrwydd diwygio cynlluniau a strategaethau ar gyfer ymateb i argyfwng i sicrhau fod ystyriaeth yn cael ei roi i effaith penderfyniadau ar y Gymraeg. Amlygwyd pwysigrwydd pennu proses ar gyfer blaenoriaethu mathau penodol o wybodaeth lle bo capasiti'r gwasanaeth cyfieithu wedi ei effeithio. Dangoswyd bod angen ystyried sut i sicrhau fod deunyddiau brys yn cael eu cyhoeddi yn Gymraeg ar yr un pryd a'r angen o bosibl i ystyried capasiti gwasanaethau cyfieithu arferol, trefniadau cyfieithu testun ar frys neu gapasiti sgiliau Cymraeg y gweithlu yn fwy cyffredinol.

Gwefannau a gwasanaethau ar-lein

- 3.15 Adroddwyd gan y mwyafrif o sefydliadau na effeithiodd y pandemig ar eu gallu i ddarparu tudalennau gwe a gwasanaethau ar-lein yn Gymraeg. Nododd rhai bod ambell i dudalen neu wasanaeth wedi cael eu cyhoeddi yn Saesneg yn unig, neu fod oedi wrth gyhoeddi'r fersiwn Cymraeg, yn sgil anallu i gael cyfieithiad yn ddigon cyflym neu wneud gwaith datblygu ochr yn ochr.
- 3.16 Cyfeiriodd nifer o sefydliadau at wybodaeth a gwasanaethau ar-lein newydd a gyflwynwyd - rhai ohonynt yn gynnar iawn yn ystod y pandemig naill ai'r un pryd neu'n fuan ar ôl y gwasanaeth Saesneg. Roedd hyn yn cynnwys gwasanaethau ar-lein proffil uchel a oedd yn effeithio ar nifer fawr o bobl ac a ddatblygwyd ar frys mewn ymateb i'r pandemig.

Roedd yn rhaid i ni ddatblygu nifer o ffurflenni ar-lein ar fyr rybudd. Roedd y rhain yn cynnwys ffurflen gais am grant busnes, ffurflen archebu gofal plant, ffurflen archebu ar gyfer ein Canolfannau Gwastraff ac Ailgylchu, ffurflen archebu clicio a chasglu ar gyfer Llyfrgelloedd a ffurflenni archebu gweithgareddau'r Ganolfan Hamdden. Er mwyn cynhyrchu'r rhain o fewn yr amserlenni gofynnol, cynhyrchwyd nifer yn Saesneg yn unig i ddechrau. Mae'r rhai sy'n dal i gael eu defnyddio, fel ffurflen archebu'r Ganolfan Gwastraff ac Ailgylchu a'r ffurflen archebu clicio a chasglu ar gyfer Llyfrgelloedd, bellach ar gael yn Gymraeg. Nid yw ffurflenni eraill yn cael eu defnyddio mwyach.

[Awdurdod I.leol](#)

Ar ddechrau'r argyfwng roedd rhai negeseuon brys yn cael eu cyhoeddi ar y wefan yn Saesneg yn gyntaf gyda'r Gymraeg yn dilyn unwaith i'r neges gael ei gyfieithu, weithiau awr neu ddwy yn ddiweddarach. Roedd yr e-bost a anfonwyd ar Fawrth 17 - Gwaith rheoleiddio Comisiynydd y Gymraeg yn ystod Covid-19 - yn awgrymu bod hynny'n dderbyniol. Unwaith i'r broses gael ei mireinio, roedd y negeseuon yn cael eu cyhoeddi ar yr un pryd. Wrth i fwy o'n gwasanaethau gael eu cynnig yn ddigidol sylweddolwyd hefyd nad oedd digon o gapasiti yn ein hadran gyfieithu a wnaeth arwain at benderfyniad i benodi cyfieithydd ychwanegol.

[Coleg Addysg Bellach /Iiwch](#)

Adran Gwaith a Phensiynau Llywodraeth y DU: cynnig darpariaeth gwasanaethau ar-lein newydd ar fyr rybudd

Cyhoeddwyd gwasanaethau newydd ar-lein gan Adran Gwaith a Phensiynau Llywodraeth y DU yn ystod misoedd cyntaf y pandemig yn 2020. Roedd y datblygiadau eisoes ar y gweill fel rhan o ymrwymiad yr Adran i wella lefelau boddhad cwsmeriaid ond cyflymwyd y rhaglen waith ar gychwyn y pandemig.

Cafodd y system sy'n galluogi gwneud ceisiadau am Gredyd Pensiwn ar-lein ei hadeiladu mewn cwta 4 wythnos i alluogi'r gwasanaeth Credyd Pensiwn fynd yn fyw ar-lein ym mis Mai 2020. Nodwyd gan yr Adran nad oedd yn bosibl lansio'r gwasanaeth Cymraeg yr un pryd o ystyried yr amserlenni heriol ond cafodd ei lansio yn fuan wedi hynny ddiwedd Mai 2020 ar ôl cyfnod o'i brofi.

Oherwydd y pandemig roedd gwasanaethau eraill yn canolbwyntio eu sylw ar weithredu gwasanaethau ar-lein, gan gynnwys 'Gwneud cais am NS ESA ar-lein', 'Gwneud cais am NINO' ac 'Ad-dalu Fy Nyled'. Gweithiodd Uned Gymraeg yr Adran Gwaith a Phensiynau yn agos â'r timau prosiect perthnasol i sicrhau bod fersiynau Cymraeg o'r gwasanaethau hyn ar gael hefyd.

Mae Covid-19 wedi cael effaith enfawr ar lawer o'r farchnad lafur, wrth i rai sectorau leihau mewn maint ac i eraill gynyddu'n gyflym. Er mwyn helpu ceiswyr gwaith i ddod o hyd i waith mewn sectorau newydd a chyflogwyr i gael hyd i'r gweithwyr sydd ar gael, lansiodd dwy wefan allanol newydd gan yr Adran hefyd: help swyddi a helpu cyflogwyr. Mae'r gwefannau hyn yn cynnig gwybodaeth am y farchnad lafur i bobl sy'n chwilio am waith nawr a chynghor i gyflogwyr er mwyn eu helpu i'w recriwtio. Gwnaeth Uned y Gymraeg weithio â'r Tîm Cyfathrebu Strategol i sicrhau bod fersiynau Cymraeg o'r gwefannau hyn, yn ogystal â'r holl asedau, trydariadau, a phecynnau cymorth, ar gael ac i ddiweddariadau gael eu gwneud yn brydlon.

Ychwanegwyd gwefan ategol newydd i GOV.UK i helpu pobl i ddod o hyd i ragor o wybodaeth am Covid-19 a hawlio budd-daliadau. Mae 'Beth yw Credyd Cynhwysol?' yn helpu defnyddwyr i ddeall beth gallai eu cefnogi os ydynt ar incwm isel neu'n ddi-waith. Eto gweithiodd Uned y Gymraeg â'r tîm oedd yn gyfrifol am y wefan hon i sicrhau bod fersiwn Cymraeg ar gael hefyd.

Yn ddiweddarach o ganlyniad i Covid, cyflwynwyd cynllun *Kickstart* i helpu pobl rhwng 16-24 oed i ennill sgiliau i'w helpu i gael swyddi yn y dyfodol. Cefnogwyd y tîm oedd yn gyfrifol am y prosiect gan Uned y Gymraeg i sicrhau bod yr holl gynhyrchion, cyfarwyddyd, gwybodaeth ayyb, ar gael ar wefan GOV.UK a bod y porth i gyflogwyr/Porth *Kickstart* i wneud cais am y grant, i greu lleoliadau gwaith, ar gael yn y Gymraeg hefyd.

Adroddwyd bod y Gwasanaeth Arian a Phensiynau (MaPS), sy'n un o'r cyrff cyhoeddus anadrannol y mae Uned y Gymraeg yr Adran Gwaith a Phensiynau yn eu cefnogi hefyd wedi cyflwyno gwefan newydd o'r enw HelpwrArian, ac o ganlyniad cafwyd swm aruthrol

o destun i'w gyfieithu yn ystod y flwyddyn, gyda newidiadau rheolaidd i gynnwys cyfredol a chynnwys newydd am Covid ar eu gwefan.

Mae arfer yn amlygu bod modd ymateb ar frys a chyflwyno gwasanaethau newydd ar-lein yn Gymraeg a bod hynny'n gallu llwyddo wrth ystyried y Gymraeg o'r cychwyn wrth roi prosiectau ar waith. Mae'n dangos hefyd bod sefydliad sydd wedi sefydlu prosesau hunan reoleiddio cadarn ac sy'n darparu'r adnoddau angenrheidiol, megis Uned y Gymraeg yr Adran Gwaith a Phensiynau, yn gallu goresgyn anawsterau - roedd eu darpariaeth Gymraeg yn ddigon gwydn i beidio cael ei effeithio'n andwyol ac roeddent yn llwyddo i barhau i gydymffurfio â'u dyletswyddau yn ystod y cyfnod heriol.

Cwyn ynghylch cyhoeddi gwybodaeth ar wefan

Mae'r Cyngor lleol wedi cyhoeddi nifer o dudalennau yn cynnwys gwybodaeth ynglŷn â'r pandemig COVID-19 yn Saesneg yn unig ar ei wefan.

Aelod o'r cyhoedd, Mehefin 2020

Cyflwynwyd cwyn gan aelod o'r cyhoedd yn honni nad oedd gwybodaeth am Covid-19 ar gael yn Gymraeg ar nifer o dudalennau a dogfennau gwefan ei gyngor lleol. Penderfynodd y Comisiynydd ymchwilio i'r gŵyn oherwydd nad oedd y cyngor wedi darparu unrhyw sylwadau am amgylchiadau'r gŵyn a bod archwiliad yn cadarnhau fod y sefydliad wedi parhau i ddiweddarau'r wefan mor ddiweddar ag Awst 2020. Roedd yn cyflwyno amheuaeth bod y gŵyn yn symptom o arfer systemig a bod penderfyniad bwriadus wedi ei gymryd i ddangos, ac i barhau i ddangos, gwybodaeth yn Saesneg ar fersiwn Gymraeg y wefan.

Roedd y cyngor yn cydnabod bod y cyfnod wedi bod yn un heriol wrth iddo ail-neilltuo cyfrifoldebau i'w staff o ganlyniad i'r pandemig, a bod dyletswydd arno i rannu gwybodaeth â'r cyhoedd cyn gynted â phosib. Nodwyd ei bod yn ymddangos bod y cyngor wedi cael ei lethu gan y sefyllfa a'i bod yn glir bod yr uned gyfieithu ynghlwm â'r gwaith o baratoi gwybodaeth ar gyfer y wefan ar frys, ond nad oedd capasiti digonol i gyfieithu popeth oherwydd maint y dasg. Nodwyd fod uwch reolaeth y cyngor wedi casglu ei bod yn bwysicach bwrw ymlaen i osod gwybodaeth yn Saesneg ar y wefan Gymraeg yn hytrach na disgwyl i'w gyfieithu.

Mae'r ymchwiliad wedi amlygu pwysigrwydd sicrhau fod ystyriaeth yn cael ei roi i effaith penderfyniadau ar y Gymraeg a diwygio cynlluniau a strategaethau ymateb i argyfwng. Mae'n dangos y dylid rhoi ystyriaeth benodol i ddigonolrwydd trefniadau cyfieithu i

sicrhau eu bod yn medru dygymod mewn cyfnodau pan fo llwyth gwaith yn uwch na'r arfer. Amlygwyd bwysigrwydd pennu proses ar gyfer blaenoriaethu mathau penodol o wybodaeth lle bo capasiti'r gwasanaeth cyfieithu wedi ei effeithio, fel mewn sefyllfa o bandemig. Pwysleisia'r ymchwiliad hefyd werth cynnal archwiliadau rheolaidd o wasanaeth er mwyn hunan reoleiddio a phrofi cydymffurfedd, a bod mewn sefyllfa i ragweld a delio yn well gydag unrhyw anawsterau sy'n codi oherwydd y pandemig.

Darpariaeth newydd

3.17 Nododd rhai sefydliadau eu bod wedi cynyddu eu darpariaeth ar-lein yn ystod y cyfnod clo, gan gynnwys ffurflenni cais ac apiau, a bod y ddarpariaeth newydd ar gael yn Gymraeg. Mewn rhai amgylchiadau cafodd y gwasanaethau Gymraeg eu darparu ar ôl y gwasanaeth Saesneg. Roeddent yn amrywio o wasanaethau ar-lein proffil uchel a oedd yn effeithio ar nifer fawr o unigolion i dechnoleg sgwrsio byw nad oedd yn cael ei defnyddio o'r blaen.

Mae llawer o wasanaethau a chynnwys wedi'u symud ar-lein dros y pandemig, ac felly mae cynnydd wedi bod yn y galw am ddeunydd ar-lein. Mae mwy o fideos wedi'u cynhyrchu, gyda phwyslais ar recordio fersiynau Gymraeg a Saesneg yn hytrach nag is-deitlo. Mae'r pandemig wedi symud ambell broject yn ddigidol, megis project sy'n trawsgrifio deunydd archif Gymraeg. Caiff dogfennau eu sganio'n awtomatig, ac unrhyw gamgymeriadau eu cywiro, a bydd y project yn gyfrifol am gynyddu faint o ddeunydd Gymraeg sydd i'w gael ar y we.

Corff a noddur gan Lywodraeth Cymru

Cyflwynwyd gwasanaeth sgwrsio ar-lein newydd yn ystod y pandemig ac mae hwn ar gael naill ai yn Saesneg neu yn Gymraeg. Mae'r tîm sy'n gweithio ar y gwasanaeth sgwrsio yn cynnwys aelodau staff sy'n siarad Gymraeg, ac ymatebir i ymholiadau Gymraeg yn Gymraeg.

Coleg Addysg Bellach/Uwch

Gwasanaeth Llysoedd a Thriwlysoedd Ei Mawrhydi: cynnal gwrandawiaidau rhithiol gyda darpariaeth cyfieithu ar y pryd angen gosod rhywle perthnasol yng nghorff yr adran

Er mwyn sicrhau bod yr hawl i siarad Gymraeg mewn gwrandawiad Llys yn cael ei gynnal wrth iddynt gael eu cynnal yn rhithiol, bu'n rhaid i'r Gwasanaeth adolygu ei drefniadau i gyfieithu ar y pryd o'i waith. Trwy gydweithio gyda'r Farnwriaeth Gymraeg llwyddwyd i sicrhau hynny a defnyddio cyfuniad o CVP (platform cwmwl fideo) a galwad ffôn ar *BTMeetMe* ar gyfer y cyfieithu. Ar ôl cymeradwyo'r broses cafodd y cyfieithwyr gyfle i arfer gyda'r system a lluniwyd cyfarwyddiadau cynhwysfawr sut i'w defnyddio.

Yn ddiweddarach gwnaed gwelliannau pellach er mwyn gwella profiad y defnyddiwr fel bod yr angen am linell BT ar wahân yn cael ei ddileu. Roedd hyn yn golygu defnyddio senario fideo dwy ystafell, yn debyg i sut mae cyfieithu ar y pryd yn gweithio ar Zoom.

Mae'r arfer yn amlygu bod y sefydliad wedi llwyddo i gyflwyno gwasanaethau ar-lein yn Gymraeg ar frys gan ddefnyddio technoleg oedd yn newydd sbon iddynt ar y pryd. Mae'n dangos hefyd bwysigrwydd cael proses hunan reoleiddio cadarn sy'n gallu rhagweld a delio gydag anawsterau sy'n codi, gan ganiatáu i drefniadau parhad busnes gael eu cyflwyno heb oedi a chaniatáu i'r Gwasanaeth barhau i gydymffurfio â'i ddyletswyddau.

- 3.18 Nododd rhai sefydliadau fodd bynnag fod gwasanaethau ar-lein newydd wedi eu cyflwyno ond fod rhwystrau wedi bod i wneud y rhain ar gael yn Gymraeg.

Mae gwasanaethau ar-lein wedi bod ar gael yn y Gymraeg ond cafwyd peth anhawster ar y dechrau i hyrwyddo a chael mynediad at blatfform cyfrwng Cymraeg a osodwyd ar wefan y Brifysgol ar gyfer y diwrnodau clirio a'r diwrnodau agored. Llwyddwyd i ddatrys y broblem gan gynyddu niferoedd a oedd yn ymweld â'r fersiwn Gymraeg.

Prifysgol

Bu'n rhaid symud yr holl weithgaredd recriwtio myfyrwyr ar-lein. Bu i staff ei chael hi'n heriol sicrhau fod presenoldeb y Gymraeg yn amlwg mewn, er enghraifft, dyddiadur agored rhithiol. Roedd y system a ddefnyddid yn Saesneg.

Prifysgol

Mae un feddygfa dan reolaeth y Bwrdd Iechyd yn adrodd eu bod yn defnyddio AccuRx i gyfathrebu gyda chleifion drwy linc fideo. Mae llawer o opsiynau gyda'r feddalwedd yma i fedru anfon gwybodaeth i gleifion yn syth drwy'r system yma o ran darparu cyngor gyda'u cyflwr iechyd, ond nid yw rhain ar gael yn y Gymraeg.

Bwrdd Iechyd

Llywodraeth Cymru ac Adran Iechyd a Gwasanaethau Cymdeithasol Llywodraeth y DU: Ap Profi ac Orlhain NHS COVID-19

Cyhoeddwyd Ap Profi ac Orlhain NHS Covid-19 ar frys ym mis Mai 2020 at ddefnydd y cyhoedd yng Nghymru a hynny yn sgil trafodaethau rhwng Llywodraeth Cymru a Llywodraeth y DU. Ar y pryd roedd y ddau Lywodraeth yn y broses o gytuno memorandwm dealltwriaeth ynghylch eu ffordd o weithio ac roedd darparu gwasanaethau yn Gymraeg wedi ei gynnwys fel elfen hanfodol ohono.

Pan lansiwyd yr Ap roedd modd i unigolion ei gyrchu a'i ddefnyddio yn Gymraeg yn gwbl ddi-rwystr o'r cychwyn os oedd y Gymraeg wedi'i gosod yn iaith ddiofyn eu dyfais.

Derbyniodd y Comisiynydd nifer o gwynion ynghylch yr Ap gan unigolion nad oedd yn ymwybodol o'r angen i osod y Gymraeg fel iaith ddiofyn eu dyfais neu oedd â dyfeisiadau oedd yn rhy hen i'r Ap weithredu arnynt – roeddent o ganlyniad wedi cymryd yn ganiataol nad oedd y gwasanaeth ar gael yn Gymraeg.

Roedd yn ymddangos nad oedd Llywodraeth y DU na Llywodraeth Cymru wedi llwyddo i godi ymwybyddiaeth y cyhoedd yn ddigonol cyn lansio'r Ap i egluro'r cyfyngiadau a rheoli disgwyliadau, a phwysleisio y byddai'r gwasanaeth ond ar gael yn llawn yn Gymraeg os oedd gosodiadau'r ddyfais yn caniatáu hynny ymlaen llaw.

Roedd hefyd yn aneglur ar y pryd pwy oedd a chyfrifoldeb am y ddarpariaeth i'r cyhoedd yng Nghymru gan mai'r Adran Iechyd a Gofal Cymdeithasol Llywodraeth y DU oedd cyhoeddwr yr Ap ond bod Llywodraeth Cymru'n gweithio gyda'r adran ar y trefniadau yng Nghymru. Ym mis Tachwedd cadarnhawyd gan Lywodraeth Cymru y byddent hwy'n derbyn cyfrifoldeb am wasanaethau Profi Olrhain Diogelu.

Mae Ap Profi ac Olrhain NHS Covid-19 yn enghraifft o wasanaeth Cymraeg proffil uchel sydd ar gael i ddinasyddion Cymru. Mae'n amlygu sut gall cydweithio rhwng y Llywodraethau gael effaith gadarnhaol o ran y Gymraeg a sut gall dyletswyddau statudol safonau'r Gymraeg Gweinidogion Cymru ddylanwad ar ddarpariaeth gwasanaethau sy'n cael eu cyflenwi ar eu rhan gan Lywodraeth y DU.

Cyfryngau cymdeithasol

3.19 Yn y mwyafrif o achosion, nododd sefydliadau na effeithiodd y pandemig ar eu gallu i ddarparu negeseuon cyfryngau cymdeithasol yn Gymraeg, gyda rhai sefydliadau'n cyfeirio at bwysigrwydd gwasanaethau cyfieithu hyblyg, neu argaeledd siaradwyr Cymraeg. Nododd rhai sefydliadau i rai negeseuon gael eu cyhoeddi yn Saesneg yn unig,

Parhaodd yr holl ohebiaeth cyfryngau cymdeithasol i fod yn Gymraeg a Saesneg trwy gydol y cyfnod clo. Penododd y coleg Swyddog Cyfryngau Cymdeithasol a Marchnata Digidol newydd yn ystod y cyfnod hwn. Mae'r ymgeisydd llwyddiannus yn siaradwr Cymraeg rhugl a lwyddodd i barhau i ddarparu negeseuon ar draws y Cyfryngau Cymdeithasol yn Gymraeg.

Coleg Addysg Bellach/Uwch

Mae llawer o'r negeseuon ar ein cyfryngau cymdeithasol wedi'u hysgrifennu'n ddwyieithog gan swyddogion o fewn y tîm marchnata - mae pob un ohonynt wedi parhau i weithio'n llawn amser o adref trwy'r pandemig. Lle bo angen, mae'r tîm cyfieithu wrth law i ddarparu cefnogaeth.

Coleg Addysg Bellach/Uwch

neu fod oedi wrth gyhoeddi'r fersiwn Cymraeg, yn sgil anallu i gael cyfieithiad yn ddigon cyflym. Cyfeiriodd nifer o sefydliadau at fwy o ddefnydd o'r cyfryngau cymdeithasol ar gyfer ymgysylltu â defnyddwyr yn ystod y pandemig.

Er ein bod yn parhau i gyhoeddi negeseuon yn Gymraeg a Saesneg mae'r pandemig wedi effeithio ar ein gallu i wneud cyfweiliadau wyneb yn wyneb a chlipiau fideo ar y safle... mae adegau lle bu'n rhaid cyhoeddi rhai negeseuon yn Saesneg yn unig (gan fod y rhain allan o oriau busnes craidd lle nad oes unrhyw gyfieithiad Cymraeg yn bosibl ac yn ymwneud â sefyllfaoedd brys). Yna, caiff y cynnwys hwn ei ddiweddarau gyda chynnwys Cymraeg cyfatebol fel y bo'n briodol. O ran negeseuon brys ar-lein, rydym yn lliniaru'r sefyllfa drwy sicrhau bod ein hystorfa o negeseuon rheolaidd wedi ac yn parhau i gael ei datblygu yn y ddwy iaith.

[Awdurdod Heddlu](#)

3.20 Dywedodd rhai sefydliadau fod negeseuon cyfryngau cymdeithasol ar gael yn Gymraeg fel arfer ond fod rhai sefyllfaoedd lle na ddigwyddodd hyn fel y dylai.

3.21 Nodwyd gan rai sefydliadau nad oedd mwyafrif eu cyfathrebiadau ynghylch Covid-19 ar gael yn Gymraeg.

Cyhoeddwyd y rhan fwyaf o'n negeseuon ar y cyfryngau cymdeithasol yn Saesneg yn unig, yn bennaf oherwydd yr angen i'r wybodaeth gael ei rhannu ar frys a dehongliad yr ohebiaeth anfonwyd gan y Comisiynydd.

[Awdurdod Lleol](#)

Roedd cyfathrebu ar gyfryngau cymdeithasol yn Saesneg yn unig yn [y Ganolfan]. Roedd y rhain yn benodol i Covid yn ymwneud â swyddi gwybodaeth i gleifion a fideos yn rhoi cyngor. Mae'r rhan fwyaf o'r fideos hyn bellach wedi'u is-deitlo ac maent ar gael ar-lein.

[Sefydliad GIG Cymru](#)

Gwnaed pob ymdrech i ddarparu pob cyhoeddiad yn Gymraeg ar y pryd, ond oherwydd brys y sefyllfa, roedd yn rhaid cyhoeddi rhai negeseuon tra bod y cyfieithiad ar y gweill, gyda'r Gymraeg yn cael ei hychwanegu cyn gynted â phosibl ar ôl hyn. Nid yw hyn yn wir mwyach.

[Awdurdod Lleol](#)

Cafwyd digwyddiad lle y cyhoeddwyd gwybodaeth frys cyn i'r cyfieithiad fod ar gael. Roedd hyn oherwydd faint o wybodaeth yr oedd angen ei rhaedru i'r cyhoedd a'r graddfeydd amser byr i sicrhau bod y wybodaeth ddiweddaraf yn cael ei darparu.

[Awdurdod Lleol](#)

3.22 Nododd rhai sefydliadau fod pwysau ychwanegol ar y gwasanaeth cyfieithu wedi arwain at drafferthion i gyhoeddi a nododd nifer eu bod wedi defnyddio mwy ar gyfryngau cymdeithasol i ymgysylltu â'r cyhoedd yn ystod y cyfnod.

Gwasanaethau cyfieithu

- 3.23 Nododd mwyafrif o sefydliadau i'w gwasanaethau cyfieithu barhau fel arfer yn ystod y pandemig, gan alluogi darparu testun yn Gymraeg. Mae'n glir o ymatebion nifer o sefydliadau fod yr angen i gyfieithu symiau mawr o destun ar frys wedi rhoi pwysau mawr ar wasanaethau cyfieithu, ond nad oedd hynny bob amser wedi cael effaith ar y ddarpariaeth i ddefnyddwyr.
- 3.24 Arweiniodd y pwysau ychwanegol at rai sefydliadau'n datblygu eu trefniadau cyfieithu, er enghraifft drwy benodi staff ychwanegol neu wella prosesau, a chyfeiriodd Llywodraeth Cymru'n benodol at addasu ffyrdd o weithio a defnyddio datrysiadau technegol i weithio'n fwy effeithlon.
- 3.25 Nododd nifer o sefydliadau iddynt weld cynnydd yn y llwyth gwaith cyfieithu.

Rydym yn dibynnu ar ein cyfieithwyr sydd wedi'u contractio'n allanol i allu darparu cyfieithiad amserol ar gyfer datganiadau'r cyfryngau a diweddariadau eraill sy'n cael eu rhyddhau drwy'r Adran Gyfathrebu a'r Cyfryngau. Mae'r pandemig wedi creu heriau i'n darparwr/darparwyr mewn perthynas â delio â cheisiadau ar fyr rybudd - ac o ganlyniad mae rhai o'n diweddariadau wedi bod yn Saesneg yn unig gyda'r Gymraeg yn dilyn ychydig amser yn ddiweddarach cyn gynted ag y darperir y cyfieithiad. Mae natur y pandemig sy'n esblygu'n gyflym hefyd wedi gofyn am lawer o gyngor/canllawiau/rheolau sy'n newid sy'n aml yn cael eu cyhoeddi heb fawr ddim rhybudd. Rydym wedi ceisio sicrhau bod y wybodaeth hon yn cael ei chyhoeddi yn y Gymraeg a'r Saesneg ond mae hyn wedi bod yn heriol ar adegau.

Awdurdod Heddlu

Rydym yn gyfrifol am ddarparu gwasanaethau cyfieithu ysgrifenedig i Gynghorau Conwy, Sir Ddinbych, Wrecsam a Sir y Fflint a Chymdeithas Llywodraeth Leol Cymru. Bu cyfnod eithaf tawel o rai o'r siroedd am gyfnod byr ym mis Mehefin, ond ni wnaeth hynny bara mwy nag ychydig wythnosau. Ar y cyfan, yr unig wahaniaeth a welsom gyda'r gwasanaeth cyfieithu ysgrifenedig, yw ein bod yn brysurach nac erioed yn ystod y rhan fwyaf o'r pandemig.

Awdurdod Lleol

Cafwyd digwyddiad lle y cyhoeddwyd gwybodaeth frys cyn i'r cyfieithiad fod ar gael. Roedd hyn oherwydd faint o wybodaeth yr oedd angen ei rhaedru i'r cyhoedd a'r graddfeydd amser byr i sicrhau bod y wybodaeth ddiweddaraf yn cael ei darparu.

Awdurdod Lleol

Defnydd o wasanaethau Cymraeg

- 3.26 Nid oedd patrwm cyson wedi ei adrodd o ran effaith y pandemig ar faint y defnydd o wasanaethau Cymraeg – rhai sefydliadau yn nodi fod cynnydd a nifer unai fod yr effaith ar y defnydd o wasanaethau Cymraeg yn debyg i'r effaith ar y defnydd o wasanaethau

Fe wnaethom lansio ymgyrch ddwyieithog ym mis Mawrth 2020, oedd yn rhoi cyngor i bobl ar sut i gadw mewn cysylltiad yn y cartref yn ystod pandemig y Coronafeirws. Roedd gennym hefyd ymgyrch hysbysebu ddwyieithog dros gyfnod o ddeg wythnos ar gyfryngau cymdeithasol ac ar orsafoedd radio masnachol lleol yng Nghymru. Dangosodd astudiaeth gan ein hasiantaeth allanol bod mwy o ymgysylltiad â'r cynnwys Cymraeg na'r cynnwys Saesneg ar gyfryngau cymdeithasol drwy gydol yr ymgyrch yng Nghymru, gyda chyfradd clicio drwodd uchel o 0.15%. Llwyddodd ein fideo gyhoeddwyd ym Mehefin 2020 i ddenu dros 800 o wylwyr ar ein cyfrif Twitter Cymraeg sydd â 305 o ddilynwyr - ffigur calonogol iawn o gymharu gyda'r fersiwn Saesneg cafodd tua 1700 o wylwyr dros yr un cyfnod er bod gan y cyfrif 50.5k o ddilynwyr.

[Corff a noddir gan Lywodraeth y DU](#)

Arweiniodd cau'r Coleg at lawer llai o ymholiadau nag arfer. Er ei bod yn ymddangos bod yr effeithiau yr un peth ag ar gyfer y Saesneg, nid yw maint yr effaith ar y Gymraeg yn hysbys yn union. Ni dderbyniwyd unrhyw gwynion ynghylch darpariaeth gwasanaeth Cymraeg y Coleg ac mae'r nifer sy'n ddefnyddio yn gyffredinol yn parhau i fod yn isel.

[Coleg Addysg Bellach/Uwch](#)

Pan oedd y pandemig ar ei anterth, gwelwyd cynnydd sylweddol yn nifer y bobl a oedd eisiau cyngor ac arweiniad gan ein timau gwasanaethau myfyrwyr a gwasanaethau cwsmeriaid, a wnaeth yn ei dro, roi llawer o bwysau ar ein llinellau ffôn a blychau e-bost. Roedd effaith hynny, fodd bynnag, yr un fath i'r gwasanaeth Cymraeg a'r gwasanaeth Saesneg.

[Coleg Addysg Bellach/Uwch](#)

O ganol Mawrth hyd ddiwedd Ebrill cafodd yr Adran dros 1.8 miliwn o geisiadau ledled y DU (55,000 fyddem yn ei ddisgwyl mewn wythnos arferol). Cynyddodd nifer y rhai oedd wedi dewis defnyddio'r Gymraeg o ychydig dan 1,000 cyn Covid i dros 3,000. Gwelodd ein timau teleffoni dwf anferth mewn ymholiadau a cheisiadau newydd yn Gymraeg a Saesneg. Roedd angen rhoi ein cynlluniau cadarn parhad busnes ar waith er mwyn galluogi'r Adran i wneud hyn.

[Adran o Lywodraeth y DU](#)

Saesneg neu nad oedd unrhyw effaith o gwbl.

- 3.27 Roedd ymatebion rhai sefydliadau'n awgrymu nad ydynt yn rhoi ystyriaeth fel mater o drefn i faint o ddefnydd a wneir o wasanaethau Cymraeg.

Cyllid a Thollau Ei Mawrhydi (CThEM) yn cynnig gwasanaethau Cymraeg cynhwysfawr ar-lein ar frys

Cyflwynwyd nifer fawr o wasanaethau ar-lein newydd ar frys mawr gan Gyllid a Thollau Ei Mawrhydi yn ystod cyfnod y pandemig, gan adeiladu ar y gwasanaethau dwyieithog llwyddiannus y mae CThEM eisoes yn eu cynnig. Roeddent yn cynnwys:

- y Cynllun Cadw Swyddi yn sgil Coronafeirws (CJRS)/y cynllun ffyrlo (i gyflogwyr)
- y Cynllun Cymhorthdal Incwm Hunangyflogaeth (SEISS) (i'r hunangyflogedig)
- y Cynllun Ad-dalu Tâl Salwch Statudol (i gyflogwyr)
- y Cynllun TAW Ohiriedig (i fusnesau)
- Bwyta Allan i Helpu Allan (i fusnesau lletygarwch)

Adroddwyd gan y corff fod ei adnabyddiaeth dda o'i gwsmeriaid a'u harferion cyn y pandemig, o ran eu defnydd o'r Gymraeg wrth ddelio â CThEM, yn greiddiol i'w lwyddiant o ran blaenoriaethu gwaith cyfieithu er mwyn datblygu a darparu gwasanaethau yn Gymraeg ar frys.

Darparwyd canllawiau cynhwysfawr ar y we yn Gymraeg a chymorth dros y ffôn ar y llinell Gymraeg yr oedd cwsmeriaid Cymraeg wedi arfer ei defnyddio.

Cadarnhaodd Pennaeth Gwasanaethau Cymraeg CThEM: 'Roeddem yn gwybod fod gennym o leiaf 5,000 o gwsmeriaid y cynllun i'r hunangyflogedig a fyddai'n dymuno defnyddio'r gwasanaeth ar-lein yn Gymraeg, gan eu bod nhw wedi arfer cyflwyno a darparu ffeiliau i ni yn Gymraeg ar lein – felly penderfynwyd datblygu'r gwasanaeth hwn yn gyntaf, ac aeth yn fyw ar yr un pryd â'r gwasanaeth ar-lein yn Saesneg.

Roeddem yn gwybod hefyd fod gennym tua 320 o gyflogwyr sy'n defnyddio ein dewis iaith Gymraeg ac sy'n tueddu i gysylltu â ni dros y ffôn neu drwy e-bost. Oherwydd bod y gwasanaeth hawlio ar-lein drwy'r Cynllun Cadw Swyddi wedi ei sefydlu mewn nifer digynsail o wythnosau, doedd dim modd ei gyfieithu ar unwaith, felly gwnaethom sicrhau y gallai cyflogwyr ein ffonio a gwneud yr hawliad yn Gymraeg dros y ffôn yn lle ar-lein. Roedd y canllawiau oedd ar gael yn Gymraeg ar y we yn ei gwneud yn glir bod modd i gwsmeriaid ddefnyddio'r opsiwn ffôn i wneud eu hawliadau ffyrlo, ac anfonom e-byst yn esbonio'r sefyllfa a'r cymorth a oedd ar gael yn Gymraeg ac yn Saesneg.'

Roedd Swyddog Iaith Gymraeg y corff yn gweithio'n rhagweithiol i sicrhau ei bod yn cysylltu gyda staff allweddol a oedd yn gyfrifol am ddatblygu a darparu'r gwasanaethau o'r cychwyn. Drwy gyswllt dyddiol ac wythnosol rheolaidd, sicrhaodd fod deunyddiau Cymraeg yn cael eu darparu ar yr un pryd ag unrhyw fersiynau Saesneg. Roedd cadw cyswllt rheolaidd yn sicrhau fod yr angen i wasanaethau Cymraeg fod ar gael ar yr un pryd â'r gwasanaethau Saesneg yn cael ei fodloni. Gwnaed yn glir nad oedd unrhyw

resymau dros fethu goresgyn anawsterau, ac fe'i gwnaed yn hawdd i'r datblygwyr gael hyd i adnoddau ac atebion.

Rhwng mis Ebrill 2020 a mis Mawrth 2021 gwnaeth Cyllid a Thollau Ei Mawrhydi:

- dderbyn dros 20,000 o alwadau yn Gymraeg
- dderbyn dros 1,200 o e-byst yn Gymraeg
- brosesu ac ymateb i dros 5,300 o lythyrau a ffurflenni yn Gymraeg
- gyfieithu dros 2.4 miliwn o eiriau i'r Gymraeg
- gofrestru bron i 1 miliwn o ymweliadau â thudalennau eu gwasanaethau Cymraeg ar-lein - dwbl ymweliadau'r flwyddyn flaenorol
- ddarparu hysbysebion y talwyd amdanynt, a gwneud 1.24 miliwn o argraffiadau
- bostio negeseuon allweddol ar y cyfryngau cymdeithasol i dros 400,000 o ddilynwyr
- anfon e-byst bob pythefnos ynghylch yr holl gymorth sydd ar gael i gyflogwyr ac asiantau

Llwyddwyd i ddarparu'r holl wasanaethau yn Gymraeg a Saesneg mewn cyfnod o wythnosau, o'i gymharu â chwe mis neu fwy sydd eu hangen fel arfer. Adroddwyd gan lefarydd ar ran gwasanaeth Cymraeg CThEM:

'Yn allweddol i'r holl ddarpariaeth hon fu cael swyddog Cymraeg penodedig ac adnoddau Cymraeg pwrpasol i oruchwylio a gweithio gydag eraill ym meysydd gwahanol y busnes i ddarparu'r gwasanaeth hwn, er gwaethaf heriau o ran cyfyngiadau amser. Gall y swyddog hwyluso pethau a lleddfau unrhyw broblemau gan ei bod yn adnabod y sylfaen cwsmeriaid Cymraeg - mae'n arbenigwraig yn hynny o beth. Mae'n gwybod sut y gellir cyflwyno'r gwahanol elfennau o'r gwasanaethau Cymraeg yn brydlon. Mae'n gweithio'n gyflym gydag eraill i ddatrys unrhyw atalfeydd neu broblemau. Mae angen i'r person hwn fod yn gadarn, yn wybodus ac yn ffynnu ar waith i ddelio ag anawsterau. Rhaid i'r unigolyn allu gweld drwy broblemau, a gweithio'n agos ac yn gydweithredol gyda llawer o randdeiliaid i gydlynu'r gwaith o ddarparu'r gwasanaeth.'

Mae'r arfer hon yn amlygu sut y gwnaeth CThEM lwyddo i ymateb ar frys a chyflwyno gwasanaethau ar-lein newydd yn Gymraeg yn ystod y pandemig trwy ystyried yr iaith o'r cychwyn cyntaf, yn ogystal â chynnal gwasanaethau Cymraeg a oedd yn bodoli eisoes. Mae'n dangos hefyd fod corff sydd â phrosesau hunanreoleiddio cadarn, a swyddog penodedig yn gyfrifol am wasanaethau Cymraeg sy'n gallu dylanwadu'n effeithiol ar draws y sefydliad, wedi hwyluso goresgyn anawsterau er mwyn cynnal cydymffurfedd yn ystod cyfnod heriol.

4 Effaith COVID-19 ar drefniadau mewnol sefydliadau

- 4.1 Yn ogystal â gwahodd sefydliadau cyhoeddus i ddarparu gwybodaeth am effaith y pandemig ar eu gwasanaethau Cymraeg, roedd arolwg y Comisiynydd yn gofyn iddynt hefyd am sylwadau ar yr effaith ar eu trefniadau mewnol i oruchwylio'u cydymffurfedd gyda'u dyletswyddau statudol. Fe'i holwyd am yr adnoddau oedd ar gael iddynt i ymgymryd â'r gwaith yn ogystal â'r effaith ar ddefnydd mewnol o'r Gymraeg ac mae'r dystiolaeth ansoddol dderbyniwyd o gymorth wrth ystyried digonolrwydd prosesau hunan reoleiddio sefydliadau a'u gallu i ddelio gydag anawsterau oedd yn codi yn ystod cyfnod heriol y pandemig.

Goruchwylio cydymffurfiaeth

Trefniadau llywodraethiant

- 4.2 Adroddwyd gan sefydliadau eu bod wedi sicrhau bod y ddarpariaeth Gymraeg yn cael ei hystyried fel rhan o drefniadau cyffredinol y sefydliad ar gyfer parhad busnes yn ystod y pandemig. Nododd nifer o sefydliadau fod eu cynllun parhad busnes corfforaethol yn cynnwys neu wedi ystyried y ddarpariaeth Gymraeg. Roedd rhai wedi mabwysiadu cynllun parhad busnes penodol ar gyfer y Gymraeg.

Mae cydymffurfiaeth barhaus y Cyngor â safonau'r Gymraeg wedi parhau i fod yn rhan annatod o unrhyw ystyriaeth ym mhob un o gynlluniau parhad busnes a chynlluniau wrth gefn y Cyngor.

Corff a noddir gan Lywodraeth Cymru

Roedd cynlluniau chwarterol ymateb Covid yn destun asesiad effaith cydraddoldeb sy'n cynnwys rhoi ystyriaeth i'r Gymraeg ... maent yn cael eu cymeradwyo gan y Pwyllgor Gweithredol a'r Bwrdd.

Bwrdd Iechyd

Roedd y Gymraeg yn rhan o'r prosesau llywodraethu yn ystod y pandemig, ac mae'n parhau i gael ei hystyried fel rhan o'n prosesau drwy ein gwaith asesu effaith. Gwnaethpwyd rhai newidiadau ymarferol, er enghraifft adolygu'n prosesau cyfieithu er mwyn mynd i'r afael â'r galw sylweddol mewn rhai meysydd.

Prifysgol

Roeddem wedi trefnu gyda'n cyfieithwyr bod rheolwyr yr asiantaeth ar gael tu allan i oriau gwaith os oedd angen gwaith cyfieithu a phrawf ddarllen brys.

Corff a noddir gan Lywodraeth y DU

- 4.3 Roedd y mwyafrif o'r sefydliadau a ymatebodd i'r arolwg yn nodi nad oeddent wedi mabwysiadu unrhyw drefniadau llywodraethiant arbennig i sicrhau bod y ddarpariaeth Gymraeg yn cael ei hystyried yn ystod y pandemig. Nodwyd gan rai ohonynt fod hynny oherwydd eu bod yn hyderus yn y trefniadau oedd eisoes mewn lle a'u bod wedi parhau i'w gweithredu.

Adnodd swyddog sydd â chyfrifoldeb am y Gymraeg

- 4.4 Nodwyd gan y mwyafrif o'r sefydliadau a ymatebodd i'r arolwg nad oedd unrhyw effaith ar yr adnoddau oedd ar gael o ddydd i ddydd i barhau gyda'r gwaith yn ymwneud â'r Gymraeg. Roedd rhai wedi nodi fod effaith ar ddulliau gwaith, neu fod y gwaith yn fwy cymhleth a thrwm nag arfer. Er hyn roedd nifer o'r sefydliadau yn adrodd eu bod wedi symud eu swyddogion iaith i rolau eraill am gyfnod.

Ni wnaethom weithredu unrhyw drefniant arbennig yn ystod y pandemig, roedd wir yn fusnes yn ôl yr arfer, gyda'r gofynion ar gyfer y Gymraeg yn cael eu hystyried fel roeddynt cyn Covid. Darparwyd cefnogaeth i holl rannau'r busnes i sicrhau eu bod yn gallu cydymffurfio'n llawn â'n Cynllun Cymraeg, gyda'r tîm yn gweithio'n agos â'n cydweithwyr mewn cyfarwyddiaethau eraill.

[Adran Llywodraeth DU](#)

Gan fod y Gymraeg eisoes wedi ei sefydlu fel iaith weinyddol a darparu gwasanaethau, a bod gennym ganran mor uchel o staff yn gallu'r Gymraeg nid oedd parhad y ddarpariaeth Gymraeg yn bryder. Ni chafodd y swyddogion iaith eu symud o'u swyddi felly roedd eu cefnogaeth yn parhau.

[Awdurdod Lleol](#)

Nid yw'r Cyngor wedi gweithredu trefniadau arbennig i sicrhau ystyriaeth o'r Gymraeg. Yn hytrach rydym wedi bod yn gweithredu y trefniadau sydd eisoes yn eu lle megis rhestrau gwirio caffael, asesiadau effaith, prif-ffrydio'r Gymraeg wrth ddatblygu polisiau a gwasanaethau, a sicrhau argaeledd staff Cymraeg trwy recriwtio ac hyfforddiant.

[Awdurdod Lleol](#)

Cafodd swyddogion y Gymraeg o fewn gwasanaethau eu dargyfeirio i waith Covid-19 i gefnogi ysgolion, y rhai mwyaf agored i niwed a TTP.

Awdurdod Lleol

Cafodd y swyddog ei adleoli am bron i bedwar mis ar lefel weithredol i Wasanaeth Diogel ac Iach y Cyngor.

Awdurdod Lleol

Cafodd yr arweinydd proffesiynol ar gyfer y Gymraeg ei adleoli i gefnogi gwasanaethau hanfodol o fis Mawrth tan fis Medi.

Awdurdod Lleol

Cymerwyd cyfrifoldebau ychwanegol i ymateb i bandemig Covid-19 ac felly nid oedd yr un capasiti ar gael i weithio ar faterion yn ymwneud â'r Gymraeg.

Awdurdod Lleol

Goruchwylio a chynllunio

- 4.5 Roedd rhai sefydliadau wedi ailedrych ar eu cynlluniau gweithredol arferol ar gyfer y Gymraeg a'u haddasu ar gyfer gweithredu yn ystod y cyfnod.

Cafodd Cynllun Gweithredu'r Gymraeg ei ddiweddarau ym mis Ebrill yn sgil y pandemig, a'i olygu eto ym mis Gorffennaf. Roedd hyn yn adlewyrchu'r ffaith bod natur llawer o'n darpariaeth wedi newid i fod yn ddigidol.

Corff a noddir gan Lywodraeth Cymru

- 4.6 Adroddwyd gan rai sefydliadau eu bod wedi cyflwyno trefniadau gwirio cydymffurfiaeth ychwanegol ac eraill wedi parhau â threfniadau oedd eisoes mewn lle megis:

- adolygu prosesau gofal cwsmer er mwyn sicrhau cydymffurfiaeth.
- sicrhau bod y ffordd roeddent yn trefnu eu gweithlu'n sicrhau parhad y ddarpariaeth Gymraeg.
- cyfathrebu â staff ynghylch yr angen i barhau i gydymffurfio yn ystod y pandemig.
- sicrhau bod y gwasanaeth cyfieithu ar gael yn ystod y cyfnod, gan gynnwys y tu allan i oriau arferol.
- trefniadau i sicrhau bod unrhyw wasanaethau newydd oedd yn cael eu cyflwyno ar gael yn Gymraeg.

- 4.7 Nododd mwyafrif o sefydliadau nad oedd effaith ar oruchwylio cydymffurfiaeth, ond roedd nifer yn cydnabod fod y dasg o oruchwylio'n anoddach nag arfer, yn bennaf oherwydd nad oedd modd trafod â staff yn yr un ffordd, na gwirio darpariaeth ar safleoedd.

Cynhaliwyd cyfarfod arbennig o Weithgor Gweithredu'r Gymraeg yr Heddlu er mwyn sicrhau bod y gwaith o ddarparu gwasanaethau'n ddwyieithog yn parhau i dderbyn sylw. Fel arall roedd yn 'fusnes fel arfer' o ran gwasanaethau yn Gymraeg gyda'r disgwyliad fod dewis iaith yn cael ei ddarparu fel arfer.

[Awdurdod Heddlu](#)

Roedd ein Swyddog Cydymffurfio yn cynnal archwiliad ad-hoc o'r cyfryngau cymdeithasol i sicrhau bod y Gymraeg yn parhau'n amlwg.

[Awdurdod Lleol](#)

Gwnaethom gynnal ymarferiad 'siopwr cudd' er mwyn sicrhau nad oedd yna unrhyw amharu ar ansawdd ein gwasanaethau Cymraeg yn cynnwys ymateb i ohebiaeth, ymdrin â ffurflenni a gwasanaethau ffôn. Cawsom lefel sicrwydd uchel i'r gwasanaethau a brofwyd.

[Corff a noddir gan Lywodraeth Cymru](#)

Roedd modd cynnal mwyafrif y broses fonitro a'r hap wirio o bell. Addaswyd yr amserlen hap wirio i ganolbwyntio ar elfennau ar-lein yn ystod y cyfnod cyfyngiadau dwys ac yna'n hap wirio elfennau mwy gweledol a chorfforol pan laciwyd y rheoliadau.

[Coleg Addysg Bellach/Uwch](#)

Mae'n fwy anodd goruchwylio cydymffurfiaeth, gan fod pob Swyddog yn gweithio o gartref. Mae gostyngiad sylweddol yn y gwasanaethau wyneb yn wyneb. Fodd bynnag yn ystod y cyfnod rydym wedi atgoffa Swyddogion o'u dyletswyddau, drwy gyhoeddi Canllaw Safonau: 'Yr hyn sydd angen i mi ei wneud' ac wedi rhannu hwn drwy'r Bwletin Newyddion Corfforaethol. Hefyd wedi cynnal dwy sesiwn ymwybyddiaeth iaith ar lein. Byddwn yn mynd ati cyn diwedd y flwyddyn i holi pob gwasanaeth hunanasesu eu hunain gyferbyn â gofynion y Safonau.

[Awdurdod Lleol](#)

- 4.8 Nodwyd gan rai sefydliadau eu bod wedi rhoi trefniadau ychwanegol ar waith, neu fod gwaith goruchwyllo'n digwydd yn fwy effeithiol erbyn yr Hydref nag oedd cyn hynny.

Cafodd trefniadau goruchwyllo cydymffurfiaeth ei effeithio dros y cyfnod. Oherwydd bod y tîm Cymraeg yn gweithio o adref, nid oedd yn bosib ymweld â safleoedd ac ysbytai'r Bwrdd Iechyd sydd yn rhan fawr o'r gwaith goruchwyllo. Mae tîm y Gymraeg yn cynnal arolygon siopwr cudd bob chwarter sy'n cynnwys ymweld â 3 ysbyty cymuned, 3 meddygfa dan reolaeth y bwrdd iechyd a 3 adran o fewn yr ysbytai llym. Yn amlwg nid yw wedi bod yn bosibl gwneud yr arolygon yma. Hefyd, fel y nodwyd uchod, cafodd 4 aelod o'r tîm eu hadleoli i ddarparu cefnogaeth mewn adran arall o'r Bwrdd Iechyd. Oherwydd bod nifer fawr o staff eraill y gwasanaeth iechyd yn yr un sefyllfa, yn gweithio o adref ac wedi'u hadleoli neu ailhyfforddi i wneud dyletswyddau eraill, roedd yn cymryd hirach i dderbyn ymateb i negeseuon e-bost.

Bwrdd Iechyd

Rhodddwyd ateb negyddol am fod cadw golwg ar gydymffurfiaeth mewn sefydliad mawr a chymhleth yn anodd mewn cyfnod o newid mawr pan mae pawb ar wasgar. Dyw gweithio o bell ddim yn ei gwneud hi'n amhosib goruchwyllo cydymffurfiaeth ond wrth i bethau sefydlogi i batrwm fwy cyson, mae angen meddwl sut mae sicrhau fod y lefel angenrheidiol o oruchwyliaeth yn cael ei gynnal.

Prifysgol

Cyllid a Thollau Ei Mawrhydi: rhagweld anawsterau a rhoi trefniadau parhad busnes yn eu lle er mwyn cynnal cydymffurfiaeth yn ystod y pandemig

'Roedd Cyllid a Thollau Ei Mawrhydi (CThEM) wedi cynllunio yn drylwyr ymlaen llaw a chychwyn paratoi cynlluniau adfer busnes ar gyfer y tîm cyfieithu bythefnos cyn cyhoeddi'r cyfyngiadau clo. Roedd gan bob un o'r tîm hwynnw yr offer i gyflawni a chynnal busnes fel sy'n arferol o'u cartref, a threialwyd unrhyw ddulliau gweithio newydd. Roedd pob un o'r tîm yn gweithio'n llwyddiannus ac yn gyfan gwbl o gartref o ddiwrnod cyntaf y cyfnod clo.

Roedd y tîm sy'n darparu cymorth i gwsmeriaid Cymraeg yn rhan o'r treial cychwynnol i gael pawb i weithio gartref yn ddiogel. Roedd hyn yn sicrhau nad oedd ein gwasanaethau Cymraeg yn cael eu heffeithio na'u cyfyngu gan fynediad cyfyngedig i'r swyddfa. Gwnaethom gynnal y gwasanaeth cwsmeriaid ar gyfer ein cwsmeriaid Cymraeg o'r diwrnod cyntaf a thrwy gydol y pandemig.

Gwnaethom adnabod un bwlch, sef ein gallu i roi ad-daliadau â llaw lle'r oedd angen argraffu arbenigol ar gyfer sieciau, ac roedd angen bod yn y swyddfa i wneud hyn. Gwnaethom weithio'n gyflym gyda chydweithwyr cyllid i lunio proses newydd a chyswllt cwsmeriaid a oedd yn eu harwain tuag at opsiwn digidol ar gyfer ad-daliadau'n uniongyrchol i gyfrifon cwsmeriaid.'

Mae'r arfer hon yn amlygu pwysigrwydd gosod trefniadau parhad busnes cadarn yn eu lle ar gyfer gwasanaethau Cymraeg. Mae hyn er mwyn sicrhau bod effaith unrhyw amgylchiadau ar y Gymraeg yn cael eu hystyried ac y cymerir camau i sicrhau bod cydymffurfiaeth yn cael ei gynnal yn ystod cyfnodau heriol.

- 4.9 Derbyniodd y Comisiynydd nifer o ymholiadau gan sefydliadau'n nodi na fyddent yn debygol o allu cyhoeddi adroddiad blynyddol safonau'r Gymraeg erbyn y diwrnod gofynnol ond nid oedd yr un ohonynt yn nodi na fyddent yn gallu cyhoeddi o gwbl. O gymharu â chanlyniadau 2018-19, gwelwyd dirywiad ym mherfformiad pob un o'r setiau o reoliadau eleni o ran cyhoeddi adroddiad blynyddol safonau'r Gymraeg. Mae tystiolaeth o arolwg y safonau atodol gan swyddogion y Comisiynydd yn ystod Hydref 2020 yn cadarnhau mai 71% o'r sefydliadau cymwys oedd wedi llwyddo i gyhoeddi adroddiad blynyddol ar amser, yn Gymraeg, oedd yn delio â'r modd yr oeddent wedi cydymffurfio yn ystod 2019-20.

Delio â chwynion

- 4.10 Prin oedd y sylwadau dderbyniwyd gan sefydliadau fel rhan o arolwg y Comisiynydd ynghylch effaith y pandemig ar drefniadau'r sefydliadau i ymdrin â chwynion. Nid oedd unrhyw sylw yn awgrymu bod sefydliadau'n derbyn nifer sylweddol o gwynion am eu darpariaeth nac yn cael anhawster delio â hwy.
- 4.11 Nododd mwyafrif y sefydliadau unai eu bod wedi parhau i ddelio â chwynion yn y modd arferol ac na fu unrhyw effaith o gwbl ar eu trefniadau neu na dderbyniwyd cwynion perthnasol yn ystod y cyfnod. Nododd rhai sefydliadau fod rhywfaint o effaith yn sgil newid trefniadau gwaith.

Cododd gweithio gartref nifer o faterion o ran cysylltu â staff yn fewnol. Roedd nifer o weithwyr hefyd wedi'u secondio i feysydd busnes eraill sy'n darparu gwasanaethau rheng flaen. Roedd dyletswyddau ychwanegol, materion TG ac amryw alw cystadleuol ar staff yn golygu bod yr ymatebion [i gwynion] yn llai prydlon. Roedd staff yn gweithio gartref yn golygu ei bod yn anoddach cael sgwrs / dal i fyny, rhywbeth a fyddai wedi digwydd yn y swyddfa.

Awdurdod Lleol

Penderfyniadau polisi a hybu'r Gymraeg

- 4.12 Er bod rhai sefydliadau wedi addasu eu trefniadau ar gyfer penderfyniadau polisi'n gyffredinol, ni adroddwyd fod y pandemig wedi effeithio'n andwyol ar eu dyletswydd i ystyried effaith penderfyniadau polisi ar y Gymraeg gan y mwyafrif. Cyfeiriodd rhai sefydliadau at welliannau yn ystod y cyfnod i brosesau ystyried effaith penderfyniadau ar y Gymraeg ac roedd nifer yn cadarnhau eu bod yn ystyried y Gymraeg o fewn proses asesiad effaith cydraddoldeb arferol y sefydliad.

4.13 Nododd mwyafrif y sefydliadau na fu newid, gyda rhai'n manylu ynghylch y prosesau wnaeth barhau yn yr un ffordd.

Mae effaith penderfyniadau polisi ar y Gymraeg yn parhau i gael ei weinyddu trwy ddefnyddio prosesau ac adnoddau presennol y Cyngor. Nid oes gweithdrefnau newydd wedi eu sefydlu o ganlyniad i'r pandemig Covid.

[Awdurdod Lleol](#)

Mae asesiad effaith cydraddoldeb mewn lle sy'n cynnwys yr effaith y gall y penderfyniad polisi ei gael ar y Gymraeg. Mae staff wedi parhau i wneud yr asesiadau yma ar gyfer unrhyw benderfyniad polisi neu brosiect. Hyd yn hyn nid oes unrhyw asesiad wedi amlygu bod y gwaith a fwriedir yn cael effaith negyddol ar yr iaith Gymraeg.

[Corff a noddir gan Lywodraeth Cymru](#)

Mae gennym drefniadau ar waith i sicrhau bod unrhyw brosiectau busnes neu geisiadau am newid yn ystyried a oes effaith ar y gwasanaeth Cymraeg. Mae'r broses hon wedi parhau yn ystod cyfnod y pandemig ac mae ein gweithgareddau i archwilio sut gallwn barhau i wella'r gwasanaeth Cymraeg wedi parhau drwy gydol cyfnod.

[Adran Llywodraeth y DU](#)

Trefniadau wedi eu heffeithio

4.14 Nododd rhai sefydliadau fod y pandemig wedi gwneud iddynt addasu eu trefniadau i ystyried penderfyniadau polisi'n gyffredinol, gan gael yr un effaith ar y Gymraeg ag ar faterion eraill.

Yn ystod cyfnod y pandemig, o ganlyniad i ba mor gyflym yr oedd penderfyniadau'n cael eu gwneud, nid oedd polisiau/deddfwriaeth newydd a luniwyd bob amser yn caniatáu cynnal asesiadau llawn, integredig. Fodd bynnag, rhannwyd llif cyson o gyfathrebu gyda'r staff yn eu hatgoffa o'u dyletswyddau statudol i ystyried effeithiau gwneud penderfyniadau a rhoddwyd canllawiau newydd iddynt ar gymryd camau cymesur a rhesymol i sicrhau bod unrhyw benderfyniadau'n ystyried effeithiau ar y Gymraeg.

[Llywodraeth Cymru](#)

Ni wnaethpwyd unrhyw benderfyniadau polisi a gohiriwyd cyhoeddi Adroddiad Blynyddol yr Iaith Gymraeg yn sgil COVID19 gan fod pwyllgorau wedi eu hatal.

[Awdurdod Lleol](#)

Mae'r sefydliad wedi'i roi yn ffurfiol i fodd ymateb i argyfwng, sy'n golygu bod trefniadau newydd wedi'u rhoi ar waith i wneud penderfyniadau i ddelio â'r pwysau i ymateb yn gyflym i amgylchiadau sy'n newid. Mae hyn efallai'n golygu nad yw'r llwybr tystiolaeth i gefnogi penderfyniadau mor gadarn ag y byddai fel arfer.

Awdurdod Lleol

Polisi cyfredol y Cyngor yw defnyddio offeryn asesu effaith integredig er mwyn ystyried effaith penderfyniadau polisi ar y Gymraeg. Yn ystod y cyfnod clo, mae yna lai o benderfyniadau polisi wedi cael eu cyflwyno yn y Cabinet, hyn oherwydd bod rhaid i wasanaethau arallgyfeirio er mwyn medru delio a cheisio rheoli'r pandemig cyfredol.

Awdurdod Lleol

Datblygiadau i drefniadau asesu effaith

4.15 Nododd rhai sefydliadau eu bod wedi datblygu eu prosesau ar gyfer ystyried effaith penderfyniadau polisi yn ystod y cyfnod.

Bu'n rhaid addasu nifer o bolisiau oherwydd cofid sydd wedi rhoi cyfle pellach i ail edrych ar effaith penderfyniadau polisi ar y Gymraeg. Cyflwynwyd proses newydd gorfforaethol o ran cymeradwyo polisiau sy'n rhoi cyfle i ddefnyddio'r cyngor diweddarar' o'r Ddogfen Arfer Dda ar Lunio Polisi.

Coleg Addysg Bellach/Uwch

Yn ystod y pandemig, mae'r broses o asesu effaith polisi wedi'i ddiweddarau ac erbyn hyn mae swyddog y Gymraeg yn gweld yr holl benderfyniadau er mwyn rhoi sylwadau arnynt.

Awdurdod Lleol

Rydym yn ystyried goblygiadau cydraddoldeb ac amrywiaeth unrhyw bolisi neu fenter newydd fel mater o drefn, ac nid ydym yn credu bod unrhyw benderfyniadau polisi a wnaed yn ystod y cyfnod hwn yn effeithio'n negyddol ar gyfleoedd i ddefnyddio'r Gymraeg. O ganlyniad i ymgynghoriad diweddar Comisiynydd y Gymraeg ar Safonau'r Gymraeg, penderfynwyd ystyried a ellid gwneud ein Hasesiad o'r Effaith ar Gydraddoldeb yn fwy eglur er mwyn tynnu sylw'n benodol at a fyddai'r polisi newydd yn effeithio ar gyfleoedd i bobl ddefnyddio'r Gymraeg ac ar drin y Gymraeg yn llai ffafriol na'r Saesneg.

Cyngor Rheoleiddio Proffesiwn Iechyd

Bu cyfnod dros fis Ebrill a Mai lle nad oedd cyfarfodydd democrataidd y Cyngor yn cael eu cynnal, felly dirprwywyd y cyfrifoldeb penderfyniadau i'r Prif Weithredwr. Sefydlwyd Pwyllgorau Aur ac Arian er mwyn arwain ar y penderfyniadau hynny.

Mae'r cyfnod yma wedi ein caniatáu i gwblhau'r gwaith o ddatblygu Asesiad Effaith Integredig, gyda chwestiynau penodol o ran effaith penderfyniadau ar y Gymraeg. Mae dolen yn y canllawiau i Benaethiaid Gwasanaeth a Rheolwyr i ddogfen Comisiynydd y Gymraeg 'Safonau Llundio Polisi: Creu cyfleoedd i ddefnyddio'r Gymraeg a pheidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg'

[Awdurdod Lleol](#)

4.16 Nododd un bwrdd iechyd fod y pandemig wedi atal darn o waith i wella'r ystyriaeth i'r Gymraeg mewn penderfyniadau polisi ar draws sefydliadau iechyd.

4.17 Nododd rhai sefydliadau arall fod y pandemig wedi eu cymell i roi ystyriaeth well i'r Gymraeg mewn penderfyniadau.

Roedd sawl adran yn adrodd bod y pandemig wedi rhoi cyfle iddynt edrych ar feysydd o'r newydd. Roedd yr ailagor yn enghraifft o hyn, wrth i weithdrefnau sydd yn eu lle ers degawdau o gwmpas orfod cael eu haddasu yn sylweddol, gyda'r Gymraeg yn ystyriaeth ganolog y tro hwn.

[Corff a noddir gan Lywodraeth Cymru](#)

Mae'r diddordeb cynyddol yn yr anfantais a grëwyd gan Covid-19 yn arwain at awydd i ymestyn y ddarpariaeth o wasanaethau drwy'r ddwy iaith – megis enghraifft Zendesk a ddefnyddir fel arloesedd gweithredol i wella effaith penderfyniad polisi.

[Corff a noddir gan Lywodraeth Cymru](#)

Mae gwaith wedi'i ohirio ar lunio proses Asesiad o'r Effaith ar Gydraddoldeb yn genedlaethol i Gymru, gan gynnwys asesiad o'r effaith ar y Gymraeg. Mae angen hyn er mwyn gwella'r asesiadau o effaith penderfyniadau polisi ar y Gymraeg.

[Bwrdd Iechyd](#)

Recriwtio gweithlu gyda sgiliau Cymraeg

4.18 Nododd y mwyafrif o sefydliadau na welwyd effaith ar eu gwaith o asesu'r angen am sgiliau Cymraeg wrth recriwtio. Mewn rhai achosion, nododd sefydliadau eu bod wedi cyflwyno gwelliannau i'w prosesau asesu yn ystod y cyfnod. Nodwyd gan 59 sefydliad

arall na fu newid ac roedd 3 sefydliad yn cadarnhau nad oeddent wedi cynnal asesiadau o'r angen am sgiliau Cymraeg wrth recriwtio yn ystod y cyfnod.

Gwaith ar y prosiect Dynodiadau Iaith wedi gallu cario ymlaen yn ystod y cyfnod clo a system newydd wedi ei sefydlu er mwyn monitro a nifer o gamau cadarnhaol wedi eu cymryd o fewn y cyfnod.

[Awdurdod Lleol](#)

Ni gynhaliwyd asesiadau iaith oherwydd argyfwng y sefyllfa. Roedd angen staff ychwanegol gyda sgiliau ac nid oedd iaith yn ffactor yn hyn.

[Sefydliad GIG Cymru](#)

Ar gyfer y swyddi newydd a gwag a ystyriwyd yn ystod y cyfnod clo, dilynwyd gweithdrefnau Adnoddau Dynol arferol o ran ystyried sgiliau Cymraeg.

[Awdurdod Lleol](#)

4.19 Nododd rhai sefydliadau, gan gynnwys 3 bwrdd iechyd, eu bod wedi datblygu eu trefniadau recriwtio yn ystod y cyfnod.

Mae'r gyfradd recriwtio wedi arafu tipyn yn ystod y cyfnod clo. Er hynny, rydym wedi cynnal ymgyrchoedd penodol i recriwtio i sectorau penodol e.e gofalwyr a glanhawyr. Mae'r swyddi hynny i gyd wedi'u gosod ar lefel 3 o ran sgiliau Cymraeg wrth hysbysebu. O ran y 521 o swyddi sydd wedi'u hysbysebu ers mis Ebrill 2020 tan ddechrau Hydref, roedd 394 o'r ymgeiswyr llywyddiannus yn dal sgiliau uwch yn y Gymraeg na'r lefel yr hysbysebwyd y swydd. Mae hyn yn awgrymu i ni fod ymateb cadarnhaol wedi bod i'r swyddi gan siaradwyr Cymraeg yn y gymuned leol.

[Awdurdod Lleol](#)

Ni welwyd effaith gan fod trefniadau cadarn wedi eu rhoi mewn lle i sicrhau bod staff allweddol o fewn y timau Adnoddau Dynol yn gallu gweithio o bell – gan sicrhau bod trefniadau arferol yn cael eu dilyn.

[Corff a noddir gan Lywodraeth Cymru](#)

Cyflwynwyd canllawiau gweithdrefnol newydd ym mis Ebrill 2020 i fodloni gofynion y Safonau Iaith Gymraeg felly bu effaith gadarnhaol trwy gydol y pandemig Covid.

[Bwrdd Iechyd](#)

Rydym ni'n ymwybodol bob amser o'r angen i recriwtio siaradwyr Cymraeg ac nid yw hynny wedi bod yn wahanol yn ystod pandemig COVID. Oherwydd yr angen i recriwtio 13,500 o weithwyr ar draws y DU i gefnogi'r cynnydd mewn ceisiadau am fudd-daliadau, rydym eto wedi gwneud ymgyrchoedd swyddi gwag penodol ar gyfer anogwyr gwaith dwyieithog (Cymraeg/Saesneg). Mae dull y recriwtio wedi newid, oherwydd y nifer cynyddol o staff sydd eu hangen. Lansiodd meicrowefan ar gyfer anogwyr gwaith i gefnogi'r ymgyrchoedd recriwtio, oedd yn darparu'r holl wybodaeth oedd ei hangen ar ymgeiswyr iddynt gael ystyried gwneud cais am y swyddi, gan gynnwys rolau a chyfrifoldebau swydd anogwr gwaith, gwybodaeth gefndirol ar yr Adran gwaith a phensiynau, cwestiynau cyffredin, rhestr o swyddi gwag yn ôl rhanbarth, y broses ymgeisio. Cydweithiodd ein Uned y Gymraeg gyda staff yn y timau Pobl a Gallu a SSCL i gynhyrchu fersiwn Cymraeg o'r wefan hon.

[Adran Llywodraeth y DU](#)

- 4.20 Fodd bynnag roedd y corff sy'n gyfrifol am brosesau recriwtio'r sector iechyd yn genedlaethol yn adrodd fod y pandemig wedi achosi oedi i brosiect strategol yn ymwneud â recriwtio oherwydd bod galw mawr wedi bod ac yn parhau i fod ar greu swyddi i ymateb i'r argyfwng ac mae hynny wedi rhoi pwysau anferthol ar eu timau Gweithlu a Datblygu.

Rydym yn cydnabod bod angen i ni ail-gydio yn y gwaith strategol trwy adolygu ac ail-greu Strategaeth Sgiliau Dwyieithog i'r sefydliad, creu porth gwybodaeth ar dudalennau mewnwyd Gweithlu a Datblygu Sefydliad a datblygu modiwl hyfforddiant penodol i reolwyr recriwtio unai ar lein neu mewn dosbarth iddynt fod yn ymwybodol o'r hyn y disgwylir wrth i ni asesu sgiliau Cymraeg ar gyfer swyddi gwag.

[Sefydliad GIG Cymru](#)

Datblygu sgiliau Cymraeg

- 4.21 Adroddwyd mai cymysg oedd effaith y pandemig ar ddarpariaeth dysgu Cymraeg sefydliadau. Os oedd gwersi wedi parhau o gwbl, roedd hynny gan amlaf ar-lein, weithiau ar ôl cyfnod o oedi. Roedd darpariaeth rhai sefydliadau (yn enwedig rhai gyda niferoedd llai o ddysgwyr) wedi dod i ben.
- 4.22 Er bod rhai cyfeiriadau at drafferthion, nododd nifer o sefydliadau fod y gwersi ar-lein wedi gweithio'n dda. Nododd nifer o sefydliadau iddynt weld cynnydd yn y staff oedd yn manteisio ar y ddarpariaeth, gyda sawl awgrym fod dysgu ar-lein yn siwtio mwy o bobl yn well; roedd rhai sefydliadau ar y llaw arall, wedi gweld gostyngiad yn eu niferoedd.
- 4.23 Adroddwyd gan nifer o sefydliadau eu bod wedi sefydlu darpariaeth newydd neu ychwanegol ar gyfer dysgu Cymraeg, er enghraifft *Say Something in Welsh*, yn ystod y cyfnod, a bod yr ymateb yn gadarnhaol.

Y Ganolfan Dysgu Cymraeg Genedlaethol: arloesi i gynnig rhagor o gyfleoedd i ddatblygu sgiliau Cymraeg y gweithlu

Mae'r Ganolfan Dysgu Cymraeg Genedlaethol wedi ymateb i her amgylchiadau'r pandemig a galluogi dysgwyr i barhau i ddatblygu sgiliau Cymraeg yn eu gweithleoedd. Ym mis Mawrth 2020, wrth i'r dysgu wyneb i wyneb ddirwyn i ben, addaswyd darpariaeth rhaglen Cymraeg Gwaith y Ganolfan, rhaglen sy'n cryfhau sgiliau Cymraeg yn y gweithle, mewn ymateb i leihad sylweddol yn y cyllid a'r sefyllfa iechyd cyhoeddus.

Ym mis Hydref 2020 cyhoeddwyd cwrs Dysgu Cymraeg hunan-astudio ar-lein am y tro cyntaf, yn cynnig i ddysgwyr ddilyn lefel gyfan ar amser cyfleus i'r unigolyn. Roedd y cwrs cyntaf hwn ar lefel Mynediad, y nod yw parhau i ddatblygu cwrs tebyg ar y lefelau eraill dros y flwyddyn i ddod.

Roedd y datblygiad yn ymateb i'r galw cynyddol am ddulliau hyblyg o ddysgu ac mae'r pwyslais o'r cychwyn cyntaf un wedi bod ar ddefnyddio'r Gymraeg yn y gweithle. Er bod y cwrs yn un hunan-astudio, mae tiwtor yn cefnogi, gan gynnig cyngor a chymorth ac mae sesiynau sgwrsio a holi ac ateb rhithiol hefyd yn cael eu cynnal.

Erbyn diwedd Mawrth 2021 roedd dros 800 o unigolion o dros 60 o gyflogwyr, wedi cofrestru i ddilyn y cwrs newydd – y mwyafrif yn sefydliadau'r sector gyhoeddus.

Adroddwyd gan y Ganolfan fod mwy o gyflogwyr nac erioed wedi ymgysylltu â nhw yn ystod 2020-21. Mae'r cwrs wedi apelio yn fawr yn enwedig i gyflogwyr megis y byrddau iechyd, oedd yn ei chael yn anodd yn y gorffennol i ddilyn strwythur arferol o fynychu gwersi wythnosol yn y gweithle. Mae'r gallu i ddilyn cwrs ar amser sy'n gyfleus i'r dysgwr yn golygu bod y cwrs yn boblogaidd i bobl sy'n gweithio shift – carfan anodd ei chyrraedd yn draddodiadol, o ran darparu cyrsiau.

Erbyn Mawrth 2021 roedd cyllideb Cymraeg Gwaith wedi ei adfer i'r lefel blaenorol ac mae modd eto i'r Ganolfan Dysgu Cymraeg Genedlaethol gynnig amrywiaeth eang o gyrsiau i gyflogwyr, gan barhau i arloesi a chynnig ystod o ddulliau dysgu wrth i gynllun Cymraeg Gwaith ddatblygu.

Defnydd mewnol o'r Gymraeg

Sgyrsiau anffurfiol

- 4.24 Roedd gwahaniaeth barn o ran effaith y pandemig ar gyfleoedd i gynnal sgyrsiau anffurfiol ac ar ddarpariaeth i ddatblygu sgiliau Cymraeg - nifer yn adrodd fod symud i weithio o adref wedi lleihau cyfleoedd i staff siarad Cymraeg â'i gilydd mewn sefyllfaoedd anffurfiol yn y swyddfa, a bod hyn wedi effeithio'n arbennig ar staff oedd yn manteisio ar gyfleoedd o'r fath er mwyn gwella'u hyder.

4.25 Nododd nifer o sefydliadau fod patrymau blaenorol wedi parhau mewn sgysiau a chyfarfodydd ar-lein. Nododd nifer o sefydliadau eu bod wedi mynd ati i drefnu cyfleoedd newydd ar-lein i staff ddefnyddio'r Gymraeg yn anffurfiol neu'n gymdeithasol.

Cyfarfodydd mewnol

4.26 Nododd y mwyafrif o sefydliadau nad oedd effaith ar iaith cyfarfodydd mewnol, neu fod y patrymau blaenorol wedi parhau. (Ar y cyfan, ein canfyddiad cyn cyfnod y pandemig oedd mai Saesneg oedd iaith mwyafrif helaeth cyfarfodydd mewnol yn y mwyafrif o sefydliadau).

4.27 Nododd rhai sefydliadau fod diffyg gallu cyfieithu ar y pryd ar blatfformau fel Teams yn rhwystr i ddefnyddio'r Gymraeg mewn cyfarfodydd mewnol hefyd. Nododd ambell sefydliad eu bod wedi mynd ati i sicrhau bod staff yn gallu cymryd rhan mewn cyfarfodydd mewnol drwy gyfrwng y Gymraeg.

Drafftio a gwaith ysgrifenedig

4.28 Nododd y mwyafrif o sefydliadau na chafod cyfnod y pandemig effaith ar arferion y gweithlu o ran iaith drafftio testun. Cyfeiriodd rhai sefydliadau at y cymorth a'r gefnogaeth sydd ar gael i staff ddrafftio yn Gymraeg, gan gynnwys mentora a phrawf ddarllen, a nododd rhai bod yr amgylchiadau wedi arwain at gynnydd mewn drafftio Cymraeg gan eu staff hwy, yn rhannol oherwydd y pwysau ar wasanaethau cyfieithu.

Atodiad 1: Sail tystiolaeth

1. Er bod casglu tystiolaeth ynghylch effaith Covid-19 ar ddarpariaeth gwasanaethau Cymraeg yn fwy heriol yn ystod 2020-21 oherwydd amgylchiadau'r pandemig mae'r Comisiynydd wedi medru dibynnu ar wybodaeth o'r ffynonellau canlynol:

- tystiolaeth am brofiadau aelodau'r cyhoedd gyflwynodd gwynion i'r Comisiynydd
- canfyddiadau'r Arolwg Omnibws Siaradwyr Cymraeg blynyddol
- canfyddiadau arolwg thematig Covid-19 a gynhaliwyd ym mis Medi 2020 i gasglu tystiolaeth gan sefydliadau am effaith y pandemig
- trafodaethau cyson yn ystod y flwyddyn rhwng swyddogion y Comisiynydd â'r sefydliadau cyhoeddus sydd dan ddyletswydd statudol i ddarparu gwasanaethau i bobl yng Nghymru wrth ddelio ag ymholiadau neu faterion yn ymwneud â'u cydymffurfiaeth
- arolwg a gynhaliwyd i wirio cydymffurfiaeth sefydliadau â'r safonau atodol.

Arolwg Omnibws Siaradwyr Cymraeg

2. Ers sawl blwyddyn mae'r Comisiynydd yn comisiynu cwmni Beaufort Research i ymgymryd â gwaith i gasglu gwybodaeth am agweddau pobl sy'n siarad Cymraeg at y gwasanaethau a ddarperir gan sefydliadau cyhoeddus a'u profiad o'u defnyddio. Oherwydd y pandemig roedd methodoleg cynnal yr arolwg ychydig y wahanol yn ystod 2020-21 i'r fethodoleg mewn blynyddoedd blaenorol.
3. Roedd y sampl wedi ei gynllunio fel arfer i fod yn gynrychioliadol o siaradwyr Cymraeg 16 oed a throsodd yng Nghymru trwy edrych ar gyfran sy'n medru siarad Cymraeg oddi fewn i'r 22 Awdurdod Lleol yng Nghymru. Fe wnaeth pandemig iechyd cyhoeddus COVID-19 atal yr arolwg rhag cael ei gynnal yn ei ddull arferol o gyfweld wyneb yn wyneb mewn pwyntiau sampl ledled Cymru ac yn lle hynny, cynhaliwyd cyfweiliadau ar-lein gan ddefnyddio platfform cyfnewid panel ar-lein. Ffurfiwyd yr arolwg ar-lein ar gyfer cwblhau ar gyfrifiadur personol / llechen a ffôn clyfar a chynigiwyd fersiynau Cymraeg a Saesneg i bob ymatebydd. Gofynnir cwestiwn agoriadol (A ydych chi'n siarad Cymraeg?) i sicrhau fod yr ymatebydd yn siarad Cymraeg ac felly'n gymwys i'w gyfweld. Gwnaethpwyd y gwaith maes ar gyfer yr arolwg yn ystod Tachwedd i Ragfyr 2020. Cwblhawyd a dadansoddwyd cyfanswm o 424 cyfweliad.

Astudiaeth thematig effaith pandemig Covid-19

4. Gwahoddwyd 224 o sefydliadau cyhoeddus sy'n gweithredu safonau'r Gymraeg neu gynlluniau iaith Gymraeg i gymryd rhan mewn arolwg gan y Comisiynydd ym mis Medi 2020 ynghylch effaith y pandemig ar eu:
- Gwasanaethau Cymraeg
 - Trefniadau cydymffurfio
 - Defnydd mewnol o'r Gymraeg.

-
5. Nodwyd nad bwriad yr arolwg oedd galluogi'r Comisiynydd i ddod i farn ar gydymffurfiaeth sefydliadau ond yn hytrach i:
 - Ddysgu beth oedd effaith y pandemig ar brofiadau defnyddwyr a staff
 - Deall pa mor gadarn a gwreiddiedig yw trefniadau sefydliadau ar gyfer cydymffurfio ac ystyried y Gymraeg
 - Adnabod rhwystrau i barhad y ddarpariaeth Gymraeg, ar lefel sefydliad unigol neu'n systemig
 - Canfod enghreifftiau o arloesi ac arferion da y mae sefydliadau wedi eu gweithredu er mwyn diogelu'r ddarpariaeth Gymraeg.

 6. Atebodd 121 (54%) o sefydliadau yr holiadur – 90 ohonynt (sef 75%) yn gweithredu dyletswyddau safonau'r Gymraeg a'r gweddill yn gweithredu cynlluniau iaith Gymraeg. Ceir copi o'r holiadur yn Atodiad 2 a rhestr o'r sefydliadau a gyfrannodd yn Atodiad 3.

 7. Derbyniwyd dystiolaeth gan amrywiaeth eang o sefydliadau o bob un o'r sectorau sy'n gweithredu'r gwahanol reoliadau safonau'r Gymraeg (rhifau 1 i 7). Mae'r dystiolaeth felly'n rhoi darlun o effaith y pandemig ar ddarpariaeth gwasanaethau Cymraeg ar draws y sbectrwm o sefydliadau cyhoeddus.

Atodiad 2: Cwestiynau arolwg effaith Covid-19 ar ddarpariaeth Gymraeg sefydliadau

Gwasanaethau Cymraeg

1. Effaith ar wasanaethau Cymraeg penodol

Rhowch eich barn ar effaith yr argyfwng ar y gwasanaethau Cymraeg a nodir, a'r rhesymau dros yr effaith. Wrth ystyried a oedd unrhyw effaith yn ffafriol neu'n anffafriol o gymharu â'r Saesneg, gallwch ystyried:

- Oedd y gwasanaeth ar gael o gwbl / yn llai aml?
- Oedd y gwasanaeth ar gael yr un mor gyflym ag arfer ynteu oedd yna oedi?
- Oedd y gwasanaeth yr un mor gywir / o ansawdd mor uchel ag arfer?
- Oedd y gwasanaeth yr un mor amlwg a hygyrch, ac yn cael ei hyrwyddo cystal ag arfer?

I ba raddau y gwnaeth yr argyfwng effeithio ar y gwasanaethau?

Beth oedd y rhesymau dros yr effaith?

Gwasanaethau: Derbynfa, Ffôn, Gohebiaeth, Cyfarfodydd gydag unigolion, Cyfarfodydd gyda nifer o bersonau / agored i'r cyhoedd, Dogfennau a deunyddiau eraill, gan gynnwys datganiadau i'r wasg, Gwefannau a gwasanaethau ar-lein, Cyfryngau cymdeithasol.

Dewis ateb: Effaith ffafriol o gymharu â'r gwasanaeth Saesneg; Dim effaith o gwbl; Effaith debyg i'r effaith ar y gwasanaeth Saesneg; Effaith anffafriol o gymharu â'r gwasanaeth Saesneg; Ddim yn berthnasol; Ddim yn gwybod

2. Effaith ar y defnydd o wasanaethau Cymraeg gan y cyhoedd

I ba raddau y gwnaeth yr argyfwng effeithio ar y defnydd o wasanaethau Cymraeg gan y cyhoedd?

Dewis ateb: Effaith ffafriol o gymharu â'r gwasanaeth Saesneg; Dim effaith o gwbl; Effaith debyg i'r effaith ar y gwasanaeth Saesneg; Effaith anffafriol o gymharu â'r gwasanaeth Saesneg; Ddim yn berthnasol; Ddim yn gwybod

Rhowch fanylion yr effaith, gan gynnwys enghreifftiau penodol os yn bosib. Beth oedd y rhesymau dros yr effaith?

3. Datrysiadau technegol

Ydych chi wedi datblygu neu ddefnyddio unrhyw ddatrysiadau technegol newydd yn sgil y cyfnod clo, ar gyfer hwyluso cyswllt y sefydliad â'r cyhoedd?

Dewis ateb: Do, Naddo

Sut mae'r datrysiadau hyn wedi effeithio ar y gallu i ddefnyddio'r Gymraeg?

Dewis ateb: Hwyluso defnyddio'r Gymraeg; Dim effaith; Rhwystro defnyddio'r Gymraeg
Beth oedd y rhesymau dros yr effaith?

Trefniadau cydymffurfio

4. Datblygiadau o ran llywodraethiant a'r Gymraeg

Wnaethoch chi roi trefniadau arbennig mewn lle yn ystod yr argyfwng er mwyn sicrhau bod y Gymraeg yn cael ei hystyried a'r ddarpariaeth Gymraeg yn parhau, er enghraifft drwy gynllun parhad busnes / amrywio cyfrifoldebau / newid gweithdrefnau?

Dewis ateb: Do, Naddo

5. Effaith ar drefniadau ac adnoddau cydymffurfio

Rhowch eich barn ar effaith yr argyfwng ar y trefniadau a'r adnoddau a nodir, a'r rhesymau dros yr effaith. Wrth ystyried yr effaith, ac a oedd yn gadarnhaol ynteu'n negyddol, gallwch ystyried:

- Oedd yr un lefel o adnodd ar gael ag arfer?
- Oedd yr un lefel o arbenigedd ar gael?
- Oedd y gwaith yn digwydd yr un mor brydlon ag arfer ynteu oedd yna oedi?
- Oedd y gwaith yr un mor gywir / o ansawdd mor uchel ag arfer?

I ba raddau wnaeth yr argyfwng effeithio ar y trefniadau a'r adnoddau hyn? Beth oedd y rhesymau dros yr effaith?

Trefniadau a'r adnoddau: Swyddogion y Gymraeg; Goruchwylio cydymffurfiaeth; Delio â chwynion; Gwasanaethau cyfieithu; Ystyried effaith penderfyniadau polisi ar y Gymraeg; Asesu'r angen am sgiliau Cymraeg ar gyfer swyddi gwag a newydd.

Dewis ateb: Effaith gadarnhaol; Dim effaith / Newidiadau gydag effaith niwtral; Effaith negyddol; Ddim yn berthnasol; Ddim yn gwybod

Defnydd mewnol o'r Gymraeg

6. Effaith ar ddefnydd mewnol o'r Gymraeg

I ba raddau wnaeth yr argyfwng effeithio ar y defnydd o'r Gymraeg gan staff y sefydliad yn y sefyllfaoedd hyn?

Sefyllfaoedd: Sgyrsiau anffurfiol; Cyfarfodydd mewnol; Drafftio a gwaith ysgrifenedig, e.e. dogfennau, ffurflenni a gohebiaeth; Datblygu sgiliau Cymraeg, e.e. gwersi Cymraeg

Dewisiadau ateb: Effaith gadarnhaol; Dim effaith / Newidiadau gydag effaith niwtral;

Effaith negyddol; Ddim yn berthnasol; Ddim yn gwybod

Rhowch fanylion yr effaith, gan gynnwys enghreifftiau penodol os yn bosib. Beth oedd y rhesymau dros yr effaith?

Arall

7. Datblygiadau ac effeithiau eraill

Oes yna unrhyw ddatblygiadau neu effeithiau eraill rydych wedi eu gweld yn sgil yr argyfwng?

Atodiad 3: Sefydliadau cyhoeddus a gyfrannodd i arolwg thematig Covid-19

ACAS	Comisiwn Penodiadau Barnwrol
Adran Addysg	Comisiwn y Gyfraith
Adran Gwaith a Phensiynau	Comisiynydd Heddlu a Throseddu De Cymru
Amgueddfa Cymru	Comisiynydd Heddlu a Throseddu Dyfed-Powys
APC Eryri	Comisiynydd Heddlu a Throseddu Gwent
Arolygiaeth Prawf EM	Comisiynydd Pobl Hyn Cymru
Asiantaeth Cyngor Cyfreithiol	Cronfa Gymunedol y Loteri
Asiantaeth Iechyd Anifeiliaid a Phlanhigion	Cwmni Hyfforddiant Cambrian
Asiantaeth Sicrwydd Ansawdd Addysg Uwch	Cyfoeth Naturiol Cymru
Asiantaeth y Swyddfa Brisio	Cyllid a Thollau EM
BBC	Cyllid Myfyrwyr Cymru
BIA Powys	Cyngor Bro Morgannwg
BIP Aneurin Bevan	Cyngor Caerdydd
BIP Bae Abertawe	Cyngor Cyllido Addysg Uwch Cymru
BIP Betsi Cadwaladr	Cyngor Defnyddwyr Dwr
BIP Caerdydd a'r Fro	Cyngor Dinas Casnewydd
BIP Cwm Taf Morgannwg	Cyngor Gwynedd
BIP Hywel Dda	Cyngor Llyfrau Cymru
Bwrdd Parôl	Cyngor Meddygol Cyffredinol
Canolfan Mileniwm Cymru	Cyngor Nyrsio a Bydwreigiaeth
CBS Blaenau Gwent	Cyngor Osteopatheg Cyffredinol
CBS Caerffili	Cyngor Proffesiynau Iechyd a Gofal
CBS Caerwys	Cyngor Prydeinig
CBS Pen-y-bont ar Ogwr	Cyngor Sir Ceredigion
CBS Rhondda Cynon Taf	Cyngor Sir Ddinbych
CBS Torfaen	Cyngor Sir Fynwy
Chwaraeon Cymru	Cyngor Sir Penfro
CIC Hywel Dda	Cyngor Sir y Fflint
CIC Powys	Cyngor Sir Ynys Môn
Coleg Caerdydd a'r Fro	Cyngor y Gweithlu Addysg
Coleg Cambria	Cynilion a Buddsoddiadau Cenedlaethol
Coleg Gwent	Data Cymru
Coleg Merthyr Tudful	DVLA
Coleg Pen-y-bont	Dwr Cymru
Coleg Sir Benfro	Estyn
Coleg Sir Gar a Coleg Ceredigion	Gardd Fotaneg
Coleg y Cymoedd	Grwp Colegau CNPT
Comisiwn Brenhinol Henebion Cymru	Grwp Cynefin
Comisiwn Cydraddoldeb a Hawliau Dynol	

Grwp Llandrillo Menai
Gwasanaeth Gwybodeg
Gwasanaeth Llysoedd a Thribiwnlysoedd
EM
Gwasanaeth Tân ac Achub De Cymru
Gwasanaeth Tân ac Achub Gogledd Cymru
Hafren Dyfrdwy
Heddlu De Cymru
Heddlu Gogledd Cymru
Heddlu Gwent
Heddlu Trafnidiaeth Prydeinig
Swyddfa Comisiynydd Gwybodaeth
Iechyd Cyhoeddus Cymru
Llyfrgell Genedlaethol
Llywodraeth Cymru
Ofcom
Opera Cenedlaethol Cymru
Partneriaeth Cydwasanaethau GIG Cymru
PCYDDS
Prifysgol Abertawe
Prifysgol Bangor
Prifysgol De Cymru
Prifysgol Glyndwr
S4C
Sefydliad Dysgu a Gwaith
Swyddfa Annibynnol Ymddygiad yr Heddlu
Swyddfa Ysgrifennydd Gwladol Cymru
Swyddfa Ystadegau Gwladol
Swyddfa'r Cabinet
Swyddfa'r Gwarcheidwad Cyhoeddus
Tŷ'r Cwmnïau
WCVA
Ymddiriedolaeth Garbon
Ymddiriedolaeth GIG Gwasanaeth
Ambiwlans Cymru
Ymddiriedolaeth GIG Prifysgol Felindre

Atodiad 4: Geirfa

Defnyddir yr eirfa ganlynol yn yr adroddiad i gyfeirio at nifer neu gyfran y sefydliadau oedd wedi rhoi tystiolaeth ar effaith pandemig Covid-19 ar eu darpariaeth Gymraeg, fel rhan o arolwg y Comisiynydd:

rhai = rhwng 1 a 12 sefydliad (hyd at 10%)

nifer = rhwng 13-60 sefydliad (10-50%)

mwyafrif = rhwng 61-80 sefydliad (50-70%)

llawer = 81 sefydliad neu fwy (dros 70%)



Comisiynydd y
Gymraeg
Welsh Language
Commissioner

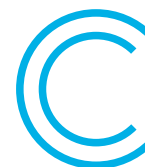
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Stepping Forward

The Welsh Language

Commissioner's assurance report

2020-21



Comisiynydd y
Gymraeg
Welsh Language
Commissioner



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The Commissioner's Foreword

It has been a year like no other - as the Covid-19 pandemic forced us all to live our day-to-day lives in different ways, public sector bodies in Wales have also had to adapt quickly to a 'new normal'. A 'normal' where meetings and appointments were held virtually; a 'normal' where it did not matter where staff answering the telephone were geographically located; a 'normal' where reception services could not be provided as usual and a 'normal' where instructions and messages were regularly and urgently published to an entire population on social media.

The pandemic has certainly presented many challenges and continues to do so, but it has also provided opportunities for our public organisations to deliver services in different and innovative ways. A few organisations embraced the opportunity to secure Welsh language provision, while others failed to take the opportunity to ensure that new arrangements maintained and promoted the provision of services to Welsh speakers.

Usually, in my annual assurance report, I express an opinion on how public organisations have taken action to comply with their statutory language duties. The emphasis this year however is different as I'm keen to recognise how difficult the period has been, particularly for those working in the health sector and within other key public sector organisations across Wales.

As such, the purpose of this report is to summarise what we have learnt to date about the impact of the pandemic on public organisations' Welsh language provision and Welsh speakers' experiences of services – not only the barriers that have had a detrimental impact but also the effective practices identified. Its main value being that it highlights the lessons to be learnt so that organisations can take action to strengthen future provision and increase the use of the Welsh language.

The Covid-19 pandemic will undoubtedly change the way public services are delivered in Wales from now on and some organisations will need to adapt in response to the messages in this report, as others have already done. They must act to ensure, not only that they provide the public services that Welsh speakers are entitled to, but that they also take seriously their responsibility for their promotion to encourage the citizens of Wales to use them.



Aled Roberts
Welsh Language Commissioner
September 2021

1 Report summary: main findings

This section provides a summary of the Commissioner's findings on the impact of the Covid-19 pandemic on public sector organisations' use of the Welsh language during 2020-2021.

Guidance is provided following the challenging time of the pandemic, to give public organisations an opportunity this year to learn from the findings and to take action to strengthen provision and increase the use of the Welsh language to the future - it is their responsibility to ensure that they comply with their duties.

Organisations have taken advantage of opportunities to innovate and strengthen Welsh language services provision

- A few organisations were able to innovate and respond urgently early in the pandemic, introducing new online services in Welsh. It demonstrates that organisations can consider the Welsh language from the outset when implementing projects.
- As meetings became virtual some organisations found technical solutions to enable continued use of the Welsh language. Others however, reported that they could not adapt and were unable to provide a service in Welsh or enable staff to use the language when working.

The Commissioner produced urgent guidance: Holding bilingual video meetings to provide practical advice to organisations on how bilingual services can be offered virtually. Simultaneous translation provision is still lacking in some online meeting platforms and as such, organisations need to put in place alternative arrangements to enable use of the Welsh language.

- Although there has been great pressure on organisations' translation services during the pandemic with the requirement for them to publish important and lengthy material as a matter of urgency; it appears that many succeeded. Developments to the arrangements of a few organisations, which include technical solutions, demonstrate the efforts made to adapt and be more flexible to ensure that the Welsh and English languages continue to be used side by side.

The Commissioner has an advice note: Bilingual drafting, [translation](#) and face-to-face use of the Welsh language which provides guidance to organisations on how to make innovative, effective and responsible use of translation services of all kinds to facilitate the offer of bilingual services of the highest quality. This report also provides examples of organisations that have established arrangements for the urgent translation of text and processes for prioritising specific types of information where the capacity of the translation service has been affected, as in a situation of pandemic.

Barriers highlighted the already emerging gap between organisations that comply well and those that do not have adequate arrangements in place

- Organisations with robust self-regulation processes were able to anticipate and deal better with difficulties that arose during the pandemic. They were most likely to have Welsh-medium provision that was resilient enough not to be adversely affected. They put business continuity arrangements, or specific supervision arrangements in place to continue to comply with their duties during the challenging period.

Organisations that failed to continue operating need to take a look at the arrangements of those who succeeded. The Commissioner has an advice note: [Overseeing compliance](#) that provides guidance on putting accountability, performance management and verification arrangements in place to ensure that an organisation is meeting its duties.

- Urgent decisions were made by some organisations without regard to the Welsh language. As a result, in a few situations a Welsh language service wasn't available as it used to be.

Organisations need to amend their emergency response plans and strategies to ensure that consideration is given to the impact of decisions on Welsh language provision, they need to have robust business continuity arrangements in place that include continuing to promote use of the Welsh language.

- Although the translation services of some organisations coped well during the pandemic emergency statements and materials about the pandemic were published in English only or published in Welsh later than English.

Organisations need to ensure that their translation services are resilient enough to allow them to publish important information in Welsh; this could require the development of translation services, the adaptation of arrangements or an increase in the Welsh language skills capacity of the workforce more generally.

- The move to virtual meetings demonstrated the reliance of organisations on the provision of online communication platforms of large multinational companies in order to comply with the standards and use two languages.

The Welsh Government already operates strategically with the relevant companies. This is an essential step in order to enable organisations to hold virtual meetings in two languages and to ensure that employees' use of the Welsh language is not restricted as part of new working arrangements.

The importance of promotion activity was highlighted, to increase use of the Welsh language

- The Welsh language standards place a duty on organisations not only to provide Welsh language services but also to promote those services, to ensure that people are aware of them and use them. As more public services are delivered digitally because of the pandemic, it needs to be recognised that a cohort of users assume, on the basis of experience, that services will not be available – it is essential to inform them that the services are available to ensure increased use of the Welsh language.

Organisations need to ensure that Welsh language services provided are effectively promoted and resources allocated to enable this.

- New practices were adopted as new patterns of working were introduced during the pandemic – for example, staff who did not previously draft Welsh language text were encouraged to do so rather than rely on translation services, as there was a need to move quickly to share key messages.

It is an important time for organisations to consider what interventions they can plan and deliver as an integral part of the introduction of new ways of working, to increase the use of the Welsh language in the workplace.

- A few organisations took advantage of the new online provision of the National Centre for Learning Welsh 'Working Welsh' programme to provide opportunities for staff to develop their Welsh language skills. The potential for higher numbers to take advantage of the new provision has become apparent as the investment in terms of time and travel costs is reduced and more flexibility in terms of study time.

Those organisations who found it difficult to maintain provision during the pandemic need to consider what adaptations they can plan and deliver to provide opportunities for their staff to develop their Welsh language skills.

- Organisations will face new and different policy decisions because of the pandemic, and it is essential that the impact on the Welsh language is fully considered.¹

During 2021-22 organisations subject to Regulations No. 1 should consider the impact of Covid-19 on the Welsh language when reviewing and adapting their promotion strategies for the next 5 years – impacts such as the changes to working practices on the housing market in some counties and the opportunities arising from the Government's intention to establish community hubs.

¹ in line with the requirements of the policy making standards

2 Context: regulation during the pandemic

- 2.1 During March 2020 when organisations across the public sector in Wales were putting plans in place to deal with the exceptional circumstances resulting from the Covid-19 pandemic, the Commissioner had a responsibility to consider its impact on his ability to exercise his functions under the Welsh Language Measure. Welsh language standards and Welsh language schemes remained in place and safeguarded important rights – he wanted to see opportunities to use the Welsh language maintained despite the challenges of the pandemic.
- 2.2 The Commissioner stated in his assurance report for 2019-20, Closing the Gap, that he saw a risk of a significant gap developing between organisations that have made considerable progress since the introduction of the Welsh language standards that are complying well with their statutory duties, and those that didn't have adequate arrangements in place to ensure compliance. It became clear that there was a risk that the pandemic could intensify the trend particularly as a few organisations, where concerns already existed about non-compliance, were relocating staff with responsibility for the Welsh language to other departments to undertake work related to the pandemic.

Adapting regulatory methods

- 2.3 To assist efforts to prevent the spread of the virus, the Commissioner wanted to avoid putting additional pressure on public sector bodies. He realised that the priority over the challenging period to come, for health sector organisations in particular, would be to manage the task of preventing the spread of Covid-19 and to deal with the increasing pressure of caring for a significant number of patients. He anticipated that the employees of some organisations would need to work under intense circumstances, and he did not want them to have to deal with additional stress whilst the demands on them were at their peak. Organisations in other sectors would also be likely to have to change their usual arrangements, with fewer staff available and many working from home. The Commissioner anticipated that they too might not be able to always follow normal processes, and that there would be significant constraints on time and resources. However, he considered the responsibility of organisations to share information and advice to the citizens of Wales continues an important service.
- 2.4 The Commissioner contacted public sector organisations at the end of March 2020 to share information on how he intended to adapt his regulatory approach under the circumstances. He emphasised that he still had a duty to regulate and asked organisations to continue to do their best to use the Welsh language when engaging with the public as far as possible. He urged organisations to put adequate translation arrangements in place as part of their preparations to communicate with the public and advised that it would be for the organisations to make decisions about how to use the Welsh language when sharing emergency information, depending on the circumstances and any crisis situations during the pandemic.

Applicability of Welsh language standard duties in a pandemic

- 2.5 Organisations were notified in March 2020 that exceptions had been included in the Welsh language standards regulations that take account of emergency situations that may be relevant to the current pandemic. For example, regulations No. 2, 5 and 7 allow consideration to be given to excluding the requirements of a body to supply a service when an emergency occurs and the service provided by it is necessary for the purpose of preventing, controlling, or mitigating an aspect of that emergency, and that there is an urgent need for the service. Therefore, in circumstances where the relevant conditions are met, there would be no requirement for some organisations to comply with some of the Welsh language standards.
- 2.6 Several requests were received from organisations for clarity about the applicability of their duties – investigations into complaints received by the Commissioner from the public subsequently highlighted that there was still a lack of understanding in the case of a few organisations that led to deliberate and unintentional decisions not to comply with the standards. This in turn had a detrimental effect on the provision of Welsh language services to the public.

Postponing the complaints handling process and statutory investigations

- 2.7 Between April and July 2020 all statutory investigations relating to health boards and NHS trusts in Wales were postponed. Some investigations into organisations in other sectors were also delayed – county councils and Welsh Ministers were informed by the Commissioner that he was willing to delay investigation processes if an organisation informed him that it was unable to respond to provide information within the usual timescale.
- 2.8 The Commissioner contacted complainants to invite them to comment on his intention to amend the agreed timetable for the statutory investigations he had already begun. Complainants were assured that where the Commissioner decided to delay an investigation, he would recommence the process once he considered it was appropriate to do so.
- 2.9 It was also decided to defer making decisions whether to investigate new complaints received between April 2020 and July 2020, including all complaints received relating to health boards and NHS trusts in Wales. The complaints process was re-commenced in August as the Commissioner believed that the additional pressures of the Covid-19 pandemic had reduced sufficiently.

At the start of lockdown, it was more difficult to conduct complaints investigations. This was because quite a few changes had suddenly taken place, officers had to be given the opportunity to cope with the new situation and sort out the new approaches ... we had a period of respite from having to carry out investigations by the Office of the Welsh Language Commissioner. As time goes on, and officers start to work in the order of the 'new normal' we are able to deal with complaints in the usual way following the corporate complaints process.

Local authority

The discretion shown by the Commissioner in dealing with complaints during the period March to August significantly helped to free up officers' time to work to ensure continuity of bilingual services during the challenging circumstances caused by the pandemic. A great number of officers were moved to vital roles at the start of the pandemic (this policy was reintroduced in early October), making it difficult to respond to ongoing investigations. Very few complaints relating to our bilingual services were received by the public during this period.

Welsh Ministers

- 2.10 A total of 117 complaints were received about organisations that operate Welsh language standards duties in the 12 months between April 2020 and March 2021 – over a third less in number than the previous two years. 24 complaints related to services linked to Covid-19. (A further 11 complaints relating to Covid were received between 1 April and 31 July 2021). During the initial period of the pandemic, fewer complaints were received about public organisations' compliance with the standards than during the same months in previous years. The number of complaints was very low in April and May 2020 but increased subsequently until they returned to usual levels by August and September 2020.
- 2.11 Some individuals contacted the Commissioner during the year to highlight what they considered to be shortcomings in the provision of Welsh language services but expressed that they did not wish to make a complaint. Many of the concerns related to 'test and trace' services and the Covid-19 vaccination programme and in providing information about their experiences people noted the challenging circumstances in which the organisations were operating as a reason for not wanting to make a formal complaint.

Delaying the process of challenging duties

- 2.12 The Commissioner was dealing with several requests from NHS Wales organisations to challenge duties under section 55 of the Welsh Language Measure in March 2020. It was decided to allow them more time to respond to the initial comments on their applications than is usually allowed – all applications were finally determined upon by October 2020.

Adapting monitoring methods: conducting a thematic survey on the impact of the pandemic

- 2.13 The Commissioner had to postpone his usual monitoring and engagement activities during 2020-2021 due to the limitations of the pandemic. He usually conducts a series of mystery shopper surveys to put himself in the user's shoes and to gather direct evidence about the experience of using public services. The Commissioner usually visits reception areas to test front line services, signage provision and self-service points. He also usually conducts surveys to test other services such as telephone, correspondence, and websites. The findings of these surveys are usually the main evidence base for his annual assurance report. Due to restrictions caused by the pandemic this monitoring activity had to be postponed.
- 2.14 Instead, a Covid-19 thematic study was undertaken in Autumn 2020 to gather the views of public organisations on the impact of the pandemic on their ability to provide Welsh language services. The Commissioner has also relied on information from other sources as an evidence base for his report this year.²
- 2.15 The Commissioner recognises that it is not possible to rely solely on the evidence of the Covid-19 thematic survey to report on the impact of the pandemic on the provision of Welsh language services. Responding to the Commissioner's survey was optional and it is likely that the organisations with the resources and eagerness to respond to the survey had done so and that this could have put a more positive bias on its findings. The Commissioner is therefore not suggesting that the findings are representative of the situation across the board.
- 2.16 To try and achieve balance and to include evidence from users about their experiences of using public services during the pandemic it is possible to refer to evidence presented to the Commissioner from members of the public in their complaints during the period April 2020 – March 2021, and the findings of the annual Welsh Speakers Omnibus Survey.

Public expectations: Welsh Speakers Omnibus Survey

- 2.17 The findings of the Welsh Speakers Omnibus Survey annually allow the Commissioner to note if there are changes over time in public attitudes towards Welsh language services provided to them. The findings can be a measure of the extent to which the experiences of people who use Welsh language services have improved as the standards system embeds. This year however, comparison with previous years may not be entirely fair as the pandemic has forced a change in the methodology of the research with a shift from face-to-face interviews to online interviews. The services were also delivered in a different way by organisations.

² Further details on the Covid-19 thematic survey methodology and other evidence sources are in appendix 1

2.18 In November 2020, the Omnibus survey showed:

- That 35% of Welsh speakers believed that opportunities to use the Welsh language with public organisations were increasing and 45% felt that they remained the same – a 2% decrease from last year in those who agreed that there was an increase.
- 16% of Welsh speakers preferred to use the Welsh language when dealing with public bodies, a decrease from the findings of the previous two years (33% and 32%).
- 82% of Welsh speakers agreed that they are usually able to deal with public organisations in Welsh if they wish to do so.
- 20% of Welsh speakers noted that someone had prevented them from speaking Welsh with someone else who also wanted to speak Welsh – a 5% increase in the percentage who reported experiencing interference last year.

2.19 It should be noted that the survey was carried out in November 2020 during a period when the public were unable to use public services to the same extent or in the same way as they had in previous years. Evidence in section 3 of this report confirms that services were not always provided in Welsh on all occasions. It is therefore perhaps not surprising that fewer Welsh speakers stated that they favour using Welsh with public organisations.

2.20 70% of Welsh speakers surveyed agreed that the Welsh language services of public organisations were improving – an increase of 6% over two years.

2.21 61% of Welsh speakers agreed that they felt that the quality of Welsh-language public services was as good as English language services – this represents an increase of 14% over two years.

2.22 43% said that they disagreed that organisations make it clear how to complain if they are dissatisfied with their Welsh language services.

Holding virtual meetings bilingually

2.23 Many organisations in Wales have statutory duties to provide Welsh language services – both to the public and to their own staff. These duties include the requirement to enable people to use the Welsh language at meetings of all kinds, both public and private. These may be meetings of a sensitive nature, for example meetings about an individual's welfare, disciplinary hearings etc. Enabling an individual to use their preferred language in such situations can often be seen as a necessity rather than a choice, and an integral part of organisations' duty of care to individuals.

2.24 Shortly after the start of lockdown it became clear that fundamental changes to people's lives and working patterns because of the restrictions were causing a revolution in the use of technology, particularly those technologies that allow people to hold meetings

remotely. Public organisations were now being forced to maintain services through the provision of virtual meetings and by May 2020 the Commissioner had prepared advice to provide practical guidance on how to continue to offer quality bilingual services. The advice was based primarily on the experiences of the Senedd which had been successfully holding virtual bilingual meetings since April 2020 and the expert input of the Association of Welsh Translators and Interpreters and the Translation Studies Consortium.

2.25 It was highlighted to the Commissioner by some public organisations that they favoured the use of Microsoft Teams to hold virtual meetings, whilst others adopted different software such as Zoom as the software enabled an additional channel for simultaneous translation. It became apparent that there was a risk of an organisation failing to comply with its statutory duties if the software it used to hold meetings did not enable people to use the Welsh language, let alone the detrimental impact that this could have on people's wellbeing.

2.26 As a result, the Commissioner decided to write to Microsoft in November 2020 to convey his real concern that public organisations that chose to continue to use Microsoft Teams were in danger of failing to comply with their statutory duties and neglected to provide opportunities for people to the Welsh language. In recognising the innovative investment in the past by Microsoft to develop Welsh-language interfaces, he expressed his hope that the company would use the same innovation to support the use of the Welsh language in this context as a matter of urgency – particularly as virtual meetings are now an integral part of people's daily working practices.

Advising on the moral and ethical issues of Covid-19

2.27 A group was brought together by the Welsh Government in April 2020 to provide independent advice to the health service on issues relating to the moral, ethical, cultural and faith matters during the Covid-19 pandemic. The COVID-19: Wales Moral and Ethical Issues Advisory Group provided advice to help the health service manage issues arising from the pandemic in a fair and equitable manner, with the aim of ensuring that all citizens of Wales receive care and respect equally.

International context

2.28 As a pandemic is international in its nature, the impact of Covid-19 on the Welsh language can be considered in a worldwide context. The International Association of Language Commissioners network has enabled the Commissioner to learn about the common challenges the pandemic presented to minority languages across the world and to share information about its impact on the Welsh language to date.

2.29 The Commissioner of Official Languages of Canada reported that the pandemic had illustrated on the one hand the strength and resilience of federal institutions while, on the other hand, has shed a harsh light on what isn't working: specifically, internal structural barriers.

During times of crisis, the limited capacity of federal institutions to provide services to the public in both official languages becomes apparent. If a federal institution has underestimated the level of language skills required for its employees, despite the tasks and duties of their positions, then during an emergency situation, those employees will likely be unable to respond to the public with the same attention to detail and quality of service in both official languages. The same is true for managers when it comes to supporting their employees.

The COVID-19 pandemic forced our federal institutions to react promptly and decisively ... too often, urgent safety communications were issued in only one of our two official languages, and Canadians had to wait for the translation into the other official language. This situation exposed the corporate culture of many work units in federal institutions that do not always prioritize official languages or respect the principle of equality of English and French.

I firmly believe that changes are needed within the federal government so that during emergencies, official languages stop being an afterthought and start being an integral part of crisis management.

Raymond Th  berge, Commissioner of Official Languages, Canada

2.30 A report was published by him in October 2020 [A Matter of Respect and Safety: The Impact of Emergency Situations on Official Languages](#) – a study on the impact of emergencies on official languages. The report's key finding was that one official language often takes a back seat in emergency situations and therefore recommended that the Government of Canada should implement internal procedures and work tools for communications in both official languages, and then evaluate their effectiveness in normal times and in times of crisis.

The complaints my office has received over the past few years, the investigations we have conducted and the report we released on emergency situations clearly show the recurrent nature of this problem. One of the root causes of this issue is the improper assessment of the language requirements of positions, which means that many public servants lack the second language skills to be able to respond to the public or supervise employees in either official language.

In my opinion, the problem relates to a certain lack of maturity on the part of federal institutions when it comes to official languages, which translates into two things: a lack of clearly defined processes and mechanisms integrated into the business processes of federal institutions; and a work environment where employees rarely have the opportunity to speak or work in the non-predominant official language, be it their first or second official language.

Raymond Théberge, Commissioner of Official Languages, Canada

- 2.31 In his Tuarascáil Bhliantúil Annual Report 2020 the Irish Language Commissioner notes that the state has been facing huge challenges providing for those who needed it most during a time when the world was in the grip of a health, social and economic crisis. He added that valuable experience is being gained as these challenges are addressed which will be of benefit to the public service in the times ahead and that circumstances such as these provide some insight as to how securely rights legislation is embedded in the state administration.

One in five complaints I received this year related to the health crisis; information wasn't available in Irish or there was a delay in providing it in Irish compared to English. One such issue which upset complainants was public bodies erecting English-only signs regarding COVID-19, as if the regulations under the Act simply didn't exist ... This is a substantial and visual failing of a basic statutory obligation which has been in place for over ten years.

The general feeling amongst those who contacted my Office was that the first official language was being brushed aside or that the language and Irish language speakers were being marginalised on occasion, at a time when bringing the public together in common purpose was required.

Rónán Ó Domhnaill, Irish Language Commissioner

- 2.32 His investigations during 2020-21 found common themes in the responses from public bodies about their statutory obligations – the need to take a particular action urgently that, due to the extremely rare circumstances of the health emergency, led to decisions being taken to not give effect to statutory language obligations, to defer them, or to ignore them as it would delay whatever action was being undertaken.
- 2.33 The Irish Language Commissioner noted that there should not be any conflict between the serious national actions underway to deal with the pandemic and the responsibilities regarding language rights. He says that the basis of the argument by public bodies is the resource needed to comply with linguistic duties, and that providing services bilingually could lead to delay. If the argument was valid, it would create a situation where service provision in Irish would depend on the particular situation in question and the priorities or resources of the public body - this could lead to a situation where the more important and urgent the service is, the less chance would be for the public to receive them in Irish.

There should not be a conflict between the grave national actions underway and obligations regarding language rights.

Rónán Ó Domhnaill, Irish Language Commissioner

3 The effect of COVID-19 on the provision of Welsh language services

Context

- 3.1 As already mentioned, the Commissioner conducted a survey in Autumn 2020 to gather the views of public organisations on the impact of the Covid-19 pandemic on their Welsh language provision. This section of the report summarises the evidence received about the impact on service provision – quotations were selected to reflect organisations' different views.
- 3.2 The majority of organisations responding to the survey reported that the pandemic had no greater impact on their front-line Welsh language services such as reception and telephone services – in comparison with the English-language equivalent – and that Welsh services continued to be offered in the same way they were before the crisis. This however does not mean that the organisations were complying with their duties, simply that they continued to offer the Welsh services to the same extent as before the pandemic.
- 3.3 Where it was noted by organisations in their response to the survey that there had been no impact whatsoever on Welsh language service provision, this does not mean that Welsh language provision was adequate, or compliant. In addition, because the same duties have not been placed on all organisations and as there are exceptions to some duties in an emergency in some cases, references to delays or shortcomings in Welsh language services during the pandemic do not necessarily mean that there was failure to comply.
- 3.4 This section also contains some evidence received from members of the public when they presented complaints to the Commissioner between April 2020 and March 2021. They have been selected to reflect different experiences where the Commissioner has successfully completed the investigation process and informed the organisations of his determination and the steps he is imposing to correct any failures.

Front line services

Reception

- 3.5 Some organisations reported that their reception services had ceased completely as offices were closed (either wholly or to visitors). Where a reception service had restarted or continued, there were suggestions that they had been adapted, e.g. taking place on an appointment-only basis, or with fewer staff.

Closing buildings and restricting staff numbers made it difficult to obtain / allocate staff with Welsh skills. Many employees were seconded to work in the Tracking, Tracking and Safeguarding section, which reduced the number of Welsh speakers.

Local Authority

- 3.6 A few organisations noted that adaptations had meant that fewer Welsh-speaking staff were available, but in other organisations it was reported that the capacity of Welsh language services was not affected.

Telephone

- 3.7 Some organisations reported that they transferred telephone services to the homes of staff without it affecting Welsh language service delivery. However, there were also examples of organisations who had difficulty transferring calls to Welsh speakers, either due to technical reasons or due to a lack of staff. Whilst a few organisations saw a comparable increase in the use of telephone services, others reported that the Welsh services did not increase at the same rate as their English equivalents.

Telephone calls are still answered bilingually so there is no impact on the answering service. However, telephone calls cannot be transferred directly as staff work from home ... there are potential delays in speaking to key Welsh speaking personnel.

Local Authority

- 3.8 A few organisations referred specifically to new technical solutions that enabled improvements to telephone call transfer arrangements so that a Welsh language telephone service could be provided as staff worked from home.

We introduced a new telephone system that enabled residents to identify a language choice - English or Welsh - before choosing which service they wanted to talk to an adviser about. With the vast majority of residents wishing to speak in English this meant that, most of the time, our Welsh speaker was already dealing with an English speaker and was not always available. This was identified as a matter of concern and a voicemail saving facility was added, where a Welsh speaker could leave a message which would be transferred to a Welsh-speaking councillor to deal with the issue as a priority.

Local Authority

A technical solution was urgently needed at the end of March to enable our Customer Care Centre staff to answer calls on our main telephone number from home, using mobile phones. A similar system was in place already for emergencies. This system has been adapted to respond to calls as normal. The first emergency solution introduced at the end of March did not offer the customer a language choice beyond a recorded message in Welsh, but this was resolved very soon to ensure that the system offered a proactive language choice to all customers as usual.

Welsh Government sponsored body

- 3.9 A few organisations referred to the introduction of online chat as a means of reducing contact through reception and telephone, and had made Welsh speaking staff available.

Meetings

- 3.10 Introducing online meetings was the most prominent technical development introduced by organisations during the pandemic. Although references were made to difficulties in terms of lack of simultaneous translation in some online meeting platforms, it appeared that some had been able to overcome them by for example, using a platform that does allow simultaneous translation, using two systems to have two audio streams or ensuring that everyone that the meeting (attendees and staff) spoke Welsh.

We had to urgently review the simultaneous translation element of our work to ensure that the right to speak Welsh at a Court hearing was maintained as they became virtual. The team achieved this by using a combination of CVP (video cloud platform) and a *BTMeetMe* call for the translation. Once the process was approved it was ensured that the translators had the opportunity to try the system and subsequently comprehensive instructions were drawn up on how to use it.

UK Government Agency

Any meetings with individuals have been held by virtual means due to workplace and wider restrictions. The impact has been similar to the impact on English language meetings in terms of administration and support to ensure effective arrangements. Translation ability is supported through our meeting platform, and we would seek to provide any required language services in the same way as if it were a face-to-face meeting.

Police Commissioner

Video consultation software enables more Welsh speaking staff to be matched with Welsh speaking patients – this could be more difficult in the previous clinical settings where Welsh speaking staff would need to travel long distances to meet patients.

Health Board

A key development for us as an organisation has been the introduction of online fitness to practice hearings, which have taken place remotely, using Zoom, since September 2020. During these hearings, a simultaneous translation service is available, to ensure that participants can do so in the language of their choice (English or Welsh).

Welsh Government sponsored body

The Council installed Microsoft Teams throughout the organisation. It is positive that the Welsh Government is developing work so that Teams can facilitate the use of simultaneous translation. We are constantly looking for continuous improvements and learning lessons as we adapt to a new way of working and using new technologies.

Local Authority

3.11 However, some organisations confirmed that they had introduced video meetings that did not enable the use of the Welsh language, and that having to move to conduct online meetings had restricted their ability to enable the use of the Welsh language. The evidence did not always explain what the reasons were for not using a platform that allows for simultaneous translation – a few indicated that concerns over safety was a factor.

Our organisation's preferred solution for virtual meetings *Webex* prevented the use of Welsh, as simultaneous translation is not currently available. Some regional meetings which would usually have offered simultaneous translation did not offer this when meetings were held virtually.

Local Authority

As staff were working from home during the pandemic, it meant that face to face meetings were either cancelled or carried out via MS Teams which does not support simultaneous translation.

Local Authority

Complaint about webcasting a meeting

It is not possible to watch a meeting of my local council's Cabinet on its Welsh language website, unlike the English version of the website where it is possible to watch the meeting smoothly.

Member of the public, November 2020

A member of the public complained about their local council's webcasting service. The Commissioner decided to investigate the complaint because he considered that streaming meetings has been a service that local authorities have provided for some time. The case also raised questions about the third-party provider's understanding of the requirements on the council.

It was reported that the company providing the service on behalf of the council had experienced technical challenges in using secure and appropriate software and providing equipment to enable a meeting to be recorded and uploaded remotely to the internet. The council acknowledged that it was aware that it was not possible to watch the meeting on the Welsh version of the webcasting website, although it was available on the English version of the website. By the time the Commissioner completed the investigation the council had modified the process of archiving meeting recordings to ensure that the meeting could be watched on the Welsh and English webcasting website.

The investigation has highlighted the need to ensure that service adaptations are planned in a way that takes account of the requirements of the Welsh language standards and that plans for responding to an emergency should be amended to ensure that consideration is given to the impact of decisions on Welsh language provision. The need for organisations using third parties to provide webcasting services was also highlighted to ensure that providers were clear about any requirements under Welsh language standards.

Written materials and text

Correspondence

- 3.12 The majority of organisations responding to the survey noted that Welsh correspondence had not been affected by the pandemic, with some detailing that normal processes were in place. A few referred to English only correspondence being sent, or that there were delays in sending a Welsh version.

All new correspondence was sent to students in Welsh and English. When registration was introduced online, all automatic messages from the central Information System were sent in both English and Welsh.

Further/Higher Education College

All correspondence is treated in the same way as before the pandemic, with no difference between Welsh and English.

Police
Commissioner

On very rare occasions messages have been sent in English only with Welsh following shortly afterwards, for example when we are required to provide urgent responses to our student cohort following lockdown announcements by Ministers. This is due to additional pressure on our usual translation providers which has led to some delays.

Further/Higher Education College

The Translation Team has been continuing to provide a full translation service from home. A message was sent to Senior Management at the start of the lockdown to inform that there was no impact on the translation service. The translation team prioritised any letters, press releases, job descriptions specifically related to Covid-19.

Health Board

3.13 A few organisations noted that responding to correspondence in Welsh was a service not available at all during the period.

Correspondence was considered to be an emergency and staff were not required to translate. Ensuring communication from staff meant that translation was not always possible and that the number of communications grew daily. We are slowly returning to a regular communication schedule.

[NHS Wales organisation](#)

The Welsh e-mail service had been closed between 20 March and 6 August 2020. Customers were able to contact us in Welsh on our social media. All online services worked well, and I encouraged customers to use them when possible (they continue to be the easiest and quickest way to discuss with us).

[UK Government Agency](#)

Paper correspondence, post and emails were handled in the usual way during and after lockdown. However, at times, due to the flow of electronic correspondence and tremendous work pressure on officers during this period, the response time for some correspondence was slower than normal. However, the situation was the same in relation to correspondence in both languages – there was no additional delay in responding to Welsh correspondence.

[National Park Authority](#)

Complaint about responding to correspondence

I have sent e-mails in Welsh to my local council regarding council tax direct debit payments – the Council has only responded in English.

Member of the public, May 2020

A complaint was presented by a member of the public alleging that he had received English correspondence from his local council on two occasions in response to e-mail correspondence sent to him in Welsh. The Commissioner decided to investigate the complaint because there was a suggestion that the failure was a systemic practice rather than a one-off error.

The investigation confirmed that the correspondence had been sent to the complainant by a member of staff during the Covid-19 pandemic while all Council staff were isolating and working from home. The Council had already produced a clear guide for staff which explained the steps to be taken to respond to Welsh language correspondence. It acknowledged that it had responded in English to correspondence received in Welsh because a member of staff offered a quick response.

The investigation has highlighted the importance of raising staff awareness of their responsibility to implement any guidance or procedures that have been adopted. It shows that business continuity arrangements need to be put in place to ensure that an organisation considers the impact of circumstances on the Welsh language during challenging times.

Documents and materials

3.14 In the majority of cases, organisations noted that the pandemic did not affect their ability to produce materials in Welsh – some referred to the importance of translation services,

Other emergency documents and materials were published in English only, e.g. the information/correspondence containing health and safety information published at the height of the crisis. The decision was made in the light of a number of circumstances: to ensure that relevant health and safety information is available in a timely manner; a large number of staff were temporarily redeployed to help with the Council's response to the outbreak and therefore limited the Welsh language capacity; as well as the new ways of working for staff at such a critical time. Where there were no separate versions of Welsh and English documents, it was possible to produce/publish separate Welsh and English versions etc.

Local Authority

that were under additional pressures, to achieving what was required. The majority of organisations explained that their usual arrangements had remained in place. Some noted that there were some cases where urgent statements or materials regarding the

At the start of lockdown, a letter was sent to all residents in English only informing them of the Community Friend Response Scheme which was being established to help vulnerable people in the county. This was due to the urgency of the letter and people joining the service.

Local Authority

Our translation system works effectively remotely so there is no language impact on documents. An English only document happened when a Covid outbreak occurred over a weekend and we needed to get information to parents urgently on our website on a Sunday evening, but this was corrected first thing on the Monday by our translation team (the team does not work on weekends).

Further/Higher Education College

pandemic were published in English only, or that there was a delay before a Welsh version was produced, due to difficulties translating the material quickly enough, as the situation was changing quickly or at short notice.

Complaint about sending correspondence

I received a letter and a leaflet by my local council through my letterbox. This included information in English only about the Covid-19 pandemic.

A member of the public, April 2020

A complaint was made by a member of the public claiming that they had received an English only document from the local council with information regarding the Covid-19 pandemic. The Commissioner decided to investigate as it appeared that a strategic decision had been made by the Council not to correspond in Welsh.

The investigation confirmed that the Council did not have any Welsh speakers in its Communications Team at the time and considered that delays would be inevitable if it sent correspondence in Welsh. The council acknowledged that they had sent the correspondence to the individual in English after making a decision on health and safety grounds and a lack of resources during a challenging period. The Commissioner ruled that the Council had failed to comply because it had made an intentional decision to ignore the requirements of the standard when sending the correspondence about a new

service to support vulnerable residents during the pandemic; time had been spent deciding on the content and design and it was the Commissioner's opinion that the Council should have made every effort to ensure that there was also time to create Welsh versions. It was noted that he expected to see an effort by the Council to maintain its Welsh language services at all times.

The investigation has highlighted the importance of revising emergency response plans and strategies to ensure that consideration is given to the impact of decisions on the Welsh language. The importance of establishing a process for prioritising specific types of information where the capacity of the translation service has been affected was highlighted. It has been shown that consideration needs to be given to how to ensure that emergency materials are published at the same time in Welsh and there may be a need to consider the capacity of the normal translation service, the arrangements for urgent text translation or the Welsh language skills capacity of the workforce more generally.

Websites and online services

3.15 It was reported by the majority of organisations that the pandemic did not affect their ability to provide web pages and online services in Welsh. A few noted that a few pages or services had been published in English only, or that there was a delay in publishing the Welsh version, due to an inability to obtain a translation quickly enough or to undertake development work in parallel.

3.16 Some organisations referred to new services and information introduced online – a few very

We had to develop a number of online forms at short notice. These included a business grant application form, a childcare booking form, an order form for our Waste and Recycling Centres, a click and collect order form for Libraries and booking forms for Leisure Centre activities. In order to produce these within the required timescales, a number were initially produced in English only. Those still in use, such as the Waste and Recycling Centre order form and the click and collect order form for Libraries, are now available in Welsh. Other forms are no longer in use.

Local Authority

At the start of the crisis some urgent messages were published on the website in English first with Welsh following once the message was translated, sometimes an hour or two later. The e-mail sent on March 17 – The Welsh Language Commissioner's regulatory work during Covid-19 – suggested that this was acceptable. Once the process was refined, the messages were simultaneously made public. As more of our services were offered digitally, we also realised that there was insufficient capacity in our translation department which led to a decision to appoint an additional translator.

Further/Higher Education College

early during the pandemic either at the same time or shortly after the English language service. This included high profile online services that affected a large number of people that were developed urgently in response to the pandemic.

UK Government Department for Work and Pensions: offering new online services at short notice

New services were announced online by the UK Government's Department for Work and Pensions during the first few months of the pandemic in 2020. Developments were already underway as part of the Department's commitment to improving customer satisfaction levels, but the work programme was speeded up at the start of the pandemic.

The system that enables applications for Pension Credit to be made online was built in just 4 weeks to enable the Pension Credit service to go live online in May 2020. It was noted by the Department that it was not possible to launch the Welsh language service at the same time given the challenging timescales, but it was launched shortly thereafter at the end of May 2020 after a period of testing.

Due to the pandemic other services were focusing their attention on implementing online services, including 'Applying for an online NS ESA', 'Applying for a NINO' and 'Repaying My Debt'. The Department for Work and Pension's Welsh Language Unit worked closely with the relevant project teams to ensure that Welsh versions of these services were also available.

Covid-19 has had a huge impact on much of the labour market, as some sectors have reduced in size and others are increasing rapidly. To help job seekers find work in new sectors and employers to find available employees, the Department also launched two new external websites: job help and helping employers. These websites offer labour market information for people looking for work now and advice for employers to help them recruit them. The Welsh Language Unit worked with the Strategic Communications Team to ensure that Welsh versions of these websites, as well as all assets, tweets, and toolkits, were available and that updates were made promptly.

A new website was added to GOV.UK to help people find out more about Covid-19 and to claim benefits. 'What is Universal Credit?' helps consumers understand what support might be available if they are on a low income or unemployed. Again, the Welsh Language Unit worked with the team responsible for this website to ensure that a Welsh version was also available.

Later as a result of Covid, a Kickstart scheme was introduced to help 16–24-year-olds gain skills to help them get jobs in the future. The Welsh Language Unit supported the team responsible for this project to ensure that all products, guidance, information etc. was available on the GOV.UK website and that the employer portal/Kickstart Portal to apply for the grant, to create work placements, was also available in Welsh.

It was reported that the Money and Pensions Service (MaPS), which is one of the non-departmental public bodies supported by the Department for Work and Pensions' Welsh Language Unit, also introduced a new website called MoneyHelper, and as a result an enormous amount of text needed to be translated during the year, with regular changes to current and new content about Covid on its website.

This practice highlights that it is possible to respond urgently and introduce new services online in Welsh and that that can succeed in considering the Welsh language from the outset when implementing projects. It also shows that an organisation that has established robust self-regulation processes and provides the necessary resources, such as the Department for Work and Pensions' Welsh Language Unit, was able to overcome difficulties – their Welsh language provision was resilient enough not to be adversely affected and they managed to continue to comply with their duties during the challenging period.

Complaint about publishing information on the website

The local council has published a number of pages containing information about the COVID-19 pandemic in English only on its website.

Member of the public, June 2020

A complaint was received by a member of the public claiming that information about Covid-19 was not available in Welsh on a number of pages and documents of his local council's website. The Commissioner decided to investigate the complaint as the council had not provided any comment about the circumstances of the complaint and an audit confirmed that the organisation had continued to update the website as recently as August 2020. It presented a suspicion that the complaint was a symptom of systemic practice and that an intentional decision had been taken to show, and to continue to show, information in English on the Welsh version of the website.

The council recognised that the period had been challenging as it needed to re-assign responsibilities to its staff because of the pandemic, and that it had a duty to share information with the public as soon as possible. It was noted that the council appeared to have been overwhelmed by the situation and that it was clear that the translation unit was involved in the urgent preparation of information for the website, but that there was not sufficient capacity to translate everything due to the size of the task. It was noted that the council's senior management team had concluded that it was more important to

proceed with placing information in English on the Welsh language website rather than waiting for the translation.

The investigation has highlighted the importance of ensuring that consideration is given to the impact of decisions on the Welsh language and revising emergency response plans and strategies. It shows that particular consideration should be given to the adequacy of translation arrangements to ensure that they are able to cope in periods when workload is higher than normal. The importance of establishing a process for prioritising specific types of information where the capacity of the translation service has been affected, as in a pandemic situation, was highlighted. The investigation also stresses the value of conducting regular audits of a service in order to self-regulate and test compliance and be in a position to anticipate and deal better with any difficulties arising from the pandemic.

New provision

3.17 A few organisations reported that they had increased their online provision during the lockdown period, including developing new application forms and apps, and that this new provision was available in Welsh. In a few circumstances Welsh language services were delivered after the English services. They ranged from high profile online services affecting many individuals to live chat technology that had not been previously used.

Many services and content have been moved online over the pandemic, and so there has been an increase in demand for online material. More videos have been produced, with an emphasis on recording Welsh and English versions rather than subtitling. The pandemic has moved a few projects digitally, such as a project that transcribes Welsh archive material. Documents will be automatically scanned, and any errors corrected, and the project will be responsible for increasing the amount of Welsh language material available on the web.

Welsh government sponsored body

A new online chat service was introduced during the pandemic, and this is available in either English or Welsh. The team working on the chat service is made up of Welsh speaking members of staff, and Welsh enquiries are responded to in Welsh.

Further/Higher Education College

Her Majesty's Courts and Tribunals Service: holding virtual hearings with simultaneous translation provision need to place somewhere relevant in the body of the department

In order to ensure that the right to speak Welsh at a Court hearing was maintained when they were held virtually, the Service had to review its simultaneous translation arrangements. By working with the Welsh Judiciary, it was able to secure this, using a

combination of CVP (video cloud platform) and a telephone call on *BTMeetMe* for the translation. Once the process was approved the translators had an opportunity to practice using the system and comprehensive instructions published.

Further improvements were later made to improve the user experience so that the need for a separate BT was removed. This involved using a two-room video scenario, similar to how simultaneous translation works on Zoom.

The practice highlights that the organisation succeeded in rapidly delivering new online services in Welsh, using technology that was brand new to them at the time. It also demonstrates the importance of having a robust self-regulation process that can anticipate and deal with difficulties that arise, allowing business continuity arrangements to be introduced without delay and allowing the Service to continue to comply with its duties.

3.18 A few organisations however noted that new online services had been developed and that there had been barriers to making these available in Welsh.

Online services have been available in Welsh but there was some difficulty at the outset in promoting and accessing a Welsh-medium platform placed on the University's website for the clearing and open days. The problem was resolved leading to increasing numbers visiting the Welsh version.

University

All student recruitment activity had to be moved online. Staff found it challenging to ensure that the presence of the Welsh language was evident in, for example, a virtual open diary. The system used was in English.

University

One Surgery under the control of the Health Board reports that they use AccuRx to communicate with patients via a video link. There are many options with this software to be able to send information to patients immediately through this system in terms of providing advice with their state of health, but these are not available in Welsh.

Health Board

Welsh Government and UK Government Department for Health and Social Services: COVID-19 NHS Testing and Tracking App

The Covid-19 NHS Testing and Tracking App was published urgently in May 2020 for public use in Wales following discussions between the Welsh and UK Government. The

Welsh Ministers were at the time in the process of agreeing a memorandum of understanding about their way of working and the provision of services in Welsh was included as an essential element of it.

When the App was launched it was possible for individuals to access and use it in Welsh completely and easily from the outset if the Welsh language was set as the default language of their device.

The Commissioner received a number of complaints about the App as those individuals were not aware of the need to set Welsh as the default language on their device or had devices that were too old for the App to operate on. As a result, a number of complainants had assumed that the service was not available in Welsh.

Neither the UK Government nor the Welsh Government appeared to have been able to raise public awareness sufficiently before launching the App to explain the limitations and manage expectations, emphasising that this service would only be fully available in Welsh if the device settings allowed it in advance.

It was also unclear at the time who had responsibility for the provision to the public in Wales as the Department for Health and Social Care the UK Government was the publisher of the App, but the Welsh Government was working with the department on the arrangements in Wales. In November it was confirmed by the Welsh Government that they would accept responsibility for Test Trace Protect services.

The Covid-19 NHS Track and Trace App is an example of a high-profile Welsh language service available to the citizens of Wales. It highlights how collaboration between the Governments can have a positive impact in terms of the Welsh language and how Welsh Ministers' statutory duties under the Welsh language standards can influence the provision of services delivered on their behalf by the UK Government.

Social media

3.19 In the majority of cases, organisations responded that the pandemic had not affected their ability to publish messages on social media in Welsh, with a few referring to the importance of a flexible translation service, or the availability of Welsh speakers. A few

Social media correspondence continued to be in Welsh and English throughout lockdown. The college appointed a new Social Media and Digital Marketing Officer during this period. The successful candidate is a fluent Welsh speaker who was able to continue to provide messages across social media in Welsh.

Further/Higher Education College

Many of the messages on our social media have been written bilingually by officers within the marketing team – all of whom have continued to work full time from home through the pandemic. Where necessary, the translation team is on hand to provide support.

Further/Higher Education College

Whilst we continue to publish messages in both Welsh and English the pandemic has affected our ability to do on-site face to face interviews and video clips...there are occasions where some messages has had to be published in English only (as these are out of core business hours where no Welsh language translation is possible and relate to emergency situations). This content is then updated with corresponding Welsh language content as appropriate. In relation to urgent online posts, we continue to mitigate the situation by ensuring that a repository of regular posts has and is being developed in both languages.

Police Authority

organisations noted that some messages had been published in English only, or that there were delays in publishing the Welsh version, due to an inability to obtain a translation quickly enough. Some organisations referred to increased use of social media for user engagement during the pandemic.

3.20 A few organisations said that social media messages were usually available in Welsh but that there were a few situations where this did not happen as it should have.

3.21 Some organisation noted that the majority of their Covid-19 communications were not available in Welsh.

There was an incident where urgent information was published before the translation was available. This was due to the amount of information that needed to be cascaded to the public and the short timescales to ensure that up-to-date information was provided.

Local Authority

Communication on social media was in English only at [the Centre]. These were specific to Covid relating to patient information posts and videos providing advice. Most of these videos are now subtitled and are available online.

NHS Wales organisation

An attempt was made to provide all publications in Welsh at the time, but due to the urgency of the situation, some messages had to be published while the translation was underway, with the Welsh language being added as soon as possible after this. This is no longer the case.

Local Authority

Most of our messages were published on social media in English only, mainly because of the need for the information to be shared urgently and the interpretation of the correspondence sent by the Commissioner.

Local Authority

3.22 A few organisations noted that additional pressure on the translation service had led to difficulties in publishing and some noted that they had used more social media to engage with the public during the period.

Translation services

3.23 The majority of organisations reported that their translation services continued as usual during the pandemic, enabling text to be provided in Welsh. It is clear from the responses of some organisations that the need to translate large amounts of text urgently placed great pressure on translation services, although this did not always affect the provision of services for users.

3.24 The additional pressure led to some organisations developing their translation arrangements, for example by appointing additional staff or improving processes, and the Welsh Government specifically referred to adapting ways of working and using technical solutions to work more efficiently.

3.25 A number of organisations noted that they had seen an increase in the translation workload.

Use of Welsh language services

We are responsible for providing written translation services to Conwy, Denbighshire, Wrexham and Flintshire Councils and the Welsh Local Government Association. There was a fairly quiet period of some of the counties for a short time in June, but that did not last more than a few weeks. Overall, the only difference we have seen with the written translation service, is that we are busier than ever during most of the pandemic.

Local Authority

We rely on our externally contracted translators to be able to provide timely translation for media releases and other updates released through the Department of Communications and Media. The pandemic has created challenges for our provider(s) in relation to dealing with applications at short notice – and as a result some of our updates have been in English only with Welsh following a short time later as soon as the translation is provided. The rapidly evolving nature of the pandemic has also required a lot of advice/guidelines/ changing rules that are often issued with little or no notice. We have tried to ensure that this information is published in both Welsh and English, but this has been challenging at times.

Police Authority

There was an incident where urgent information was published before the translation was available. This was due to the amount of information that needed to be cascaded to the public and the short timescales to ensure that up-to-date information was provided.

Local Authority

3.26 No consistent pattern was reported in terms of the impact of the pandemic on the extent of the use of Welsh language services – a few organisations noted an increase and some reported that the impact on the use of Welsh language services was similar to the use of English language services or that there was no impact at all.

We launched a bilingual campaign in March 2020, which gave people advice on how to keep in touch at home during the Coronavirus pandemic. We also had a bilingual advertising campaign over a ten-week period on social media and on local commercial radio stations in Wales. A study by our external agency showed that there was more engagement with Welsh content than English content on social media throughout the campaign in Wales, with a high click-through rate of 0.15%. Our video published in June 2020 attracted over 800 viewers on our Welsh Twitter account which has 305 followers – a very encouraging figure compared to the English version it received around 1700 viewers over the same period although the account has 50.5k followers.

UK Government sponsored body

The closure of the College resulted in far fewer enquiries than usual. Although the effects appear to be the same as for English, the extent of the impact on the Welsh language is not exactly known. No complaints have been received about the College's Welsh language service provision and overall take-up remains low.

Further/Higher Education College

At the height of the pandemic, there was a significant increase in the number of people wanting advice and guidance from our student and customer services teams, which in turn put a lot of pressure on our telephone lines and mailboxes. The impact of that, however, was the same for both the Welsh and English language services.

Further/Higher Education College

From mid-March to the end of April the Department received over 1.8 million applications across the UK (55,000 we would expect in a typical week). The number of those who had chosen to use Welsh increased from just under 1,000 before Covid to over 3,000. Our telephony teams saw a huge growth in enquiries and new applications in Both Welsh and English. Our robust business continuity plans needed to be put in place to enable the Department to do this.

UK Government Department

3.27 A few responses suggested that those organisations do not routinely consider the use of Welsh language services.

Comprehensive online Welsh language services swiftly introduced by Her Majesty's Revenue and Customs (HMRC)

Building on their already successful bi-lingual services, several new online services were swiftly introduced by HMRC during the pandemic. They include the:

- Coronavirus Job Retention Scheme (CJRS)/furlough scheme (for employers)
- Self-Employment Income Support Scheme (SEISS) (for the self-employed)
- Statutory Sick Pay Rebate Scheme (for employers)
- VAT Deferral Scheme (for businesses)
- Eat Out to Help Out (for the hospitality businesses)

The organisation reported that its good knowledge of its customer base and its pre-pandemic practices, in terms of its use of the Welsh language in their dealings with them, was central to the success of prioritising translation work to develop and deliver services in Welsh as a matter of urgency.

Comprehensive web-based guidance and telephone support were provided on the Welsh language telephone line that Welsh speaking customers were already familiar with.

Head of Welsh Language Services in HMRC confirmed: 'We knew that we had at least 5,000 SEISS customers who could want to use the online service in Welsh as they were used to submitting and providing files to us in Welsh online – so, we decided to develop this service first and it went live at the same time as the online service in English.

We also knew that we have around 320 employers that use the Welsh language option and tend to contact us by telephone or email. As the online CJRS claim service was set up in an unprecedented number of weeks it could not be translated immediately so we ensured employers could call us and make their claim in Welsh by telephone instead of online. The web-based guidance available in Welsh made it clear customers could use the telephone option to make their furlough claim and we sent e-mails explaining the situation and the support available in both English and Welsh.'

The organisation's Welsh Language Officer worked proactively to ensure liaison with key staff responsible for developing and delivering the services from the outset. Through regular daily and weekly contact, they ensured Welsh language materials were provided at the same time as any English versions. The regular contact ensured that the need for Welsh language services to be available at the same time as the English language services was met. It was made clear that there were no reasons for failing to overcome difficulties and resources and solutions were made easily available to the developers.

Between April 2020 and March 2021 HMRC:

- received over 20,000 calls in Welsh
- received over 1,200 e-mails in Welsh

- processed and responded to over 5,300 letters and forms in Welsh
- translated over 2.4 million words into Welsh
- registered almost 1 million visits and pages of their Welsh language services online – double the previous year's visits.
- delivered paid advertisements and made 1.24 million impressions
- posted key messages on social media to over 400,000 followers
- issued fortnightly emails on all the support available to employers and agents

All services were successfully provided in a period of weeks in Welsh and English, compared to the six months or more usually required. A spokesperson for HMRC's Welsh Language service reported that:

'Key to all of this delivery has been having a dedicated Welsh language officer and allocated Welsh language resources to oversee and work with others across different business areas to deliver this service. Despite the challenges of time constraints. The officer can facilitate and alleviate any issues as they know their Welsh language customer base, they are specialists in that sense. They know how the different elements of Welsh language services can be delivered quickly. They work at pace with others to resolve any restraints or issues. This person needs to be robust, knowledgeable and thrive on adversity. They need to be able to see through issues and work closely and co-operatively with many stakeholders to co-ordinate the delivery of the service.'

This practice highlights how HMRC responded quickly and how it was able to introduce new online services in Welsh during the pandemic by considering the language from the outset as well as maintaining its existing Welsh language services. It also shows that a body with robust self-regulation processes and a designated officer responsible for Welsh language services who can influence effectively across the organisation, made it easier to overcome difficulties and maintain compliance during a challenging time.

4 The effect of COVID-19 on organisations' internal arrangements

- 4.1 As well as inviting public sector organisations to provide information on the effect of the pandemic on their Welsh language services, the Commissioner also asked for their views on the effect the pandemic had on any internal arrangements to monitor their compliance with their statutory duties. They were asked to report on the resources available to undertake the work and the effect of the pandemic on the use of the Welsh language within the workplace and the qualitative evidence received is helpful in considering the adequacy of organisations' self-regulation processes and their ability to deal with difficulties that arose during the challenging period of the pandemic.

Overseeing compliance

Governance arrangements

- 4.2 Organisations reported that they had ensured Welsh language provision was considered as part of the organisation's general arrangements for business continuity during the pandemic. Some organisations noted that their corporate business continuity plan included or had considered Welsh language provision. A few noted that they had adopted a specific business continuity plan for the Welsh language.

The Council's continued compliance with the Welsh language standards has remained an integral part of any consideration in all of the Council's business continuity and contingency plans.

Welsh government sponsored body

Our quarterly Covid response plans were subject to an equalities impact assessment which included consideration of the Welsh Language ... they were approved by the Boards' Operational Committee.

Health Board

The Welsh language was part of our governance arrangements during the pandemic, and it continues to be considered throughout our processes though impact assessments. Some practical changes were made, for example reviewing our translation processes to deal with the significant demand in some areas.

University

We had arranged with our translators that a manager from the agency be available out of office hours if urgent translation or proof reading was required.

UK Government sponsored body

4.3 The majority of organisations noted that they had not adopted any special governance arrangements to ensure that Welsh language provision was considered during the pandemic. Some noted that this was because they were confident that the arrangements that were already in place were sufficiently robust and that they had continued to operate on that basis.

Officer with responsibility for the Welsh language resource

4.4 The majority of the organisations that responded to the survey stated that there had not been an effect on the resources available on a day-to-day basis for the work relating to the Welsh language. A few noted that there were some changes to working practices, or that workloads were heavier or more complex than usual. Despite this, some organisations noted that they had moved their Welsh language officers to other roles for a period.

We did not operate any special arrangements during the pandemic, it was business as usual, with the requirements relating to the Welsh language considered as they were prior to Covid. Support was provided to all parts of the business to ensure they could comply with our language scheme, with the team working closely with co-workers in other directorates.

UK Government department

As the Welsh language is already established as our delivery and administrative language, and we have such a high percentage of staff who have Welsh skills, the continuation of Welsh services was not a concern. Welsh language officers' roles were not changed, and their support continued.

Local Authority

The Council has not operated under any special arrangements to ensure consideration of the Welsh language. Rather, we operated the arrangements already in place such as procurement checklists, impact assessments, mainstreaming the Welsh language in policy developments and ensuring the availability of Welsh speaking staff through recruitment and training.

Local Authority

Welsh language officers within services were diverted onto Covid-19 work to support schools, the most vulnerable and TTP.

Local authority

The officer was redeployed for nearly four months at an operational level to the Council's Safe and Well Service.

Local authority

The professional lead for Welsh was redeployed to support critical services from March until September.

Local authority

Additional responsibilities were taken to respond to the Covid-19 pandemic and therefore there was not the same capacity to devote to the Welsh language.

Local authority

Planning and monitoring

- 4.5 A few organisations had reviewed their usual operational plans for the Welsh language and adapted them to enable operation in the pandemic.

Our Welsh language operational plan was updated in April because of the pandemic and reviewed again in July. This reflected the fact that the nature of much of our provision changed to be digital.

Welsh Government sponsored body

- 4.6 Some organisations reported that they had developed additional arrangements to monitor compliance, and others had continued with arrangements already established such as:
- review of customer service arrangements to ensure compliance.
 - ensuring that the way they arranged the workforce ensured the continuity of the Welsh language provision.
 - communicating with staff regarding the need to continue to comply during the pandemic.
 - ensuring that translation services were available, including outside usual office hours.
 - arrangements to ensure that any new services developed were delivered in Welsh.

- 4.7 Most organisations noted that there was no effect on their arrangements for monitoring compliance, but some did acknowledge that the task was harder than usual, primarily because it was not possible to discuss with staff in the same way, or to check provision at their locations.

A special meeting of the Police's working group for implementing the Welsh language was held to ensure that the work to deliver bilingual services continued to receive attention. Otherwise, it was 'business as usual' in terms of Welsh language services, with the expectation that language choice was delivered as usual.

Police Force

Our Compliance Officer was completing ad hoc audits of our social media to ensure that the Welsh language continued to be evident.

Local Authority

We completed a 'mystery shopper' exercise to ensure that there was no impact to the quality of our Welsh services; including answering correspondence, dealing with forms and the telephone service. We gained a high level of assurance from the services sampled.

Welsh Government sponsored body

It was possible to complete most of the monitoring processes by sampling from afar. Adaptations were made to the timetable of random checks with the online services checked during the strictest restrictions and then random checks of more visual and physical elements when rules were relaxed.

Further/Higher education college

It has been harder to monitor compliance as each Officer is working from home. There has been a significant reduction in face-to-face services. However, during the period, we have reminded Officers of their duties, by publishing Standards Guidance: 'What do I need to do' and have shared this through the Corporate News bulletin. We have also held two language awareness sessions online. Before the end of the year, we will ask each department to self-assess their services against the requirements of the standards.

Local Authority

- 4.8 A few organisations noted that they had put additional measures in place, or that the monitoring work was more effective by the Autumn than previously.

There was an impact on monitoring compliance during the period. As the Welsh language team was working from home it wasn't possible to visit the health board's sites and hospitals which forms a large part of the monitoring work. The Welsh language team conducts quarterly mystery shopper surveys that involve visiting three community hospitals, three surgeries under the control of the health board and three departments within the acute hospitals. It hasn't been possible to undertake these surveys. In addition, four members of the team were redeployed to provide support in another health board department. As a large number of other health service staff were in the same position, working from home and redeployed or re-trained to do other duties, it took longer to respond to e-mails.

Health Board

A negative answer was given as it is hard to keep an overview of compliance in a large and complex organisation in a period of significant change and when everyone is scattered. Remote working does not make it impossible to monitor compliance but as things settle to a more regular pattern, we need to think how we can ensure that the required level of monitoring is maintained.

University

Her Majesty's Revenue and Customs: anticipating difficulties and putting business continuity arrangements in place to maintain compliance during the pandemic

'Her Majesty's Revenue and Customs (HMRC) had planned thoroughly in advance and started preparing business recovery plans for the translation team two weeks before the lockdown was announced. Every member of the team was equipped to conduct business as usual from home and any new working methods were piloted. All of the team worked successfully and completely from home from the first day of lockdown.

The team providing support to Welsh customers was part of the initial trial to get everyone to work from home safely. This ensured that our Welsh language services were not affected or restricted by limited access to the office. Our customer service was maintained for Welsh speaking customers from day one and throughout the pandemic.

'We identified one gap, namely our ability to issue manual repayments where specialist printing was required for cheques and needed to be in the office to do this. We worked quickly with finance colleagues to come up with a new process and customer contact that led them towards a digital option for refunds directly to customer accounts.'

This practice highlights the importance of placing robust business continuity arrangements in place for Welsh language services. This ensures that the impact of

any circumstances on the Welsh language are considered, and that action is taken to maintain compliance during challenging times.

- 4.9 The Commissioner received some enquiries from organisations indicating that they would be unlikely to publish the Welsh language standards annual report by the required day, but none indicated that they would be unable to publish at all. Compared to 2018-19, there has been a deterioration in the performance of organisations in every set of regulations in terms of publishing their Welsh language standards annual report. Evidence from the Commissioner's survey of the supplementary standards during autumn 2020 confirms that 71% of the organisations required to publish a report had done so on time, in Welsh, and had dealt with how they complied during 2019-20.

Dealing with complaints

- 4.10 Very few comments were received from organisations that responded to the Commissioner's survey in relation to the impact of the pandemic on their complaints handling arrangements. No comments suggested that an organisation had received a significant number of complaints about their provision or had difficulty in dealing with them.
- 4.11 The majority of organisations either stated that they had continued to deal with complaints in the usual way or that there had been no impact whatsoever on their arrangements, or that no relevant complaints had been received during the period. A few organisations noted that there was some impact from changing working arrangements.

Working from home raised a number of issues in terms of contact internally with staff. A number of employees were also seconded to other business areas that provide front line services. Additional duties, IT issues and various competitive demand on staff meant that responses [to complaints] were less prompt. Staff working from home made it more difficult to have a chat /catch-up, something that would have happened in the office.

Local Authority

Policy decisions and promotion of the Welsh language

- 4.12 Although a few organisations adapted their arrangements for general policy decisions, the majority did not report that their duty to consider the impact of policy decisions on the Welsh language was adversely affected by the pandemic. A few organisations referred to improvements made during the period to the processes to consider the impact of decisions on the Welsh language and some confirmed that they considered the Welsh language within the organisation's usual equality impact assessment process.
- 4.13 The majority of organisations noted that there had been no change, with some detailing the processes that continued in the same way.

The impact of policy decisions on the Welsh language continues to be administered using the Council's existing processes and resources. No new procedures are in place as a result of the Covid pandemic.

Local Authority

An equality impact assessment is in place which includes the impact that the policy decision can have on the Welsh language. Staff have continued to make these assessments for any policy or project decision. To date no assessment has highlighted that the intended work has a negative impact on the Welsh language.

Welsh Government sponsored body

We have arrangements in place to ensure that any business projects or requests for change consider whether there is an impact on the Welsh language service. This process has continued during the pandemic period and our activities to explore how we can continue to improve the Welsh language service have continued throughout the period.

UK Government Department

Arrangements affected

- 4.14 A few organisations noted that the pandemic had made them adapt their arrangements to consider policy decisions in general, so the impact on the Welsh language was the same as on other matters.

During the pandemic period, as a result of the speed with which decisions were being made, new policies/legislation formulated did not always allow full, integrated assessments to be conducted. However, a steady flow of communication was shared with staff reminding them of their statutory duties to consider the effects of decision making and they were given new guidance on taking proportionate and reasonable steps to ensure that any decisions took account of impacts on the Welsh language.

Welsh Government

No policy decisions were made, and the publication of the Welsh Language Standards Annual Report was delayed due to COVID19 as committees were suspended.

Local Authority

The organisation has been placed in formal crisis response mode, which means that new decision-making arrangements have been put in place to deal with the pressure to respond rapidly to changing circumstances. This has meant that the evidence trail to support decisions may not be as robust as it might normally have been.

Local Authority

The Council's current policy is to use an integrated impact assessment tool to consider the impact of policy decisions on the Welsh language. During lockdown, fewer policy decisions have been introduced in Cabinet, this because services have to diversify in order to be able to deal with and try to manage the current pandemic.

Local Authority

Impact assessment arrangements developments

4.15 A few organisations reported that they had developed their processes for considering the impact of policy decisions during the period.

A number of policies had to be adapted because of Covid that has provided a further opportunity to look again at the impact of policy decisions on the Welsh language. A new corporate process has been introduced for approving policies which provides an opportunity to use the latest advice from the Good Practice Document on Policy Making.

Further/Higher Education College

During the pandemic, the policy impact assessment process has been updated and now the Welsh language officer views all assessed policy decisions for comment.

Local Authority

We routinely consider the equality and diversity implications of any new policy or initiative, and do not believe that any policy decisions undertaken during this time had a negative effect on the opportunities to use the Welsh language. As a result of the Welsh Language Commissioner's recent consultation on the Welsh Language Standards, we took the decision to consider whether our Equality Impact Assessment could be made clearer to draw out specifically whether the new policy would affect opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Health Profession Regulatory Council

There was a period over April and May where democratic Council meetings were not being held, so the responsibility for decisions was delegated to the Chief Executive. Gold and Silver Committees have been established to lead on those decisions.

This period has allowed us to complete the development of an Integrated Impact Assessment, with specific questions regarding the impact of decisions on the Welsh language. There is a link in the guidance for Heads of Service and Managers to the Welsh Language Commissioner's document 'Policy Making Standards: Creating opportunities to use the Welsh language and not treating the Welsh language less favourably than the English language'

Local Authority

4.16 One health board noted that the pandemic had prevented a piece of work to improve the consideration of the Welsh language in policy decisions across health organisations.

4.17 A few other organisations noted that the pandemic had motivated them to take better account of the Welsh language in decisions.

Several departments reported that the pandemic had given them the opportunity to look at areas afresh. The reopening was an example of this, as procedures in place for decades had to be significantly modified, with the Welsh language being a central consideration on this occasion.

Welsh Government sponsored body

The heightened interest in the disadvantage created by Covid-19 lead to a desire to extend provision of services through both languages – for example Zendesk used as an operational innovation to improve the impact of a policy decision.

Welsh Government sponsored body

Work on an all-Wales Equality Impact Assessment process including a Welsh Language impact assessment has been delayed. This is needed to improve assessment of the effect of policy decisions on the Welsh Language.

Health Board

Recruiting a workforce with Welsh language skills

4.18 The majority of organisations noted that there was no impact on their assessment of the need for Welsh language skills when recruiting. In a few cases, organisations reported that they had introduced improvements to their assessment processes during the period. A further 59 organisations noted that there had been no change and 3 organisations

confirmed that they had not undertaken assessments of the need for Welsh language skills when recruiting during the period.

Work on the Language Designations project has been able to continue during lockdown and a new system put in place to monitor and a number of positive steps have been taken within the period.

Local authority

Language assessments were not carried out due to the crisis of the situation. Additional skilled staff were needed and language was not a factor in this.

NHS Wales body

For the new and vacant posts considered during lockdown, normal HR procedures were followed in terms of considering Welsh language skills.

Local authority

4.19 A few organisations, including three health boards, reported that they had developed their recruitment arrangements during the period.

The recruitment rate has slowed considerably during lockdown. However, we have undertaken specific campaigns to recruit to specific sectors e.g., carers and cleaners. All of those posts have been placed at level 3 in terms of Welsh language skills in advertising. In terms of the 521 posts advertised since April 2020 until early October, 394 of the successful candidates held higher skills in Welsh than the level at which the post was advertised. This suggests to us that there has been a positive response to the posts from Welsh speakers in the local community.

Local authority

New procedural guidance was introduced in April 2020 to meet the requirements of the Welsh Language Standards so there has been a positive impact throughout the Covid pandemic.

Health Board

No impact was seen as robust arrangements had been put in place to ensure that key staff within the HR teams were able to work remotely – ensuring that routine arrangements were followed.

Welsh government sponsored body

We're always aware of the need to recruit Welsh speakers and that has been no different during the COVID pandemic. Due to the need to recruit 13,500 employees across the UK to support the increase in benefit applications, we have again made specific job vacancies campaigns for bilingual (Welsh/English) work coaches. The approach to recruitment has changed, due to the increasing number of staff required. A micro-website for work coaches was launched to support the recruitment campaigns, which provided all the information that applicants needed for them to consider applying for the posts, including the roles and responsibilities of a work coach post, background information on the Department for work and pensions, frequently asked questions, list of vacancies by region, application process. Our Welsh Language Unit collaborated with staff in the People and Ability and SSCL teams to produce a Welsh version of this website.

[UK Government Department](#)

- 4.20 However, the body responsible for health sector recruitment nationally reported that the pandemic has delayed a strategic recruitment project because there has been and continues to be a high demand on job creation to respond to the crisis and that has put huge pressure on their Workforce and Development teams.

We recognise that we need to re-start the strategic work by reviewing and recreating a Bilingual Skills Strategy for the organisation, creating an information portal on the Workforce and Organisation Development intranet pages, and developing a specific training module for managers to recruit either online or in class, for them to be aware of what is expected as we assess Welsh language skills for vacancies.

[NHS Wales organisation](#)

Developing Welsh language skills

- 4.21 The impact of the pandemic on organisations' Welsh language learning provision varied. If lessons had continued, it was mostly online, sometimes after a period of delay. The provision of a few organisations (particularly those with smaller numbers of learners) had ceased altogether.
- 4.22 Although there were a few references to difficulties, a number of organisations noted that the online lessons had worked well. Some organisations reported that they had seen an increase in staff accessing the provision, with several suggestions that online learning was suiting more people better; a few organisations, on the other hand, had seen a reduction in their numbers.
- 4.23 It was reported by some of organisations that they had established new or additional provision for learning Welsh, for example *Say Something in Welsh*, during the period, and that the response was positive.

The National Centre for Learning Welsh: innovation to offer more opportunities to develop the Welsh language skills of the workforce

The National Centre for Learning Welsh responded to the challenging circumstances presented by the pandemic to enable learners to continue to develop Welsh language skills in their workplaces. In March 2020, as face-to-face learning was forced to stop, a significant reduction in funding and a developing public health situation the Centre started adapting its Working Welsh programme, that provides support to develop Welsh language skills in the workplace.

In October 2020 a self-studying Learn Welsh course was published online for the first time, offering learners the ability to follow a course at an entire level at a time convenient to them. This first course was at Entry level, the aim being to continue to develop a similar course at the other levels over the coming year.

The development responded to the growing demand for flexible approaches to learning and the emphasis from the very beginning has been on the use of the Welsh language in the workplace. Although the course is a self-studying one, a tutor also offers support, giving advice and help, virtual chat and question and answer sessions.

By the end of March 2021 over 800 individuals from over 60 employers, had registered to study the new course – the majority of them working for public sector organisations.

The Centre reported that more employers than ever engaged with them during 2020-21. The course has appealed greatly, especially to employers such as the health boards, who previously found it difficult to offer provision where staff had to attend weekly lessons at a set time in the workplace. The ability to follow a course at a time convenient to the learner means that the course is popular with people working a shift – traditionally a hard-to-reach cohort in terms of course delivery.

By March 2021 the Working Welsh budget had been restored to the previous level and the National Centre for Learning Welsh can again offer a wide range of courses to employers, continuing to innovate and offer a range of learning methods as the Working Welsh scheme is developed.

Internal use of the Welsh language

Informal conversations

- 4.24 There were differences of opinion with regards to the effect the pandemic had on opportunities to conduct informal discussions and on provision to develop Welsh language skills – some reported that a move to working from home had reduced the opportunities for people to speak Welsh with each other in informal settings at work, and that this had particularly affected those staff that depended on these opportunities to improve their confidence.

4.25 Some organisations noted that previous patterns had continued with conversations and meetings online. Some organisations noted that they had arranged new opportunities online for staff to use the Welsh language informally or socially.

Internal meetings

4.26 The majority of organisations noted that there was no effect on the language of internal meetings, or that previous patterns had continued. (In general, our conclusion prior to the pandemic was that English is the language used predominately in internal meetings in the majority of organisations).

4.27 A few organisations noted that the inability to use simultaneous translation on platforms such as Teams was a barrier to using Welsh in internal meetings. A few organisations noted they had ensured that staff could take part in Welsh during internal meetings.

Drafting and written work

4.28 The majority of organisations noted that the pandemic did not have an impact on the way that staff drafted text. A few organisations referred to the help and support available for staff to draft in Welsh, including mentoring and proofreading, and a few noted that the situation of the pandemic had led to an increase in their staff drafting in Welsh, partly due to the pressure on translation services.

Appendix 1: Evidence base

1. Although gathering evidence on the impact of Covid-19 on the provision of Welsh language services has been more challenging during 2020-21 due to the circumstances of pandemic the Commissioner has been able to rely on information from the following sources:
 - evidence of the experiences of members of the public who submitted complaints to the Commissioner
 - findings of the annual Welsh Speakers Omnibus Survey
 - the findings of the Covid-19 thematic survey undertaken in September 2020 to gather evidence from organisations on the impact of the pandemic
 - regular discussions during the year between the Commissioner's officers and the public organisations that have a statutory duty to provide services to people in Wales when dealing with enquiries or issues relating to their compliance
 - a survey carried out to check organisations' compliance with the supplementary standards.

Welsh Speakers Omnibus Survey

2. For several years the Commission has been commissioning Beaufort Research to undertake work to gather information on Welsh speakers' attitudes to and experiences of using the services provided by public organisations. Due to the pandemic the survey methodology was slightly different during 2020-21 from the methodology in previous years.
3. The sample was usually designed to be representative of Welsh speakers aged 16 and over in Wales by looking at a proportion who can speak Welsh within the 22 Local Authorities in Wales. The COVID-19 public health pandemic prevented the survey from being conducted in its usual face-to-face interviewing at sample points across Wales and instead conducted online interviews using an online panel exchange platform. The online survey was formed for completion on a PC/tablet and smartphone and all respondents were offered Welsh and English versions. An opening question is asked (Do you speak Welsh?) to ensure that the respondent speaks Welsh and is therefore eligible to be interviewed. Fieldwork for the survey was undertaken during November-December 2020. A total of 424 interviews were completed and analysed.

Thematic study of the impact of the Covid-19 pandemic

4. 224 public organisations operating Welsh language standards or Welsh language schemes were invited to take part in a review by the Commissioner in September 2020 about the impact of the pandemic on their:
 - Welsh language services
 - Compliance arrangements
 - Internal use of the Welsh language.

-
5. It was noted that the review was not intended to enable the Commissioner to reach a view on organisations' compliance but rather to:
 - Learn the impact of the pandemic on the experiences of users and staff
 - Understand the robustness and rooting of organisations' arrangements for complying and considering the Welsh language
 - Identify barriers to the continuation of Welsh language provision, at an individual organisation level or systemically
 - Identify examples of innovation and good practice that organisations have implemented in order to safeguard Welsh language provision.
 6. 121 (54%) of the questionnaire organisations – 90 of them (75%) implement the duties of Welsh language standards and the remainder implement Welsh language schemes. A copy of the questionnaire is at Appendix 2 and a list of the organisations that contributed is at Appendix 3.
 7. We received evidence from a wide range of organisations from each of the sectors operating the different Welsh language standards regulations (numbers 1 to 7). The evidence therefore provides a picture of the impact of the pandemic on the provision of Welsh language services across the spectrum of public organisations.

Appendix 2: Impact of Covid-19 on organisations' Welsh language provision survey questions

Welsh language services

1. Impact on specific Welsh language services

Give your opinion on the pandemic's impact on the Welsh language services stated, and the reasons for the impact. When considering whether any effect was positive or negative compared with the English equivalent, you can consider:

- Was the service available at all / less often?
- Was the service available as timely as usual or were there delays?
- Was the service as accurate / of as high a standard as usual?
- Was the service as prominent and accessible, and promoted as well as usual?

To what extent did the crisis affect the use of Welsh language services?

What were the reasons for the impact?

Services: Reception, Phone, Correspondence, Meetings with individuals, Meetings with multiple persons / open to the public, Documents and other materials including press statements, Websites and online services, social media

Options: Positive effect compared with the English language service; No effect at all; Similar effect to that on the English language service; Negative effect compared with the English language service; Not applicable; Don't know

2. Impact on use of Welsh language services by the public

To what extent did the crisis affect the use of Welsh language services by the public?

Options: Positive effect compared with the English language service; No effect at all; Similar effect to that on the English language service; Negative effect compared with the English language service; Not applicable; Don't know

What were the reasons for the impact?

3. Technical solutions

Have you developed or implemented any new technical solutions as a result of lockdown, to facilitate the organisation's contact with the public?

Options: Yes, No

How have these solutions affected the ability to the Welsh language?

Options: Facilitated the use of Welsh; No effect; Prevented the use of Welsh

What were the reasons for the impact?

Compliance arrangements

4. Developments – governance and the Welsh language

Did you implement specific arrangements during the crisis in order to ensure that the Welsh language was considered, and the Welsh language provision continued, for example through a business continuation plan / varying responsibilities / changing procedures?
Options: Yes, No

5. **Impact on compliance arrangements and resources**

Give your opinion on the crisis's impact on the arrangements and resources stated, and the reasons for the impact. When considering the impact, and whether it was positive or negative, you can consider:

- Was the same level of resource available?
- Was the same level of expertise available?
- Did the work happen as timely a way as usual or were there delays?
- Was the work as accurate / of as high a standard as usual?

To what extent did the crisis affect these arrangements and resources?
What were the reasons for the impact?

Arrangements and resources: Welsh language officers; Overseeing compliance; Dealing with complaints; Translation services; Considering the effect of policy decisions on the Welsh language; Assessing the need for Welsh language skills for new and vacant posts.
Options: Positive effect; No effect / Changes with a neutral effect; Negative effect; Not applicable; Don't know

Internal use of the Welsh language

6. **Impact on internal use of the Welsh language**

To what extent did the crisis affect the use of Welsh by the organisation's staff in these situations?

Situations: Informal conversations; Internal meetings; Drafting and written work, e.g., documents, forms, correspondence; Developing Welsh language skills, e.g. Welsh language lessons

Positive effect; No effect / Changes with a neutral effect; Negative effect; Not applicable; Don't know

Give details of the impact, including specific examples where possible. What were the reasons for the impact?

Other

7. **Other developments and impacts**

Are there any other developments or impacts that you have seen as a result of the crisis?

Appendix 3: Public organisations that contributed to the Covid-19 impact survey

ACAS	Glyndŵr University
Aneurin Bevan UHB	Grŵp Cynefin
Animal and Plant Health Agency	Grŵp Llandrillo Menai
Bangor University	Gwent Police
BBC	Gwynedd Council
Betsi Cadwaladr UHB	Hafren Dyfrdwy
Blaenau Gwent CBC	Higher Education Funding Council for Wales
Books Council of Wales	HM Courts and Tribunals Service
Bridgend CBC	HM Inspectorate of Probation
Bridgend College	HM Revenue and Customs
British Council	Hywel Dda CHC
British Transport Police	Hywel Dda UHB
Cabinet Office	ICO
Caerphilly CBC	Independent Office for Police Conduct
Cambrian Training	Informatics Service
Carbon Trust	Isle of Anglesey County Council
Cardiff and Vale College	Judicial Appointments Commission
Cardiff and Vale UHB	Law Commission
Cardiff Council	Learning and Work Institute
Ceredigion County Council	Legal Aid Agency
Coleg Cambria	Monmouthshire County Council
Coleg Gwent	National Museum Wales
Coleg Sir Gâr and Coleg Ceredigion	National Savings and Investments
Coleg y Cymoedd	Natural Resources Wales
Companies House	Newport City Council
Conwy CBC	NHS Wales Shared Services Partnership
Cwm Taf Morgannwg UHB	North Wales Fire and Rescue Service
Data Cymru	North Wales Police
Denbighshire County Council	NPT Group of Colleges
Department for Education	Ofcom
Department for Work and Pensions	Office for National Statistics
DVLA	Office of the Public Guardian
Dyfed-Powys Police and Crime Commissioner	Office of the Secretary of State for Wales
Education Workforce Council	Older People's Commissioner for Wales
Equality and Human Rights Commission	Parole Board
Estyn	Pembrokeshire College
Flintshire County Council	Pembrokeshire County Council
General Medical Council	Powys CHC
	Powys Teaching Health Board

Public Health Wales
Royal Commission on the Ancient and
Historical Monuments of Wales
Rhondda Cynon Taff CBC
S4C
Snowdonia National Park Authority
South Wales Fire and Rescue Service
South Wales Police
South Wales Police and Crime Commissioner
Sport Wales
Student Finance Wales
Swansea Bay UHB
Swansea University
Torfaen CBC
The College Merthyr
The Consumer Council for Water
The General Osteopathic Council
The Health and Care Professions Council
The National Botanic Garden of Wales
The National Library of Wales
The National Lottery Community Fund
The Nursing and Midwifery Council
The Police and Crime Commissioner for
Gwent
The Quality Assurance Agency for Higher
Education
University of South Wales
UWTSD
Vale of Glamorgan Council
Valuation Office Agency
Velindre University NHS Trust
Wales Millennium Centre
WCVA
Welsh Ambulance Service NHS Trust
Welsh Government
Welsh National Opera
Welsh Water

Appendix 4: Glossary

The following glossary is used in the report to refer to the number or proportion of organisation that provided evidence on the impact of the Covid-19 pandemic on their Welsh language provision, as part of the Commissioner's survey:

a few = between 1 and 12 organisations (up to 10%)

some = between 13-60 organisations (10-50%)

majority = between 61-80 organisations (50-70%)

many = 81 or more organisations (over 70%)



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BRIDGEND COUNTY BOROUGH COUNCIL
REPORT TO CABINET COMMITTEE EQUALITIES

8 NOVEMBER 2021

REPORT OF THE CHIEF EXECUTIVE

UPDATE REPORT ON THE WORK OF BRIDGEND COMMUNITY COHESION AND EQUALITY FORUM

1. Purpose of report

1.1 The purpose of this report is to update Cabinet Committee Equalities on the work of the Bridgend Community Cohesion and Equality Forum.

2. Connection to corporate well-being objectives/other corporate priorities

2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015**:

- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

3.1 In 2017, discussions took place between the police and Bridgend County Borough Council (BCBC) on a proposed merger of the Bridgend Equality Forum and the Community Cohesion Group. The first meeting of the Bridgend Community Cohesion and Equality Forum (BCCEF) took place on 27 April 2018. Since then the group has met quarterly.

3.2 This is the fourth report presented to Cabinet Committee Equalities on the progress and the work of BCCEF. Previous reports were presented in November 2018, November 2019 and December 2020.

3.3 The meeting is currently chaired by Cllr Dhanisha Patel and the BCBC Equalities Team hold the secretariat role for the meeting.

4. Current situation/proposal

4.1 The meetings of the BCCEF are held quarterly and since the last update report meetings have taken place in December 2020, March, June and September 2021. Due to the impact of Covid-19 all of these meetings have taken place via Microsoft Teams.

4.2 The aim of each meeting is to have a main agenda item where a presentation is received that is relevant and informative to attendees.

In the last four meetings presentations were received on:

- Working on well-being
- BCBC Fit for the Future - consultation
- Dangos
- BAVO – Black Asian and Minority Ethnic outreach work
- Hate Crime
- Domestic Abuse services
- All Wales Race Equality Action Plan – consultation
- BCBC Replacement Local Development Plan - consultation
- People First Bridgend Projects
- BCBC Shaping Bridgend's Future Budget - consultation

All members are encouraged to propose main agenda items for each meeting.

- 4.3 At every meeting each organisation in attendance is given the opportunity to provide an update on their work and any partnership opportunities for engagement or training.
- 4.4 South Wales Police provide an update report that was previously presented to the Community Cohesion Group. This report includes hate crime figures, use of force, figures on violence against women and girls, stop and search and complaints raised against the police and police misconduct. The role of the BCCEF is to receive this report and provide scrutiny to this report.
- 4.5 All members continue to invite new attendees to the group in order to expand the scope of the group.

5. Effect upon policy framework and procedure rules

- 5.1 The report has no direct effect upon the policy framework or procedure rules but it enables us to effectively implement the council's statutory duties in relation to equalities and human rights.

6. Equality Act 2010 implications

- 6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. This is an information report, therefore it is not necessary to carry out an Equality Impact assessment in the production of this report. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

7. Well-being of Future Generations (Wales) Act 2015 implications

- 7.1 The well-being goals identified in the Act were considered in the preparation of this report. The following is a summary to show how the five ways of working to achieve the well-being goals have been used to formulate the recommendations within this report:

Long-term - The consideration and approval of this report will assist in supporting equalities objectives in the short-term and in the long term.

Prevention – BCCEF aims to identify issues that are relevant in our community or workforce and aims to prevent problems disproportionate impact to any protected characteristic groups, on socio-economic disadvantage or on the Welsh Language.

Integration – BCCEF supports all the well-being objectives and ensures integration for all people with protected characteristics.

Collaboration – BCCEF is a collaborative meeting with interested bodies across the county borough.

Involvement - Publication of the report ensures that the public and stakeholders can review the work that has been undertaken.

8. Financial implications

8.1 There are no financial implications associated with this report.

9. Recommendation

9.1 That the Cabinet Committee Equalities receives and considers this report.

Mark Shephard
Chief Executive
8 November 2021

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Background papers:

None

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BRIDGEND COUNTY BOROUGH COUNCIL
REPORT TO CABINET COMMITTEE EQUALITIES

8 NOVEMBER 2021

REPORT OF THE CHIEF EXECUTIVE

**CONSIDERATION FOR ADOPTION OF THE ALL PARTY
PARLIAMENTARY GROUP ON BRITISH MUSLIMS' DEFINITION OF
ISLAMOPHOBIA BY BRIDGEND COUNTY BOROUGH COUNCIL**

1. Purpose of report

- 1.1 The purpose of this report is to provide members of Cabinet Committee Equalities with information on the All Party parliamentary group (APPG) on British Muslims' definition of islamophobia.
- 1.2 Cabinet Committee Equalities is asked to consider if the All Party parliamentary group on British Muslims' definition of islamophobia should be adopted by Bridgend County Borough Council.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015**:
 - **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.

3. Background

- 3.1 In July 2021 all Leaders of Labour run councils were sent a letter from the Chair of the Labour Party urging them to demonstrate their commitment to supporting the Muslim community and working with them to root out Islamophobia wherever it rears its head by adopting the All Party Parliamentary Group (APPG) on British Muslims' definition of Islamophobia.

4. Current situation/proposal

- 4.1 The adoption of a working definition like the APPG definition of Islamophobia is the first step to help tackle the very real nature of

Islamophobia. The full report of the All Parliamentary Group on British Muslims – ‘**Islamophobia Defined**’ is attached as **Appendix one**.

- 4.2 Without a working definition, Islamophobia is often misunderstood, ignored and even allowed to take place openly across society. To understand any kind of prejudice or hatred, one has to understand how it manifests. One example of this can be seen with the story of the nursery school places and the SNP Minister Humza Yousaf. -[Humza Yousaf reports nursery over discrimination fears - BBC News](#). Often this kind of day to day Islamophobia is ignored because Islamophobia is only seen as hatred such as verbal or physical attacks on individuals.
- 4.3 There are many examples of both conscious and unconscious biases being placed towards Muslims across society that have not been able to be identified without a clear working definition of Islamophobia. Therefore, it is extremely important the APPG definition is accepted alongside all the examples provided by the APPG.
- 4.4 The adoption of a definition will signal to Muslim communities that there is a willingness to tackle Islamophobia. This helps build trust in communities which can lead to openness, more reporting on incidents and general relationships being developed for long term work.
- 4.5 A definition is only the first step to tackle Islamophobia but it allows a framework to be used to identify prejudices that may be faced locally. The long-term work is built upon identification but also working with Muslim communities to tackle Islamophobia in all its forms.
- 4.6 The working APPG (All-Party Parliamentary Group) definition of Islamophobia including all of its examples in full cited as follows:

"ISLAMOPHOBIA IS ROOTED IN RACISM AND IS A TYPE OF RACISM THAT TARGETS EXPRESSIONS OF MUSLIMNESS OR PERCEIVED MUSLIMNESS."

Contemporary examples of Islamophobia in public life, the media, schools, the workplace, and in encounters between religions and non-religions in the public sphere could, considering the overall context, include, but are not limited to:

- Calling for, aiding, instigating or justifying the killing or harming of Muslims in the name of a racist/fascist ideology, or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Muslims as such, or of Muslims as a collective group, such as, especially but not exclusively, conspiracies about Muslim entryism in politics, government or other societal institutions; the myth of Muslim identity having a unique propensity for terrorism and claims of a demographic ‘threat’ posed by Muslims or of a ‘Muslim takeover’.
- Accusing Muslims as a group of being responsible for real or imagined wrongdoing committed by a single Muslim person or

group of Muslim individuals, or even for acts committed by non-Muslims.

- Accusing Muslims as a group, or Muslim majority states, of inventing or exaggerating Islamophobia, ethnic cleansing or genocide perpetrated against Muslims.
- Accusing Muslim citizens of being more loyal to the 'Ummah' (transnational Muslim community) or to their countries of origin, or to the alleged priorities of Muslims worldwide, than to the interests of their own nations.
- Denying Muslim populations, the right to self-determination e.g., by claiming that the existence of an independent Palestine or Kashmir is a terrorist endeavour.
- Applying double standards by requiring of Muslims behaviours that are not expected or demanded of any other groups in society, eg loyalty tests.
- Using the symbols and images associated with classic Islamophobia.
- Holding Muslims collectively responsible for the actions of any Muslim majority state, whether secular or constitutionally Islamic.

5. Effect upon policy framework and procedure rules

- 5.1 If the APPG definition of Islamophobia is adopted this will support the work of the Strategic Equality Plan and the community cohesion agenda and cuts across policy areas and service delivery.
- 5.2 Any future requests for the adoption of definitions in relation to equalities, discrimination or community cohesion will be managed in the same way as this definition in that the information will be brought to, discussed in, and a decision made by Cabinet Committee Equalities.

6. Equality Act 2010 implications

- 6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

7. Well-being of Future Generations (Wales) Act 2015 implications

- 7.1 The well-being goals identified in the Act were considered in the preparation of this report. The following is a summary to show how the five ways of working to achieve the well-being goals have been used to formulate the recommendations within this report:

Long-term -The consideration and approval of this report will assist in supporting equalities objectives in the short-term and in the long term.

Prevention – Adoption of the APPG definition of Islamophobia will enable us to identify issues that are relevant in our community and workforce and set objectives to prevent problems from occurring.

Integration - Adoption of the APPG definition of Islamophobia supports all the well-being objectives and ensures integration for all people with protected characteristics.

Collaboration - The adoption of the APPG definition of Islamophobia will signal to Muslim communities that there is a willingness to tackle Islamophobia.

Involvement - Publication of the report ensures that the public and stakeholders can review the work that has been undertaken.

8. Financial implications

8.1 There are no financial implications regarding this report.

9. Recommendation

9.1 That the Cabinet Committee Equalities receives and considers this report before making a decision on the adoption of the APPG definition of Islamophobia by Bridgend County Borough Council.

Mark Shephard
CHIEF EXECUTIVE
8 November 2021

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Background papers:

None

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All Party Parliamentary Group
on British Muslims



ISLAMOPHOBIA DEFINED

The inquiry into a working
definition of Islamophobia

Report on the inquiry into a working definition of Islamophobia / anti-Muslim hatred

The All Party Parliamentary Group on British Muslims was launched in 2017. The cross party group of parliamentarians is co-chaired by Anna Soubry MP and Wes Streeting MP.

The Group was established to highlight the aspirations and challenges facing British Muslims; to celebrate the contributions of Muslim communities to Britain and to investigate prejudice, discrimination and hatred against Muslims in the UK.

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Foreword

As Chair of the Citizens UK Commission on Islam, Participation and Public Life, I travelled round the country hearing evidence as to the extent to which this desirable goal was taking place and as to the reasons why it was not happening in the way many Muslims and others wished. The overwhelming message that the Commission received was that Islamophobia was playing a major role in undermining integration and community cohesion. Much of it is subtle and goes unreported but its impact is no less corrosive for its rarely coming to the notice of wider society.

This is why I greatly welcome this report, which makes an important contribution to the debate as to how Islamophobia can best be addressed. It is well researched and can give all of us food both for thought and positive action.

That action is needed I have no doubt. As a country we owe it to both ourselves collectively and to our Muslim neighbours and fellow citizens to work together to build our common good. Discrimination, prejudice and hatred damage us all and we have to work together to challenge it.

Dominic Grieve QC MP

Foreword

As co-chairs of the all party parliamentary group on British Muslims, we are often asked, being that neither of us is a Muslim, why we lead this group and what our motives are. It may seem prosaic to point out that our motives are a deep and profound commitment to equality for all citizens; irrespective of their race, religion, gender, age, sexual orientation or disability, to champion the valuable contribution British Muslims make to our society, and to investigate prejudice, discrimination and hatred against Muslims in the UK.

In our first report, “A Very Merry Muslim Christmas” we drew attention to the fantastic work done by British Muslims over the Christmas period. Muslim-led charities and the huge contribution they make to civil society and social welfare in local communities across the country was the subject of our second report “Faith as the Fourth Emergency Service”. In this, our third report, we look at a subject that deserves our urgent attention: Islamophobia.

In recent years, we have seen British Muslims make huge strides from the first Muslim Home Secretary and Mayor of London, to the first female Muslim minister to stand at the Despatch box in the House of Commons, following in the footsteps of the first Muslim female in Cabinet and minister at the Despatch box in the upper chamber. These few examples demonstrate the huge potential for Muslims to flourish in Britain. But as the London mayoral campaign in 2016 shows, such illustrious examples are only one side of the story.

The year 2017 marked the twentieth anniversary of the seminal report of the Runnymede Trust’s Commission

on British Muslims and Islamophobia, ‘Islamophobia: a challenge for us all’. The occasion of the anniversary, and the follow up report by the Runnymede Trust last year, highlight the extent to which Islamophobia remains a palpable concern among British Muslims when it comes to inequality and discrimination. Across policy domains, from employment, education and criminal justice to housing, healthcare and hate crime, Islamophobia has a significant negative impact on the life chances and quality of life enjoyed by British Muslims.

Some of the costs of inequality and discrimination faced by Muslims were presented in the commendable report of the Citizens UK Commission on Islam in British Public Life, chaired by the Rt. Hon. Dominic Grieve QC, ‘The Missing Muslims: unlocking British Muslim potential for the benefit of all’.

Our impetus for conducting an inquiry into a working definition of Islamophobia/anti-Muslim hatred derived from the twin observations of seeing equality rise up the political agenda but Islamophobia remain conspicuously absent or demonstrably relegated as a subject of interest. Twenty years on from the promulgation of the term Islamophobia, we can no longer ignore or deny its impact on our British Muslim communities.

Let us be clear, Islamophobia is rooted in racism and its victims are not just Muslims but also those who are perceived to be Muslims. Its effects are seen in individual behaviours and institutional processes. Whether it is Muslim women who are denied job opportunities because they wear a headscarf, gurdwaras that are defaced because they are mistakenly identified as mosques, or Muslim

students who fail to secure entry offers from Russell Group universities, the effects of Islamophobia are real and measurable.

The normalisation of Islamophobia has long passed the 'dinner table test'. It now presides in such 'banter' as ridiculing Muslim women's dress to draw parallels with letter boxes and bank robbers, and in political disputes that are aggravated using glib tropes of suicide vests. The elision of Islamophobia into everyday bigoted discourse is not only indicative of how low the threshold has fallen, it is, more alarmingly, redolent of its diffusion to the point of evincing conscious and unconscious biases against Muslims.

The Oxford English Dictionary states that a definition is 'The act or process of defining; a statement of the meaning of a word or the nature of a thing.'

In pursuing this inquiry to arrive at a working definition, we have attempted to engage the 'process of defining' through widespread consultation with parliamentarians, experts, lawyers, community activists and victim-led organisations so that we could confidently propose a working definition which serves to give meaning to the word and nature of the thing we call Islamophobia.

We know all too well from the anti-Semitism debate engulfing the Labour party over the summer that both the process of defining - one which does not undermine or marginalise the viewpoints of the

victim group itself - and the meaning attached to the word, exemplified through demonstrable examples, are necessary if bigotry directed at particular sections of our society are to be widely understood and challenged using every available lever in Government, politics, policymaking, media, society and education.

We hope our working definition will be adopted by Government, statutory agencies, civil society organisations and principally, British Muslim communities who have been central to this enterprise and whose valuable contributions have significantly shaped our thinking on this subject.

We further hope that the adoption of this working definition will signal to Britain's Muslims that we, as parliamentarians, will not be resigned to their being missed off or missing from our political, social, cultural, civic and economic life and that we will actively tackle Islamophobia so that British Muslims can thrive and continue to attain new heights long into the future.

Anna Soubry and Wes Streeting

Co-chairs of the APPG on British Muslims.

Executive Summary

A year ago the Runnymede Trust published its twentieth anniversary report on Islamophobia. The report, marking two decades since its seminal publication, *Islamophobia: A Challenge for Us All*, highlighted some of the changes in process, impact and outcomes relating to Islamophobia which continued to affect British Muslim communities in a negative way. The follow on report with its title, *Islamophobia: Still a Challenge for Us All*, encapsulates the persistence of the corrosive effect anti-Muslim sentiment and behaviours have on Muslims and wider society.

It is not just British Muslims who are impacted by Islamophobia. It is British society at large who, by virtue of normalised prejudice against Muslim beliefs and practice, come to imbibe a panoply of falsehoods or misrepresentations and, consequentially, discriminatory outlooks to the detriment of social harmony and social inclusion.

More than twenty years since the term Islamophobia entered our political and policy lexicon, and almost a decade since its ‘passing the dinner table test’ was raised, this is a good time to stop and survey the progress that has been made in challenging this social evil. It is with this intent, and to deter a further twenty years before substantive progress is made in tackling its blight on our British Muslim citizens, that the APPG on British Muslims opened its inquiry into a working definition of Islamophobia in April 2018.

Islamophobia has far surpassed the ‘dinner table test’ espoused by Baroness Sayeeda Warsi in 2011. It is now so prevalent in society and dispersed across institutional, social, political and economic life that it deserves to be recognised at Britain’s ‘bigotry blind spot’.

But no amount of documentation of the evidence of discriminatory outcomes faced by Muslims - in employment, housing, education, the criminal justice system, social and public life and political or media discourse - can satisfy our desire to reverse these results if we cannot begin from the point of an agreed definition.

Muslims have a strong sense of belonging to Britain and of feeling part of British society. In a 2016 survey, 93% of Muslims said they felt they belonged to

Britain, with more than half saying they felt this “very strongly”. In another survey in 2015, 95% of Muslims said they feel loyal to Britain.¹

And religion, as we discovered in our previous report, *Faith as the Fourth Emergency Service*, plays an important part in the lives and identity of most Muslims in Britain. As shown in a wide-ranging report by Ipsos Mori reviewing survey research on Muslims, a strong sense of religious identity sits alongside a strong sense of British identity with Muslims more likely than the British public as a whole to say that their national identity is important to their sense of who they are (55% of Muslims say this, compared to 44% of all adults). Muslims – like other minority groups such as Hindus – often have multiple and overlapping identities, but these aspects are seen as equally important and do not diminish their sense of Britishness.²

According to the Ipsos Mori report, the vast majority of Muslims (94%) feel able to practice their religion freely in Britain, and most believe that Islam is compatible with the British way of life. Five in six Muslims (83%) agree that “it is possible to fully belong to Britain and maintain a separate cultural or religious identity”; and two-thirds (66%) of Britons regardless of religion agree within them.³

And as evidenced in our report last Christmas, *A Very Merry Muslim Christmas*, and mentioned in the Ipsos Mori research, many British Muslims participate in traditional British cultural practices, even those with explicitly Christian origins with three-quarters (73%) sending Christmas cards and three in five giving Christmas presents.⁴

Despite the strong convergence in loyalty to the UK, belonging and participating in national festivals, Muslims harbour grave misgivings about their acceptance in society with three in five (63%) Muslims saying they think there is more prejudice against Muslims than against other religious groups, a perception that is especially widespread among young Muslims and graduates.⁵ This is echoed in a recent report by the Equality and Human Rights Commission, ‘Developing a national barometer of prejudice and discrimination in Britain’ which found that 70% of Muslims said they had specifically experienced religion-based prejudice.⁶

1 Ballagan, K., Mortimore, R., and G. Gottfried. 2018). A review of survey research on Muslims in Britain. (London: Ipsos Mori Social Research Institute). p 10.

2 Ibid. p. 11

3 Ibid. p. 11

4 Ibid. p. 12

5 Ibid. p. 12

6 Abrams, D., Swift, H., and D. Houston. 2018. Developing a national barometer of prejudice and discrimination in Britain. Equality and Human Rights Commission. p. 10.

We heard of a wide spectrum of Islamophobic experiences suffered by British Muslims that were brought to our attention during our community consultations. Examples such as a lit firework that was thrown through a family's letterbox forcing the family to move home, a young Muslim girl whose friends were abused in a shop and told to 'go back to where they came from' because they wore headscarves, a mother who told us of her daughter being bullied in school because she had started to wear the hijab, a man who was fearful of being injured by a taxi driver in the wake of a child sex case involving Asian men from the Newcastle area, and someone who had been spat at, verbally abused, and had eggs thrown at them. Chapter four details many more of the incidents raised with us during our inquiry.

Throughout our inquiry we have heard from experts, academics, lawyers, local politicians, social activists, campaign groups from across the UK, and individuals in Muslim communities in London, Manchester, Birmingham and Sheffield, about how instrumental a definition of Islamophobia is to the political will and institutional determination to tackle it.

From hate crimes motivated by anti-Muslim feeling, buttressed by stereotypes and racist caricatures prevalent in social and media discourse, to policies which perpetuate discriminatory outcomes for Muslims, a definition of Islamophobia is vital if we are to take seriously an "explain or change" attitude in response to inequalities faced by our British Muslim citizens.

Notably, there has been no attempt to adopt a definition of Islamophobia by Government despite recognising the significant impact the problem has on British Muslim communities. Policy proposals have variously referred to the issue of anti-Muslim bigotry and its effects, and hate crime actions plans since 2012 have placed emphasis on measuring, tackling and educating about anti-Muslim hatred but the absence of a definition has been noticeable.

While considerable and commendable steps have been taken to adopt a definition of anti-Semitism, commensurate efforts on Islamophobia has been lacklustre with the term being omitted in the 2012 hate crime action plan, its 2014 updated version and in the present Government's 2016 hate crime action plan. This year, in the 'Action against hate, the UK government's plan for tackling hate crime – 'two years on' strategy, Islamophobia appears as a concept although no definition in the document is forthcoming.

Lord Bourne of Aberystwyth, Parliamentary Under Secretary of State in the Ministry for Housing, Communities and Local Government and Minister for Faith, when asked whether the Government has

a definition of Islamophobia which guides its work in this area responded to say: "The Government do not currently endorse a particular definition of Islamophobia. Previous attempts by others to define this term have not succeeded in attracting consensus or widespread acceptance."⁷ We have taken this advice on board and in the process of this inquiry and have laboured to achieve the widest possible consensus drawing on experts with an established expertise in this area and individuals or organisations whose work with communities offers the qualities of competency and insight.

The Parliamentary Under-Secretary of State in the Home Office, Victoria Atkins MP, when asked by the co-chair of this group whether the Government agreed that the time had come for a proper legal definition of Islamophobia, answered to say "We do not accept the need for a definitive definition."⁸

The APPG has recognised that the lack of a widely adopted working definition of Islamophobia had lowered the threshold and led to an increase in Islamophobia in society to devastating effect. The detectable shift from overt to subtler or respectable, manifestations of Islamophobia - the normalisation of the prejudice to the extent it is rendered almost invisible to many - warrants a definition that can arrest and reverse its present trajectory.

In April 2018, the All Party Parliamentary Group (APPG) on British Muslims launched an inquiry into a working definition of Islamophobia. The APPG was clear that the inquiry would be a widely consultative exercise to ascertain a working definition of Islamophobia which could be broadly accepted by British Muslim communities and operate across governmental, public, community and private sector organisations, with the aim of ensuring that any impairment of the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life by British Muslims could be adequately addressed and dealt with by the relevant bodies appropriately. As we heard throughout the inquiry, how we define and understand an issue or problem informs how we then respond to it.

The APPG considered whether the term Islamophobia should remain in continued use or whether an alternative term, such as anti-Muslim hatred, should be adopted instead. However, the APPG received an overwhelming amount of evidence across governmental, community, academic, and public and private sector organisations who attested to the cogency and desirability of retaining the term Islamophobia on the basis that it has established itself in the political and policy lexicon, had gained traction over time and was the predominant choice among Muslims to name and describe the hatred

7 House of Lords Hansard, 17 October 2017, Vol 785, Column 486.

8 House of Commons Hansard, 12 March 2018, Vol 637, Column 594.

and hostility targeted at them on the basis of their Muslimness. Islamophobia was the term of choice among British Muslims to describe their experience.

If the events of the past summer have taught us anything, it is that victims demand and deserve the right to give the name to the bigotry which takes a particular aim at them as a collective group, whether with British Jews and anti-Semitism or British Muslims and Islamophobia.

The APPG considered the recent history of definitions of Islamophobia (chapter 3) in line with the written and oral evidence presented to the group. In analysing the quantitative and, mostly, qualitative data, a thread of three key factors emerged: the *process* of Islamophobia, the *actions* that qualify as Islamophobic, and the *impact* of Islamophobia. As a result, the APPG concluded that any definition must include the aforementioned three factors (process, action(s) and impact).

Let us be clear, the aim of establishing a working definition of Islamophobia has neither been motivated by, nor is intended to curtail, free speech or criticism of Islam as a religion. Evidence read and heard by the group clearly delineated between the desirability of criticism, debate and free discussion of Islam as a religion - by Muslims and non-Muslim participants in the inquiry - and the victimisation of Muslims through the targeting of expressions of Muslimness to deny or impair their fundamental freedoms and human rights.

Criticism of religion is a fundamental right in an open society and is enshrined in our commitment to freedom of speech. We also received theological opinion which outlined the long Islamic history and classical tradition of debate, discussion, and dissenting opinions within Islam. No open society can place religion above criticism and we do not subscribe to the view that a working definition of Islamophobia can or should be formulated with the purpose of protecting Islam from free and fair criticism or debate. On the question of what we might understand from fair criticism, we refer in the report to a series of useful tests proposed by Professor Tariq Modood of Bristol University, when it comes to assessing whether what we are dealing with is 'reasonable criticism' of Islam and Muslims or a veiled attempt at

Islamophobic speech.

The 'harm principle' has guided our deliberations on the appropriate limits to free speech in arriving at our working definition of Islamophobia. The definition proposed here has been developed through conscientious deliberation that has sought to negotiate the tensions arising between freedom of speech and freedom of religion in full recognition that in a democratic society these negotiations are not just possible, as evidenced by the adoption of definitions relating to other forms of group-based hostility such as anti-Semitism, but necessary at a time when Muslim communities in the UK are experiencing heightened levels of Islamophobia.

We recommend the adoption of the following definition following widespread consultation with academics, lawyers, local and nationally elected officials, Muslim organisations, activists, campaigners, and local Muslim communities:

Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.

Muslim female, Birmingham

"There was a large queue at a local petrol station and a lady in another car got out and accused me of blocking the queue...this then quickly led to her blaming this on my hijab as I couldn't see where I was going, calling me a Paki etc and a whole lot of verbal abuse. No action was taken by the police as

I was a white revert Muslim, I was told there was no grounds to report the incident. It couldn't be reported as a race incident as I didn't belong to any ethnicity other than English/white...no grounds to prosecute on religious/hate crime I could not take it any further!"

Introduction

Britain prides itself on being a liberal and tolerant nation, and rightly so. We have some of the best equalities legislation in the world and are frequently commended for 'best practice' in data collection, political will and institutional responses to tackling racism and bigotry in Britain. Our practice has not been simply to tackle racism and discrimination in outcomes but to determinedly advance equality through positive action and the public sector equality duty.

Last year, the Government published the first ever Race Disparity Audit, establishing a website - <https://www.ethnicity-facts-figures.service.gov.uk> - documenting information about the different experiences of people from various ethnic backgrounds based on data collected from across government departments and published in one place.

The Parker Review, MacGregor-Smith Review and the Lammy Review have gone further and examined racial inequality in outcomes in public life, employment and in the criminal justice system respectively. The collective will to explore why people from different ethnic backgrounds fare worse than others was summarised in the Prime Minister's declaration that agencies "explain or change" the conditions that hinder equality as outcomes for different sections of our society.

The cost to the UK of racial inequality was starkly estimated by Baroness MacGregor-Smith as £24 billion a year. That is the estimated loss to our economy from the under-representation in participation and

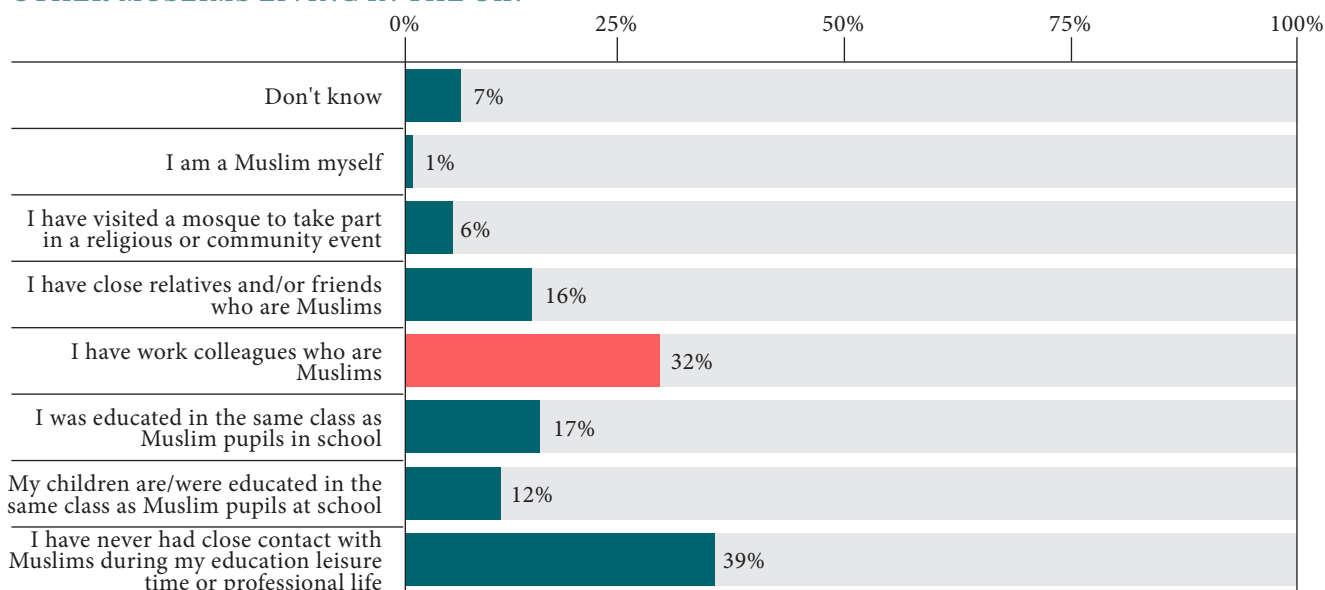
progression of individuals from Black, Asian and Minority Ethnic backgrounds in the British labour market. The cost is compounded by the loss to profitability arising from the under-representation of or active discrimination against minorities in business with a McKinsey report on 'Why Diversity Matters' finding that "companies in the top quartile for racial and ethnic diversity are 35% more likely to have financial returns above their respective national industry medians."⁹

We would point to a poll conducted by YouGov for the Muslim charity Islamic Relief in 2015 which shows that the cost to the British economy of the under-representation of Muslims in the workplace is not just lost income and profits but also lost opportunities for promoting and advancing tolerance and respect for Muslims.

As shown in Figure 1, when asked what personal experience individuals had of British Muslims and other Muslims living in the UK, the highest response was among those who said they have work colleagues who are Muslims.

The poll is a useful reminder that business has an important role to play in fostering mutual respect towards Muslims. Baroness Ruby MacGregor-Smith in her review recommended a 'guide to talking about race' suggesting 'Government should work with employer representatives and third sector organisations to develop a simple guide on how to discuss race in the workplace. We would add to this and propose that a working definition of Islamophobia should encourage employers and third

FIGURE 1 - WHICH, IF ANY, OF THE FOLLOWING STATEMENTS APPLY TO YOU IN RELATION TO YOUR OWN PERSONAL EXPERIENCE OF BRITISH MUSLIMS, AND OTHER MUSLIMS LIVING IN THE UK?



⁹ McKinsey. (2015). 'Why Diversity Matters'. <http://www.mckinsey.com/business-functions/organization/ourinsights/why-diversity-matters>

sector organisations to make progress on developing a simple guide on how to discuss Islamophobia in the workplace too.

In its report on the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the criminal justice system, the Lammy Review highlighted inequalities experienced by individuals of BAME background from race disproportionality in stop and search to arrests, pleas, sentencing and prisoner experiences where BAME individuals fare worse than white Britons. The economic and social cost of the net over-representation of Black, Asian and Minority Ethnic individuals in the criminal justice system is estimated at £234 million a year. This is in addition to the cost to trust in institutions and policing by consent with the Lammy Review stating “Grievances over policing tactics, particularly the disproportionate use of Stop and Search, drain trust in the criminal justice system in BAME communities.”¹⁰

These reviews and their findings are mentioned here briefly for two reasons: firstly, racism and

discrimination doesn’t just erode the spirit of the equalities legislation we have put in place in the UK, it also takes its toll on BAME communities and wider society in the social and economic costs of discrimination and exclusion. Secondly, while each of the reviews above have shed important light on racial inequalities, there is a notable omission of religion as grounds of discrimination and exclusion, particularly where this intersects with race but also where it forms a further penalty faced by individuals of BAME background.

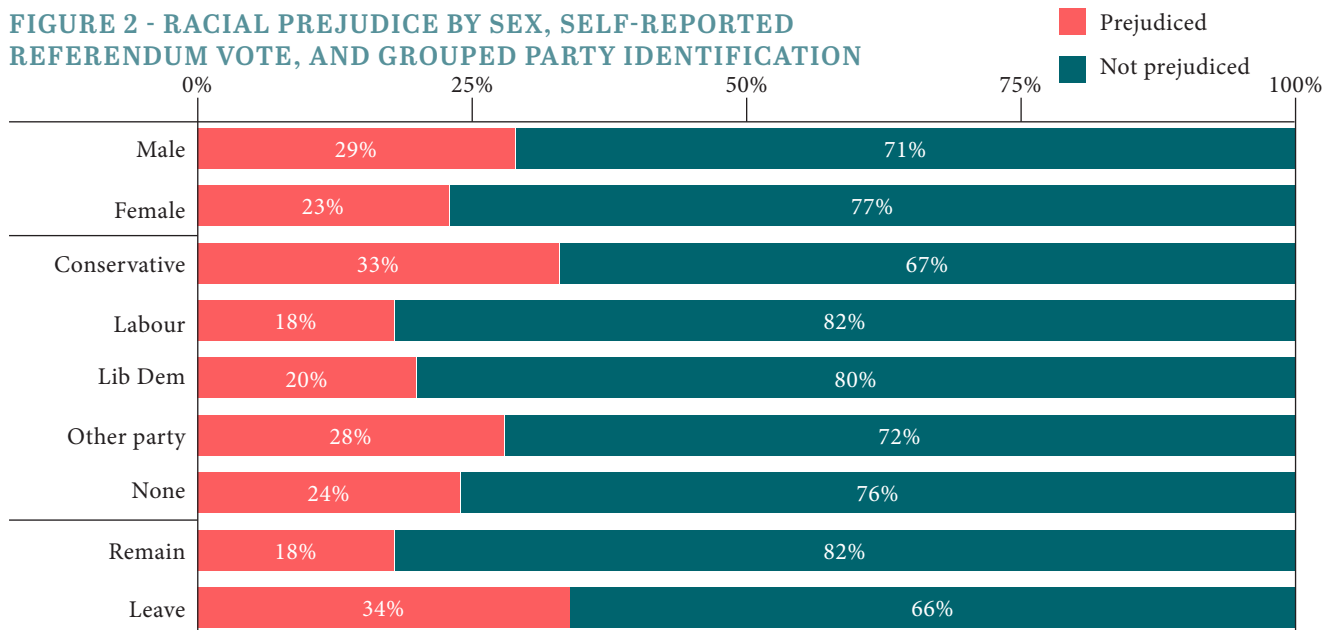
The Women and Equalities Committee in its report on ‘Employment Opportunities for Muslims in the UK’ notes the double penalty faced by Muslim males; race and religion, and the triple penalty suffered by Muslim women, race, religion and gender. Moreover, the report correctly identifies the lack of regard for inequalities faced by Muslims, the recent reviews such as Lammy, MacGregor-Smith and Parker notwithstanding. The report argues, “Despite a welcome focus from the Government on tackling disadvantage, it still

lacks a coherent overarching plan with measurable objectives to tackle the inequalities faced by Muslims.”¹¹

It is for the purpose of giving new impetus to challenging particular disadvantages faced by British Muslims that the all party parliamentary group embarked on an inquiry to establish a working definition of Islamophobia. The evidence we have heard suggests Islamophobia manifests in a wide array of contexts, from casual stereotyping to rampant dehumanisation of Muslims as a collective group and from incidents of workplace discrimination to institutional dynamics which reproduce unequal outcomes for Muslims in policy design and implementation.

Our attempt to make real, tangible gains in the drive for equality is evident and exemplary but it is not enough as any cursory examination of polling and social attitudes surveys in recent years will reveal as to the prevalence of negative attitudes towards British Muslims held by their fellow citizens.

FIGURE 2 - RACIAL PREJUDICE BY SEX, SELF-REPORTED REFERENDUM VOTE, AND GROUPED PARTY IDENTIFICATION



¹⁰ David Lammy, “The Lammy Review: An independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System”, Ministry of Justice, September 2017, p. 17, accessed 07.11.2018, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/643001/lammy-review-final-report.pdf

¹¹ “Employment opportunities for Muslims in the UK: Second Report of Session 2016–17”, House of Commons Women and Equalities Committee, July 12, 2016, p. 43, accessed 07.11.2018, <https://publications.parliament.uk/pa/cm201617/cmselect/cmwomeq/89/89.pdf>

The British Social Attitudes survey is a useful barometer to measure shifts in social attitudes in the UK over time. In more recent times, analysis of attitudinal data has revealed some important and troubling trends when it comes to the persistence of anti-Muslim sentiments in Britain.

In September 2017, NatCen with the Runnymede Trust published a report titled ‘Racial Prejudice in Britain today’. The report found that 1 in 4 (26%) Britons admitted to being racially prejudiced. Given that the admission is one individuals would not readily make, the figure may well be an underestimation of actual figures. Looking at the figure over time, the report notes “The proportion saying they are racially prejudiced has never fallen below a quarter when people are asked the same question on NatCen’s British Social Attitudes survey which goes back to 1983. It peaked at 39% in 1987 and hit a more recent peak of 37% in 2011.”

The report provides further breakdown of the data showing that men more than women admit to being racially prejudiced (29% compared to 23%). In respect of party political affiliation, 1 in 3 Conservatives were reported as admitting racial prejudice (33%), the highest of all political party groups, compared to 1 in 5 Lib Dems (20%) and less than 1 in 5 Labour (18%). The NatCen report suggests “Being male, a Conservative party supporter and a Leave voter are all associated with a higher likelihood of an individual describing themselves as racially prejudiced.”¹²

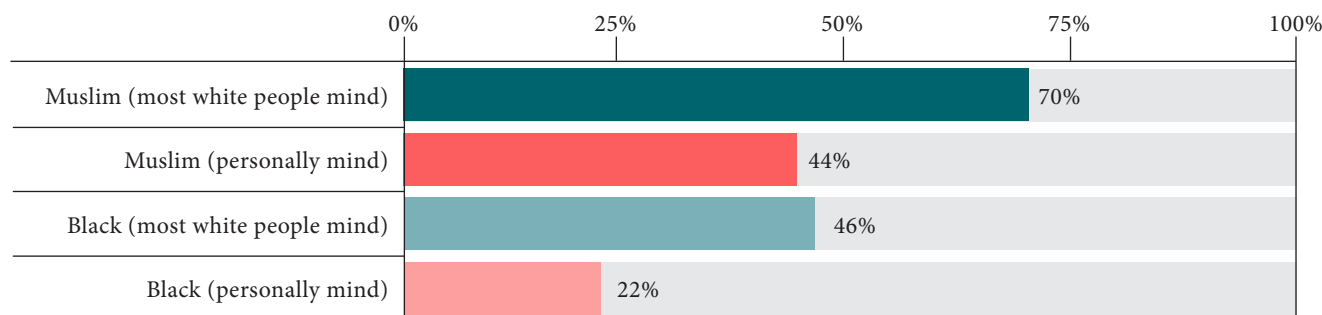
The NatCen report further identifies particular groups affected by racial prejudice noting that the general trend toward social ‘liberalisation’ was not a universal experience among groups in society. For example, in 2013, the survey polled attitudes asking whether individual felt ‘most White people in Britain’, or they ‘personally’ would mind if a close relative married someone of Black, Asian or Muslim background. The responses lend significance to the problem, we would say, of particular prejudice facing British Muslims.

According to the data, more people responded to say ‘most White people in Britain’ and they ‘personally’ would mind if a close relative married a Muslim compared to those who felt either most White people or they personally would feel the same about a close relative marrying someone of Black or Asian background. In 2013, 50% and 46% said ‘most White people in Britain’ would mind if a close relative married someone of Asian or Black background respectively. Of those who would ‘personally’ mind, 21% of respondents said so in respect of an Asian person, and 22% said they would mind if a close family member married a Black person. In contrast, “70% of respondents said that most White British people would mind if a close relative married a Muslim and 44% of respondents said they would mind themselves.”¹³

In a poll conducted by ComRes in October 2018, when asked if a family member marrying a Muslim would be a matter of concern, 38% of respondents said they would be concerned compared to 40% who said they would not be. Five years on from when a similarly framed question was posed by NatCen, there is only a minor fall in the figures which still reflect that around 2 in 5 would be concerned.

Ingrid Storm of Manchester University who has analysed the results from NatCen surveys and detected a particular strain of anti-Muslim prejudice when it comes to attitudes towards marriage to people of Muslim background argues that anti-Muslim prejudice takes two forms; “those who have a general ethnic prejudice disliking Muslims because they are viewed as racially as well as culturally different from whites” and “those who have a specific anti-Muslim prejudice, even if they are otherwise tolerant of ethnic minorities”.¹⁴

FIGURE 3 - DO YOU THINK MOST WHITE PEOPLE IN BRITAIN WOULD MIND/ WOULD YOU MIND IF A CLOSE RELATIVE WERE TO MARRY A PERSON WHO IS MUSLIM/OF BLACK OR WEST INDIAN ORIGIN?



12 Nancy Kelley, Omar Khan, Sarah Sharrock, “Racial prejudice in Britain today”, NatCen Social Research, September 2017, p. 7, accessed 07.11.2018, http://natcen.ac.uk/media/1488132/racial-prejudice-report_v4.pdf?_ga=2.239606529.367617924.1540825729-1731288926.1540825729

13 Ibid., p. 11.

14 “Muslims continue to be less accepted than other minorities in Britain”, Democratic Audit, April 17, 2015, accessed 07.11.2018, <http://www.democraticaudit.com/2015/04/17/muslims-continue-to-be-less-accepted-than-other-minorities-in-britain/>

TABLE 1 - THINKING ABOUT RELIGION AND SOCIETY, WHICH OF THE FOLLOWING STATEMENTS COMES CLOSEST TO YOUR VIEW?

	Islam is generally compatible with the values of British society	There is a fundamental clash between Islam and the values of British society	Neither	Don't know
Jun-18	25%	46%	12%	17%
Mar-18	25%	44%	14%	17%
Nov-17	24%	47%	12%	17%
Jun-17	29%	44%	12%	14%
Feb-17	25%	46%	12%	17%
Oct-16	22%	52%	12%	13%
Jul-16	25%	49%	14%	13%
Mar-16	22%	51%	10%	17%
Feb-16	20%	56%	12%	12%
Jan-16	25%	51%	11%	13%
Dec-15	25%	50%	13%	13%
Oct-15	19%	59%	10%	12%
Sep-15	20%	58%	9%	13%
Aug-15	20%	53%	12%	15%
Jul-15	20%	56%	10%	13%
Jun-15	20%	59%	9%	12%
May-15	19%	58%	9%	14%
Mar-15	22%	55%	10%	13%
Feb-15	23%	52%	12%	13%
Jan-15	23%	52%	12%	13%

The abovementioned ComRes poll further found that 58% agreed with the statement 'Islamophobia is a real problem in today's society' and that almost 1 in 2 agreed with the statement 'prejudice against Islam makes it difficult to be a Muslim in this country'¹⁵ (48%). Surprisingly, the figure is slightly higher than the number of Muslims who agreed with a similar statement in a poll of 1,000 Muslims conducted by ComRes for BBC Radio 4 Today programme in 2015; three years ago 46% of Muslims said that 'prejudice against Islam makes it very difficult to be a Muslim in this country'. On this point, we can fairly say Muslims and their fellow Britons agree. We would further say that this should emphatically not be the case no person of faith should feel that Britain is an inhospitable place to practice their religion.

While Muslims and Britons display similar attitudes when it comes to perceptions of difficulty with being a Muslim in Britain, a different set of polls uncovers startling views when it comes to whether ordinary

Britons believe Islam is compatible with the values of British society. As this YouGov tracker poll shows, around 1 in 4 Britons believes Islam is compatible with the values of British society and around 1 in 2 believe there to be a 'fundamental clash' between the two.¹⁶

Recent data published by the Equalities and Human Rights Commission suggests that the lived experience of British Muslims is, and should be, a recognised cause for concern.

According to the EHRC report, 'Developing a national barometer of prejudice and discrimination in Britain', 42% of people in Britain said they had experienced some form of prejudice in the last 12 months but a higher number, 70%, of Muslims, said they had specifically experienced religion-based prejudice. The EHRC also finds interesting variations in attitudes towards equality for groups in society and while almost three quarters of survey respondents (74%) agreed that there should be equality for all groups in Britain when it comes to particular groups,

¹⁵ "Muslim Poll: Telephone Fieldwork: 26th January - 20th February 2015", ComRes, p. 13, table 13, q. 1, accessed 07.11.2018, http://www.comresglobal.com/wp-content/uploads/2015/02/BBC-Today-Programme_British-Muslims-Poll_FINAL-Tables_Feb2015.pdf

¹⁶ Tracker: Islam and British values, YouGov. Available at: <https://yougov.co.uk/topics/politics/articles-reports/2016/02/19/tracker-islam-and-british-values>. Last accessed 10 October 2018.

this figure falls sharply.¹⁷ The study found that: “More people expressed openly negative feelings towards some protected characteristics (44% towards Gypsies, Roma and Travellers, 22% towards Muslims, and 16% towards transgender people) than towards others (for example, 9% towards gay, lesbian or bisexual people, 4% towards people aged over 70, and 3% towards disabled people with a physical impairment)”¹⁸

Moreover, around a third of British adults felt that efforts to provide equal opportunities had gone ‘too far’ in the case of immigrants (37%) and Muslims (33%) but nearly two-thirds thought that such efforts had ‘not gone far enough’ for people with a mental health condition (63%) or people with a physical impairment (60%).¹⁹ The report suggests that the resistance shown towards improving equal opportunities was greatest for those groups that people considered to be less ‘friendly’, such as Muslims and immigrants.²⁰

Again, the available evidence points to particular forms of prejudice directed at Muslims.

An alarming outcome of these unpalatable facts is the growing number of Islamophobic hate crimes in the UK. In the most recent data on police recorded hate crime published by the Home Office, which disaggregated data on religious hate crimes for the first time, the reality of Islamophobic hate crimes is laid bare.

The Home Office annual report on police recorded hate crime reveals that racial hate crimes continue to account for the majority of recorded hate crime, 76% of all hate crimes recorded in 2017/18 and showing a 14% increase on the previous year.²¹

The greatest proportionate increase was in religiously aggravated hate crimes, which increased 40% from 5,949 incidents in 2016/17 to 8,336 incidents in 2017/18. Moreover, this year the Home Office published the

perceived religion of the victims of religious hate crimes and identified 52% of victims (2,965) as being perceived to be Muslim, with 12% (672) perceived to be Jewish. 21% (1,174) of religious hate crime cases had the perceived religion of the victim recorded as unknown which suggests that the figures on Muslim victims could be higher still.²²

The hate crime data shows that recorded hate crimes have more than doubled over a five-year period but religious hate crimes have risen by five-fold over the same period.

A further point of relevance in relation to race hate crime is drawn from the Crime Survey of England and Wales, figures for which were published alongside police recorded hate crime, and which found that the risk of being a victim of race hate crime was highest for Muslim adults (1.7%) compared to, for example, 0.2% for Christian adults.²³

Other pertinent findings from the hate crime annual release reveals the extent to which Muslims suffer a ‘double whammy’ when it comes to terrorist attacks committed by individuals who erroneously claim a religious justification or motivation for their actions. The Home Office annual report on hate crimes shows that there a discernible trend when it comes to spikes experienced in hate crime after certain trigger events, particularly terrorist incidents. The report notes a peak in July 2013 in racially or religiously aggravated offences following the Lee Rigby murder, and a rise in racially or religiously aggravated offences during the EU referendum campaign. There was a reported 41% increase in racial and religious hate crime following the EU referendum in June 2016. The 2017/18 report notes apparent spikes in racially or religiously aggravated hate crime following the Westminster Bridge attack in March 2017 and a sharp increase in hate crime in June 2017 following the terrorist attacks

Muslim male, London

“Islamophobia is also discrimination in housing, education, employment. Islamophobia is not just conversation, negative discourse, set of perception, it is also the material inequality that Muslims live.”

Muslim male, London

“We need to tackle the dehumanization of Muslims in the media and by political parties.”

¹⁷ Dominic Abrams, Hannah Swift, and Diane Houston, “Developing a national barometer of prejudice and discrimination in Britain”, Equality and Human Rights Commission, October 2018, p. 10, accessed 07.11.2018, <https://www.equalityhumanrights.com/sites/default/files/national-barometer-of-prejudice-and-discrimination-in-britain.pdf>

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid, p. 11

²¹ “Hate Crime, England and Wales, 2017/18 Statistical Bulletin 20/18”, Home Office, October 16, 2018, p. 7, accessed 07.11.2018, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/748598/hate-crime-1718-hosb2018.pdf

²² Ibid., p.35.

²³ Ibid., p. 26.

in May and June, at Manchester Arena and London Bridge.

Despite the levels of prejudice evidenced in the national surveys, British Muslims evince high levels of loyalty, belonging and social interaction with fellow citizens. In the Community Life Survey published by the Department for Digital, Culture, Media and Sport last month (October 2018), Asians in the UK were more likely than any other ethnic group to say they felt ‘people from different backgrounds got on together in their local area’, 84% of Asians compared to 83% White, 78% Black, 82% Mixed and 78% Other. Asians were also more likely to feel ‘fairly strongly’ or ‘very strongly’ they belong to Britain than other ethnic minority groups, 84% Asians compared to 82% Blacks, 73% Mixed and 79% Other. The figure for White Britons is marginally greater than for Asians at 86%.

At a time when far right populism is gaining ground in Europe, we can take pride in the weak political standing of far right parties in the United Kingdom and the short shrift given to racists in our politics and public discourse. The electoral demise of the British National Party and its various political and social movement offshoots, from the English Defence League and Democratic Football Lads’ Alliance to Liberty GB and the mainstreaming of anti-Muslim bigotry in the ranks of the near defunct UK Independence Party, are illustrative of the decency and common sense of ordinary Britons who reject divisive narratives about minority groups and repel its protagonists at the ballot box.

But we would be remiss to assume that the weak foothold of the far right in British politics is demonstrative of our succeeding to root out racism and bigotry in our society. As cited in the report by the Citizens UK Commission on Islam, Participation & Public Life, ‘The Missing Muslims: Unlocking the British Muslim potential for the benefit of all’, ‘A total of 37% of adult Britons would support policies to reduce the number of Muslims in the UK,²⁴ and more than half of Britons (56%) now regard Islam – the religion generally, as distinct from Islamic extremists – as a threat to the UK’.²⁵

Indeed, criminal justice figures reveal that racial and religious hate crimes still account for around 4 in 5 of all recorded hate crime offences and in recent years, we have seen these offences escalate to the most heinous of crimes: murder.

The killing of grandfather Makram Ali outside Finsbury Park mosque in the summer of 2017, the murder of another elderly Muslim male, Muhsin Ahmed in Rotherham in 2015 and the brutal stabbing of Mohammed Saleem in Birmingham in 2013, serve as grave reminders of the perils of deep-rooted Islamophobia in sections of our society. Furthermore, the ‘life-altering’ injuries sustained by Dr Sarandeve Bhabra when he was attacked in a supermarket by an individual seeking revenge for the murder of Drummer Lee Rigby evokes due regard for other minority groups who are targeted for their ‘perceived Muslimness’. Islamophobia affects Muslims directly in relation to their expressions of Muslimness but it also affects other minorities for whom a ‘perceived Muslimness’ can expose them to vulnerability of assault, harassment, discrimination and abuse.

Major incidents duly capture our attention but they are situated within a maelstrom of everyday racism and micro-aggressions which continue to blight the freedom and security enjoyed by British Muslim citizens.

The impact of rising Islamophobia is continuing to have a detrimental impact on the British Muslims ranging from disengagement, disenfranchisement and disaffection with the state, to discrimination in the labour market, to poor housing, lower level of educational attainment, increased rates of poverty, increased rates of mental health, and decreased quality of life and health outcomes.

In recent years, Islamophobic speech and text have particularly been subject to the debate on freedom of speech and the absence of a widely adopted working definition of Islamophobia has further catalyzed the rise of the Islamophobic expression in public life and on social media by individuals and groups across the social and political spectrum from members of the public and right wing groups, to elected officials and senior parliamentarians.

The Missing Muslims report identified the need for robust action in this arena and recommended in its 2017 report “For the Government to adopt a definition of anti-Muslim prejudice, and the Department for Communities and Local Government (DCLG) to set up administrative systems to look at Anti-Muslim prejudice in the same way other hate crimes are considered.”²⁶

The APPG on British Muslims’ inquiry into a working definition of Islamophobia was, therefore, necessary

In a 2018 poll by ComRes, 58% of people said ‘Islamophobia is a real problem in today’s society’

24 Matthew Goodwin, “The Roots of Extremism: The English Defence League and the Counter-Jihad Challenge”, Chatham House, March 1, 2013, accessed 07.11.2018, www.chathamhouse.org/publications/papers/view/189767

25 Jack Sommers, “7/7 Bombings anniversary poll shows more than half of Britons see Muslims as a threat”, Huffington Post, July 6, 2015, https://www.huffingtonpost.co.uk/2015/07/03/77-bombings-muslims-islam-britain-poll_n_7694452.html?guccounter=1

26 “The Missing Muslims: Unlocking the British Muslim potential for the benefit of all”, Citizens UK Commission on Islam, Participation & Public Life, 2017, p. 26 https://d3n8a8pro7v7hmx.cloudfront.net/newcitizens/pages/1261/attachments/original/1499106471/Missing_Muslims_Report_-_Electronic_copy.pdf?1499106471

and incredibly timely. The inquiry launched in April 2018 and spanned six months, during which evidence from community members, victim groups, public and private sector organisations was submitted, oral evidence sessions were conducted in Parliament, and community consultations were held in London, Birmingham, Sheffield and Manchester.

This report presents the findings of a inquiry into the working definition of Islamophobia. The report begins by analysing academic literature on Islamophobia in four key areas: the media, online (social media platforms), gendered Islamophobia, and in employment. In doing so, the process behind Islamophobia, actions that qualify as Islamophobic, and the impact of Islamophobia is explored in more depth. In chapter three, the trajectory of definitions over the last two decades are presented with the APPG's deliberations. Following this is our wide-ranging evidence and consultations in arriving at a working definition which are described in detail in chapter four. Victim experiences form the

93% of Muslims say they feel they belonged to Britain, with more than half saying they felt this "very strongly"

basis of chapter five with the inclusion of responses to our community consultation questionnaires and views shared by Muslims during the APPG's community consultation exercises in Manchester, Sheffield, Birmingham and London. We conclude with a chapter which further elucidates the definition we have proposed here and its application. We hope

this inquiry and its report, which advances a working definition of Islamophobia will give comfort to victims and critics alike that our business in adopting our definition is not to interfere with the right of individuals to criticise Islam or engage Muslims in critical discussions about their religion, but to marshal the political will and the necessary policy and institutional response to seriously and robustly tackle what we contend is Britain's bigotry blind-spot: Islamophobia.

Muslim female, Wales

"A lit firework was posted through the letterbox of my own home...the incident was reported to the police through 101 but no significant action was taken...there was CCTV on the street however, it was not used to find or prosecute the perpetrator...

this happened twice but still no security was provided by the police officers. It pushed and motivated my family to move house. Our local MP helped move house but no real justice was received."

Chapter 1 Literature review

There are a number of academics, activists, advocacy groups, and organisations that have articulated concerns of how widespread Islamophobia is becoming in every sphere of life. These include policing (Massoumi et al: 2017, Lammy: 2017), criminal justice (Fitzgibbon: 2012), education (Abbas: 2017 Faure Walker: 2017, Rights Watch UK: 2016), employment (Sadiq: 2013), parenting (Abbas: 2018), banking and finance (Tamimi: 2017), politics (Jones: 2016, Muslim Council of Britain: 2018), and media (Rawlinson: 2016). In its twentieth anniversary report on Islamophobia, the Runnymede Trust examined the multifaceted impact of Islamophobia on equality of access, opportunity and outcomes for British Muslims. The report, an edited collection drawing on a wide range of experts, included analysis of Islamophobia in health, education, employment, civil society and the media, and in discursive frameworks on identity, race and belonging. The report offers a sobering account of the breadth of the problem and the changes, and continuities, in experiences of Islamophobia facing British Muslims twenty years on.

MUSLIMS AND THE MEDIA

Since the tragic events of September 11 2001, the British media's coverage on Islam and British Muslim communities has been significant but deeply problematic in many ways (Sian: 2012, Werbner: 2009, Moore et.al: 2008). Whilst the Rushdie affair had played a significant role in putting British Muslims under the spotlight (Poole: 2002, Sian: 2012), it is since the events of September 11th that reporting on Islam and Muslims has become inextricably linked with themes of conflict, violence and terrorism. A stark and binary narrative has since been perpetuated by the media in which Islam and Muslims are portrayed as a threat to national security and to 'our way of life', with the religious values of Islam depicted as being diametrically opposed to values and norms of 'the West' and 'mainstream society' (Poole: 2002, 2006, Richardson: 2004, Akbarzadeh and Smith 2005, Richardson: 2004, Sardar and Davis 2002, Runnymede Trust, 1997).

A number of studies in recent years have been conducted on the media's reporting of Islam and Muslims in Britain. Prior to 9/11, Poole (2002) analysed articles on British Muslims in the Guardian/Observer, The Times/Sunday Times, The Sun and The Daily Mail between 1993 and 1997. She found that British Muslims were portrayed as being a threat to liberal values and democracy, being involved in crime, as having extremist views, and being largely influenced by Muslims in other parts of the world. Similarly,

Richardson (2004) carried out an analysis into the linguistic and social practices in the reporting of Islam and Muslims in British newspapers over a four-month period in 1997. He discovered four reoccurring themes all of which distilled to the presentation of Muslims as a threat: Muslims being portrayed as terrorists/extremists, as a threat to democracy, as a social threat (particularly to women), and as a military threat. He concluded that British newspapers reframe Muslim cultural 'difference' as cultural 'deviance' through a three-step process that involves separation, differentiation, and negativisation (2004:232).

In light of heightened media awareness post-9/11, such studies have become increasingly important in highlighting the negative ways in which Muslims are represented to wider society through the medium of print and broadcast media.

Moore, Mason and Lewis (2008) analysed 974 articles on Islam in the British press from 2000 to 2008. They found that over time, there was an increase in stories that focused on extremism or differences between Islamic culture and 'the West', whereas stories that focused on attacks on Muslims or problems that they faced decreased. They also conducted a visual analysis on the photographs used in news articles and found a significant usage of police 'mugshots' to portray Muslims, a greater number of pictures of Muslim males compared to females, and a high number of pictures of Muslims engaged in religious practices, such as prayer in congregation.

Similarly, Professor Justin Lewis analysed newspaper reporting of Muslims from 2000- 2008. He argues that Islam is represented as an extreme religion and demonstrated this through statistical analysis which found that in over a third of the articles, 34%, Muslims were specifically linked to the threat of terrorism, in 26% of articles, Islam was portrayed as either dangerous, backwards, or irrational, 14% of articles suggested a clash of civilizations between Islam and the West, and 9% suggested Islam was a threat to the British way of life (Sian et.al: 2012, 232).

In 2011, BBC Radio 4's John Waite presented an edition of the Face the Facts programme in which he examined how sections of the British press were increasing tensions between communities by publishing negative stories about Muslims. Inaccurate reporting and any link to the increased membership of the English Defence League was the subject of the programme with Waite looking at how one recurring story, the 'Winterval myth' - based on the unfounded claim that councils were rebranding or renaming Christmas to appease Muslims, inspired the English Defence League's threat to visit councils across towns and cities in the UK if it did not 'keep the

word Christmas in the annual celebrations'.²⁷

The programme also highlighted how a number of plainly false stories about Muslims had featured in the press. For example, in 2010, The Sun reported a front page story titled 'Al Qaeda Corrie Threat'; claiming that the cast of Coronation Street were an Al-Qaeda target. However, nineteen days later, The Sun published a retraction on page two in which it stated: "We would like to make clear that whilst cast and crew were subject to full body searches, there was no specific threat from Al Qaeda as we reported. We apologise for this misunderstanding." The damage done to community relations, retractions and corrections notwithstanding, is immeasurable.

The media featured heavily in our community consultation events and in chapter five we have highlighted a number of the comments made by individuals reflecting deep concerns which abound in relation to media reporting on Islam and Muslims and its effect on community relations. Such views are particularly concerning because as Gerbner et.al (1986) have shown, the media can have a long-term effect on audiences and the repetition of images and concepts can normalise prejudice over time.

As the report by the Citizens UK Commission on Islam, Participation & Public Life noted: "Muslim communities face increasing discrimination, misrepresentation and distorted perceptions of Muslims within popular media narratives."²⁸ Recent examples of egregious misrepresentations include The Sun's '1 in 5 Brit Muslims' sympathy for jihadis' and The Times' 'Christian child forced into Muslim foster care'. In both cases, the Independent Press Standards Organisation upheld complaints with The Sun article deemed 'significantly misleading'.²⁹ The corrections required to be published by the respective newspapers pale in comparison to the damage done to perceptions of Muslims in British society by reporting which is grossly inaccurate and, one could argue, consciously misleading.

In his report on the culture, practices and ethics of the British press, Lord Justice Leveson made particular mention of the industry's reporting on Muslims and other minorities stating that "The evidence of discriminatory, sensational or unbalanced reporting in relation to ethnic minorities, immigrants and/or asylum seekers, is concerning"³⁰ while adding that though the problem was not spread across the print media, "there are enough examples of careless or

reckless reporting to conclude that discriminatory, sensational, or unbalanced reporting in relation to ethnic minorities, immigrants and/or asylum seekers is a feature of journalistic practice in parts of the press, rather than an aberration."³¹

In specific relation to the print media's reporting on Muslims, Lord Leveson said: "The evidence demonstrates that sections of the press betray a tendency, which is far from being universal or even preponderant, to portray Muslims in a negative light."³²

Moreover, his observation on "whether articles unfairly representing Muslims in a negative light are appropriate in mature democracy which respects both freedom of expression and the right of individuals not to face discrimination",³³ was strongly echoed in concerns and perspectives which were widely aired during our own consultative exercises.

ISLAMOPHOBIA ONLINE

While the growth and expansion of the Internet has created many positive opportunities for people to connect, it has also acted as a double-edged sword (Back et al., 2010) by creating a platform for people spread hate, often under a pseudonym and/or anonymous identity (Bargh & McKenna, 2004; Blair, 2003; Citron, 2014; Hodges & Perry, 1999).

Online comments posted on social networking sites such as Facebook and Twitter, blogging sites, chat rooms, and other virtual platforms (Allen: 2014) can be laced with extremist and right wing sentiment (Wall: 2001, Saeed: 2007). Such comments can also appear in the form of racist jokes and stereotypical 'banter' (Weaver: 2013), which add an additional layer of assumed protection for perpetrators who, unwilling to embrace individual responsibility for harmful content, deflect its seriousness by projecting it as 'harmless fun'. Academics have argued that if such incidents are left unregulated and unchallenged, this type of speech can evade censure and can all too easily translate into the normalisation of such behaviour and the possible escalation to physical attacks (Saeed: 2007).

Feldmen et. al (2013: 21) reported that online incidents of Islamophobia made up the majority of reports made to Tell MAMA - a third party reporting centre established to 'measure anti-Muslim attacks'. Of the reports received in the year 2012, 69% were linked to the far right, specifically to the English Defence

27 "EDL accused of council 'blackmail' in Christmas letter", BBC, November 26, 2010, accessed 07.11.2018, <https://www.bbc.co.uk/news/uk-england-11848225>

28 "The Missing Muslims...", p. 26.

29 IPSO upholds complaint that Sun article was significantly misleading, 26 March 2016. <https://www.ipso.co.uk/news-press-releases/press-releases/ipso-upholds-complaint-that-sun-article-was-significantly-misleading>. Last accessed November 9, 2018.

30 Lord Justice Leveson, An inquiry into the culture, practices and ethics of the press, 2012. Volume 2, Chapter 6, paragraph 8.51

31 Ibid

32 Lord Justice Leveson, An inquiry into the culture, practices and ethics of the press, 2012. Volume 2, Chapter 6, paragraph 8.45

33 Ibid

League (EDL) and British National Party (BNP). Their findings also included the profile of perpetrators of online abuse, which were by in large committed by males, who often made threats of an offline nature in their online abuse. These included threats to burn down mosques and kill Muslims babies (2013: 23). Online comments were mainly anti-Pakistani comments, containing accusations of “rape and paedophilia, incest, interbreeding, being terrorists, and killing Jews” (Feldman et. al, 2013: 23). Awan argues that far right group are using online spaces to create a violent, Islamophobic and racist narrative towards Muslims (Awan: 2016).

While perpetrators are largely anonymous, the prospect of offline incidents stemming from online postings is very real for victims (Douglas et. al: 2005, Hall: 2005). There can be both direct and indirect effects of experiencing hate on the Internet (Awan & Zempi, 2015a; Awan, 2016; Chakraborti & Garland, 2009), which includes experiencing anxiety, depression and feelings of isolation (Awan and Zempi: 2015). The Online Hate Prevention Institute (2013) produced a report that specifically looked at anti- Muslim hatred on Facebook and discovered that Facebook had not removed hate speech and images because they did not breach their ‘community standards.’ This has led to calls from politicians for better structures to deal with online hate and for social media platforms to take a greater onus on tackling online hate (Morris: 2015, Awan: 2014).

The Home Affairs select committee in its interim report, ‘Hate crime: abuse, hate and extremism online’, under its inquiry on Hate Crime and its Violent Consequences, has drawn attention to the role of social media companies over moderating online content and acting decisively and quickly to remove material which breaches community standards. In its report, the committee states: “[I]t is very clear to us from the evidence we have received that nowhere near enough is being done. The biggest and richest social media companies are shamefully far from taking sufficient action to tackle illegal and dangerous content, to implement proper community standards or to keep their users safe...[W]e believe that the interpretation and implementation of the community standards in practice is too often slow and haphazard. We have seen examples where moderators have refused to remove material which violates any normal reading of the community standards, or where clearly unacceptable material is only removed once a complaint is escalated to a very senior level.”³⁴

There are a number of laws under which perpetrators of online hate can be prosecuted. These include charges under ‘racially motivated’ or ‘religiously motivated’ crimes under the Crime and Disorder Act 1998, the Malicious Communications Act 1988,

the Communications Act 2003, and the Public Order Act 1986. However, on the whole it has proven difficult to police people’s activity on social media platforms (Awan: 2014). The threshold for criminal prosecution under the Racial and Religious Hatred Act 2006 has been cited as reason for the low number of prosecutions which can be successfully brought to trial. There is a greater need for stronger policy in this area especially in light of negative impact of online hate crime on the affected target group and on community cohesion (ACPO: 2013, McNamee et.al: 2010).

GENDERED ISLAMOPHOBIA

A 2017 report by Ipsos Mori, reviewing a raft of survey and polling data on British Muslims, found that prejudice against Muslims is felt to be increasing especially among Muslim graduates and young Muslims (Ipsos Mori: 2017, 8). Survey results demonstrated that 63% of Muslims think there is greater prejudice against Muslims than any other religious group, and 27% said they had experienced discrimination, rising to 34% for graduates and young Muslims aged between 18-24. Furthermore, one in four Muslims (26%) said they worried about being physically attacked (Ipsos Mori: 2017, 8).

Significant to the debate on prejudice and discrimination towards Muslims had been the visibility of Muslim women and the subject of the veil - whether a headscarf or the face veil. Muslim women are feared, and seen as the ‘enemy within’ because they are viewed as not in with the western ideal of womanhood (Perry: 2014). Here, the symbolism of the veil (hijab and/or niqab) is crucial, as it is not only taken as a sign of submissiveness but also as a sign of Islamic aggression (Perry: 2014). Covered women are thus represented as ‘agents’ of terrorism (Perry: 2014) and as warrior terrorists alongside male counterparts who are ready to wage war on the West (Aziz: 2012, Perry: 2014). In this way, the hermeneutics of dress contributes to the way in which Muslims are able to perform and experience public spaces, and life in ‘western’ society. As a result, academics such as Mirza (2009) have argued that the headscarf and/or veil is experienced as a ‘second skin’.

The Missing Muslims report notes that “Muslim women can often face a compounded element of discrimination, owing to their religion, gender and ostensible markers such as the headscarf (hijab) and face-veil (niqab) – as well as a lack of support from within their own communities.” It goes further to suggest that some Muslim women who suffer a lack of success based on religion, “viewed the prospective discrimination as insurmountable, resulting in them removing their hijab to find work.”³⁵

³⁴ ‘Hate crime: abuse, hate and extremism online’, HC609, Home Affairs Committee, 1 May 2017. Paragraphs 25 and 39, respectively.

³⁵ Ibid.

Exacerbating this further is the structural disempowerment Muslim women experience due to the multiple subjectivities they occupy, often being simultaneously affected by their class, gender, ethnic, racial and religious position (Perry: 2014, Aziz: 2012, 25, Bullock and Jafri: 2002, 35, Zine: 2006). Abu Ras and Suarez (2009) highlight the complex nature of Muslim's women's positionality as working to disadvantage them in the educational, financial and social resources (Bianchi et.al: 1996, Essers and Benschop: 2009) thereby increasing their vulnerability to violence. Copsey et. al (2013) found that 58% of the 585 Islamophobic incidents reported to Tell MAMA between 1 April 2012 and 30 April 2013, were against women, of which 80% identified as visibly Muslim. These figures resonate with data from Europe where visibly Muslim women are the victims of street hate crime (Runnymede: 1997). The forms of abuse were found to range from verbal abuse, spitting, having headscarves or face veils torn from them, harassment, aggressive or threatening behaviour, violence and physical harm (Allen: 2014).

Victims of hate crime can experience anxiety, depression and feelings of isolation (Awan and Zempi: 2015). Muslim women's experiences in particular, can shape their sense of ease and belonging (Perry: 2014), which fulfils the intention of the perpetrators to encourage victims to reconsider their place in society, and consider whether to alter their performance of religion and gender in public spaces (Perry: 2014). Gendered Islamophobia then describes the racialised discrimination that Muslim women experience that is rooted in historically contextualised negative stereotypes which perpetuate cycles of exclusion and marginalisation (see also Perry: 2014).

MUSLIMS AND EMPLOYMENT

Academic research has consistently shown that British Muslims face considerably high levels of economic disadvantage than other groups in Britain and experience a 'Muslim penalty' in the labour market which disadvantages them negatively as a group above all other groups. The unemployment rate has been reported as being twice the national average (Garratt: 2016). Amongst those who are employed, British Muslims are severely underrepresented in higher occupations with only 6% holding senior

positions, which is the lowest figure of all religious groups in the UK (Garratt: 2016, Demos: 2015). Furthermore, British Muslims on average earn £350 less each month compared to members of any other religious group (Heath and Li: 2015).

A report by the Government's Social Mobility Commission (Stevenson et. al: 2017) found that widespread Islamophobia, racism and discrimination increasingly punctuate Muslim men and women's professional and career development. This is despite the strong work ethic and high resilience amongst Muslims that result in outstanding academic results. Muslim women in particular are thought to be the least economically active group of women in the UK, with 18% looking after home and family compared with 6% of the overall female population. A number of barriers to success have been identified in the Commission's report (Stevenson et.al: 2017), which include ethnic names that act as a barrier to securing a job interview, Muslim women who wear headscarves being subjected to discrimination in the workplace, teachers expecting less from minority ethnic and/or Muslim students and thus investing less time and fewer resources to benefit their education, and a lack of role models or Muslim staff in schools.

CONCLUSION

The aim of this literature review was to provide a brief overview of the research that has been conducted into the experiences of Muslims in Britain. The studies and research discussed in this chapter demonstrate there to be, at the very least, an unfavourable climate towards Muslims in many social contexts. In order for progress to be made towards greater equality for Muslims, it is vital to undertake better data collection and rigorous data analysis so that evidence-based policies can be proposed which address Muslim inequalities. A more immediate task, which complements this wider strategy, is the adoption of a working definition of Islamophobia that is firmly embedded in the body of literature on racism and anti-racism such that structural inequalities can be systematically lifted.

Muslim male, London

"Islamophobia is felt by the whole Muslim community through institutionalised Islamophobia, through security measures like

Prevent. Islamophobia is felt when I am under scrutiny for possible acts that I don't even think of doing; when I am questioned without reason..."

Chapter 2 - Arriving at a working definition

In this chapter we focus on the trajectory of definitions of Islamophobia that have been proposed over the last two decades and later outline the terms of reference to our inquiry to arrive at a working definition.

TRAJECTORY OF DEFINITIONS

The term Islamophobia is a relatively new phenomenon and entered the policy discourse two decades ago although the term itself has a longer history. As a result, it does not enjoy the longer history and popular acceptance of terms such as racism or anti-Semitism. An early attempt to conceptualise and define Islamophobia was put forward by the Runnymede Trust in 1997 who defined it as:

“a useful shorthand way of referring to dread or hatred of Islam - and, therefore, to fear or dislike all or most Muslims.”³⁶

This definition has attracted some criticism due to the methodology employed, namely, a series of binary statements which are classed as ‘open views’ or ‘closed views’ of Islam and which predicate the hostility towards Muslims that is termed Islamophobia. The definition has invited critique for being unwieldy, lacking easy transferability into legal domains, and for oversimplifying open views equating to ‘Islamophilia’ (like of Islam) and ‘closed views’ equating to Islamophobia (dislike of Islam). Criticism has also been levelled at the seemingly unquantifiable nature of the problem as presented by this definition with critics arguing that though useful it is not substantially usable for social scientific purposes.

A different definition building on the early Runnymede one was presented in the report by the Council of Europe, Islamophobia and its consequences on Young People:

“[Islamophobia is the] the fear of or prejudiced viewpoint towards Islam, Muslims and matters pertaining to them...[taking] the shape of daily forms of racism and discrimination or more violent forms, Islamophobia is a violation of human rights.”³⁷

On the international stage, two further definitions have been put forward. The first from the UN Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance who has defined Islamophobia as,

“a baseless hostility and fear vis-à-vis Islam, and as a result, a fear of, and aversion towards, all Muslims or the majority of them. [Islamophobia] also refers to the practical consequences of this hostility in terms of discrimination, prejudices, and unequal treatment of which Muslims (individuals and communities) are victims and their exclusion from major political and social spheres”.³⁸

The UN’s definition captures similar threads on the notions of fear and hostility of Muslims but it goes further and identifies particular impacts which Muslims suffer as a consequence such as discrimination, unequal treatment and exclusion. The UN definition distinguishes Islam as a religion from its followers, and refers to the practical consequences

Three in five British Muslims think there is more prejudice against Muslims than against other religious groups in Britain

of Islamophobic actions on victims - that is, Muslims, though the definition delineates the nature of the hostility as being baselessly directed at Islam.

A definition forward by the Organisation of Islamic Cooperation’s Observatory on Islamophobia defined the phenomena as:

“an irrational or very powerful fear or dislike of Islam and the feeling as if the Muslims are under siege and attack. Islamophobia however goes much beyond this and incorporates racial hatred, intolerance, prejudice, discrimination and stereotyping. The phenomenon of Islamophobia in its essence is a religion-based resentment.”³⁹

This definition introduces the intersectional nature of Islamophobia by incorporating ‘racial hatred’ as a defining feature of anti-Muslim hostility. It moves some way from the earlier notion of Muslims as scapegoats and frames the definition in reintegrates essential aspects of the early Runnymede definition, ‘fear’ and ‘dislike’. As with the aforementioned UN definition, this too emphasises the practical

³⁶ Commission on British Muslims and Islamophobia (1997) Islamophobia: a challenge for us all: report of the Runnymede Trust Commission on British Muslims and Islamophobia. London: Runnymede Trust. p. 1.

³⁷ Ingrid Ramberg.(2005). Islamophobia and its consequences on Young People, Council of Europe. p 6.

³⁸ UN Human Rights Council Document No. A/HRC/6/6, 21 August 2007. Available at: <http://www.oicun.org/uploads/files/articles/UNHRC-rep.pdf>

³⁹ Organization of the Islamic Conference (2008) 1st OIC Observatory report on Islamophobia. Kampala, Uganda: OIC. Available at: http://www1.oic-oci.org/uploads/file/Islamphobia/islamphobia_rep_may_07_08.pdf.

consequences faced by Muslims; ‘intolerance, prejudice and discrimination’.

Dr Farid Hafez and Dr Enes Bayrakli of the Foundation for Political, Economic and Social Research (SETA), and co-authors of the annual European Islamophobia Report, argue that Islamophobia is about:

*“... a dominant group of people aiming at seizing, stabilizing and widening their power by means of defining a scapegoat - real or invented - and excluding this scapegoat from the resources/rights/definition of a constructed ‘we’. Islamophobia operates by constructing a static ‘Muslim’ identity, which is attributed in negative terms and generalized for all Muslims. At the same time, Islamophobic images are fluid and vary in different contexts, because Islamophobia tells us more about the Islamophobe than it tells us about the Muslims/Islam.”*⁴⁰

This longer definition repeats several features of the Runnymede definition, with notions of homogenising, collectivising and thus generalising about all Muslims while adhering to essentialist tropes about Islam and Muslims. Interestingly, the definition captures some aspect of the contextual variants of Islamophobia with its emphasis on the ‘fluidity’ of image and contexts.

In 2010, the Open Society Institute report on ‘Muslims in Europe: A report on 11 EU Cities’, defined Islamophobia as *“Irrational hostility, fear and hatred of Islam, Muslims and Islamic culture, and active discrimination towards this group as individuals or collectively.”*⁴¹

In 2011, the Center for American Progress (CAP), in report *Fear Inc*, tracing the financial network that contributes to and perpetuates Islamophobia in the US, proposed a definition of Islamophobia as follows:

*“an exaggerated fear, hatred, and hostility toward Islam and Muslims that is perpetuated by negative stereotypes resulting in bias, discrimination, and the marginalization and exclusion of Muslims from America’s social, political, and civic life.”*⁴²

Again, core features from the early Runnymede definition reappear with the inclusion of ‘fear’, ‘hatred’ and ‘hostility’. The CAP definition, as with the UN definition, extends to encapsulate the domains where Muslims suffer unnecessary exclusion due to Islamophobia; in social, political and civic life.

The ‘race’ paradigm is somewhat absent in these various definitions although their contours point to various forms of structural racism such as stereotypes,

inequality and exclusion from domains - political, social and civic. The OIC definition, by inviting racial hatred into its broad composition, widens the lens on conceptualising Islamophobia as a pathology on Muslims that is both racial and religious in nature.

Erik Bleich has proposed a definition of Islamophobia for the purpose of testing hypotheses on Islamophobia as rising or falling using tools of social science to either verify or falsify claims. He argued Islamophobia is,

*“...as indiscriminate negative attitudes or emotions directed at Islam or Muslims...”*⁴³

Here, Bleich defines the term ‘indiscriminate’ as differentiated attitudes or emotions. For instance, if a Muslim woman is raised in a country where female circumcision is practiced and grows to hold negative opinions about Islam, as practiced by some Muslim communities, this does not automatically constitute Islamophobia. However, if these negative attitudes and/or criticisms of Islam were used to justify the condemnation of Muslims as a whole, it becomes an indiscriminate attitude that constitutes Islamophobia (Bleich: 2011, 1585).

In 2017, Dr Chris Allen suggested that the definition of anti-Semitism should be used as a template for a definition of Islamophobia. Allen argued that the similarities between the two forms of hate and the fact that anti-Semitism was widely accepted were good grounds on propose an analogous definition. Allen defined Islamophobia as:

*“Islamophobia is a certain perception of Muslims, which may be expressed as hatred toward Muslims. Rhetorical and physical manifestations of Islamophobia are directed toward Muslim or non-Muslim individuals and/or their property, toward Muslim community institutions and religious facilities”.*⁴⁴

Allen’s definition makes an effort to follow in the footsteps of the definition of anti-Semitism, a term which is more widely understood than Islamophobia and whose manifestations, like with Islamophobia, is directed at individuals who are Jewish, whether actual or perceived to be, their property, institutions and other objects or facilities associated with (or perceived to be associated with) Jews. We found this comparative approach helpful and informative.

In 2017, the Runnymede Trust produced a follow up report to its original report of 1997 titled “Islamophobia: Still A Challenge for Us All.” In it, The Runnymede Trust offered a short and long definition of Islamophobia. The short definition is:

40 See <http://www.islamophobiaeurope.com/>

41 Open Society Institute report (2010) ‘Muslims in the EU: a report on 11 EU cities’. (Hungary: OSI) pg. 18

42 Wajahat Ali, Eli Clifton, Matthew Duss, Lee Fang, Scott Keyes, and Faiz Shakir. (2011). *Fear, Inc. The Roots of the Islamophobia Network in America*. Center for American Progress. p. 9.

43 Erik Bleich. (2011). What Is Islamophobia and How Much Is There? Theorizing and Measuring an Emerging Comparative Concept. *American Behavioural Scientist*, Vol. 55(12), pp. 1581-1600. p. 1581.

44 Chris Allen. *Towards a working definition of Islamophobia*. Briefing paper, July 2017. p 3.

*“Islamophobia is anti-Muslim racism.”*⁴⁵

The long definition is:

*“Islamophobia is any distinction, exclusion, or restriction towards, or preference against, Muslims (or those perceived to be Muslims) that has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”*⁴⁶

The second Runnymede definition takes the clearest steps to embed Islamophobia in anti-racism paradigms and incorporates features of the UN’s definition of racism within its longer definition to signify the structural and other impediments anti-Muslim racism presents to the pursuit of equality for Muslims.

From a legislative perspective, The Crime Prosecution Service (CPS) has defined Islamophobic incidents as:

“any incident which is perceived to be Islamophobic by the victim or any other person...”

Of particular importance with the CPS definition is the term ‘perceived’, which buffers for variations in ‘subjective’ experience.

In light of the trajectory of definitions, for which we have demonstrated there are many, there is a clear need for a working definition that is widely accepted and adopted across public sector organisations, government, and within the legal and policy frameworks, which adequately reflects and captures the experience of Muslims facing Islamophobia in Britain, today. For this definition to operate effectively, it must capture the actions that constitute Islamophobia and its impact on Muslim communities.

70% of Muslims said they had specifically experienced religion-based prejudice

THE CONSEQUENCES OF NOT ADOPTING A DEFINITION OF ISLAMOPHOBIA

In his response to the question of whether the Government had adopted a definition of Islamophobia, Lord Bourne of Aberystwyth answered, “Previous attempts by others to define this term have not succeeded in attracting consensus or widespread acceptance.”

We quite agree that both consensus and widespread acceptance have impeded past efforts to promote and adopt a definition of Islamophobia. Hence, this inquiry was initiated for the purposes of addressing these obstacles and facilitating both consensus and acceptance of a definition of Islamophobia. Indeed, within the scope of this inquiry, we heard from many

witnesses what the absence of a definition meant in terms of costs to, and consequences for, victims.

Professor Peter Hopkins and The Centre for Hate Studies (Leicester University) told the APPG that the main consequence of not adopting a definition of Islamophobia is that it would encourage some people to continue to deny that Islamophobia is an issue in society. A concrete definition would enable this to be challenged. Other consequences could include victims not recognizing anti-Muslim acts against them as ‘Islamophobic’ and not reporting instances of discrimination, hatred or exclusion as a result. The NUS told the APPG that not adopting a definition of Islamophobia would be detrimental to all Muslims and those that are perceived as Muslims, as it is pervasive in all aspects of social and public life: from students experiencing Islamophobic abuse on campus to large numbers of Muslim institutions and cemeteries being attacked. In the NUS’s view, adopting a coherent definition would allow for a clear examination and interrogation of what constitutes this form of hate and should be focused on uncovering the root causes of this structural racism experienced by Muslims and those perceived to be Muslim. As such, British Muslims would be able to trust the government, which would assist in decreasing the disaffection British Muslims often experience in relation to the government.

Dr Sariya Cheruvallil-Contractor explained that the absence of a definition is unhelpful on many levels

including, victims may not receive appropriate support, service providers may not be able to access appropriate support networks to resolve issues and facilitate justice, and result in significant misreporting as incidents of Islamophobia may be treated as racism and vice versa, which can lead to an inaccurate sense of Islamophobia. Dr Nadya Ali (University of Sussex) and Dr Ben Witham (De Montfort University) informed the APPG that the consequences of not adopting are twofold.

The first relates to the difficulty in challenging the pervasive and structured discrimination faced by British Muslims such as hate crime, barriers to accessing public services, and differential employment and educational outcomes facing Muslims, which cannot be identified or challenged without naming these problems as products of Islamophobia.

Secondly, not recognising that Islamophobia is a specifically racial and religious form of discrimination leaves Muslims vulnerable to abuse without recourse to legal or political remedy. This was also echoed in Dr Imran Awan and Dr Irene Zempi’s submission in which they stated, the consequences of not having

⁴⁵ Farah Elahi and Omar Khan, eds. (2017). *Islamophobia, Still a challenge for us all*. (London: Runnymede Trust). p 1.

⁴⁶ Ibid.

a definition would make it difficult to provide the appropriate resources to understanding and helping victims, and drawing out differences between different victim groups.

Akeela Ahmed, Chair of the Independent Members of the Government's Cross-Department Working Group on Anti-Muslim Hatred told the APPG, not adopting a definition would expose the concept of Islamophobia to inconsistency in a way that permits it to be rejected by individuals and groups that target and discriminate against Muslims. Akeela Ahmed stressed that a definition with legal power is required, one that could be implemented by the government and the police. The Islamophobia Response Unit (IRU) said in evidence that in the absence of a definition, there is a lack of clarity as to what one is referring to when one uses the term Islamophobia. A robust definition would enable people to identify whether they have experienced Islamophobia or not. In the absence of such a definition by Parliament, the natural recourse is either criminal law or civil law equivalents, namely religiously aggravated offences and the equality act, which are narrow definitions.

In light of the evidence submitted, the APPG is of the view that not adopting a definition would be detrimental to British Muslims, as it would allow for the continued denial of Islamophobia as a real lived experience, prevent the analysis of incidents around the country, and continue to weaken the way in which Islamophobic incidents are addressed. As a result, the APPG is of the view that a definition is urgently required now more than ever.

METHODOLOGY

As part of this inquiry, we set a number of questions to which we invited written submissions. Statutory agencies and relevant sectors, in education, employment, criminal justice and equalities and human rights, were approached to submit evidence to the inquiry. The terms of inquiry were advertised for a period of eight weeks between mid-May 2018 and mid-July 2018. The questions were as follows:

1. Have you adopted a definition of Islamophobia or anti-Muslim hatred in your line of work and if so, what is it? If you have not adopted a definition of Islamophobia or anti-Muslim hatred, please detail any criteria used to assess anti-Muslim bias.
2. What are the consequences of not adopting a definition of Islamophobia or of anti-Muslim hatred, if any? Do we need a definition of Islamophobia or anti-Muslim hatred?
3. What actions or behaviours are captured by the definition or criteria you employ?
4. a) What are the strengths and weaknesses of the definition or criteria you employ?
b) How do the strengths of weaknesses compare to other definitions of group based hatred or hostility eg. racism or anti-Semitism?
5. How useful is the definition or criteria you employ to identifying, quantifying, tackling Islamophobia or anti-Muslim hatred?
6. What conditions should a working definition satisfy to be functional across sectors?
7. How useful would a scale of intensity or Islamophobia/anti-Muslim hatred be for measuring the strength of anti-Muslim feeling/anti-Muslim prejudice?
8. How can we reconcile a working definition of Islamophobia or anti-Muslim hatred with freedom of speech, within a rights-based framework?

A large volume of written submissions were received from organisations and individuals from across the spectrum. Several of those submitting written evidence were later invited to attend oral evidence sessions. Four oral evidence sessions were held in parliament in June 2018. Four public community consultation events were also held, to supplement the evidence solicited by the APPG from experts, academics, community organisations and others. The community consultations were opened to local communities and were held in Manchester, London, Birmingham and Sheffield.

Muslim female, Barnsley

“Swear words were shouted at me and my children from men in cars, this happened five times on different occasions...my son who is seven years old was spat at while in B&Q in Barnsley. I reported the swearing from cars on two occasions as I took down the car registration numbers...the

police visited the perps (sic) both times and said if I had another complaint against them they will be arrested...the police said the young men were white who were remorseful and going to start university so I dropped the case.”

Chapter 3 - Our findings

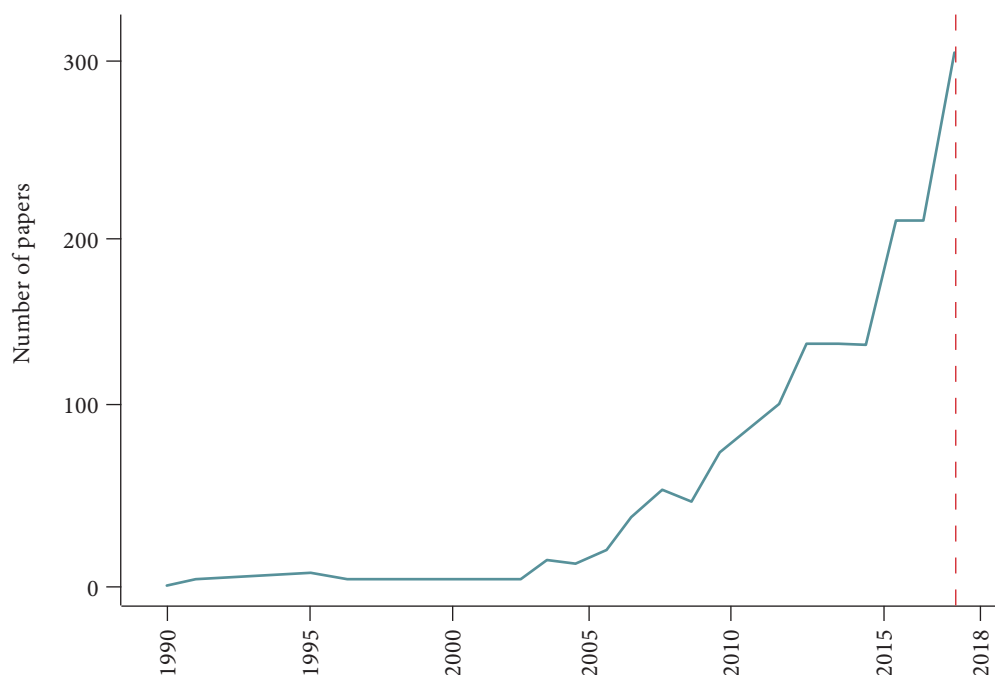
The submissions received by the APPG on British Muslims, as part of our inquiry into a working definition of 'Islamophobia', have fleshed out a variety of arguments in favour of the term, signalling that there is an overall agreement that formulating and adopting a legally binding definition of Islamophobia is not just needed, but also possible. The contributors – academics, activists, NGOs, think tanks, experts and practitioners – tend to agree that the term Islamophobia is the most appropriate one, as it encompasses a variety of manifestations and practices that can comfortably be localised within what is generally understood as anti-Muslim racism and anti-Islam discourses. Equally important, as many have pointed out, is the fact that Islamophobia is a broadly adopted term. Coming into mainstream society after the publication of the Runnymede Trust's report *Islamophobia: A Challenge for Us All* (1997), the term is already largely accepted across a public of both experts and non-experts alike.

The use of the word Islamophobia has grown exponentially over recent times, and the phenomenon has become a central focus of academic explorations across several fields of inquiry. Researchers from a variety of disciplines such as Sociology, Critical Race Studies, Religious and Sociology of Religion studies, Intercultural Relations, Ethnic and Racial Studies, and a wide range of other specialism, have looked at

Islamophobia with increasing interests, making it a central topic in the academic debate. Bertie Vidgen shows that before 1990, only 6 scholarly papers that dealt with Islamophobia were released. These increased to 33 during the 1990s, but it is only with the turn of the century that we begin to see Islamophobia establishing itself a central subject in the academic debate.⁴⁷

As Figure 4 shows, 310 papers were released in the 2000s, and a staggering 1632 in the 2010s – event though, as Vidgen warns, the decade is not over. This adds to the wide range of academic disciplines that concern themselves with the study of Islamophobia – as shown in Table 2 – a testament to the multifaceted nature of the phenomenon. As the submissions received by the APPG evidence, Islamophobia finds its roots in matters of history, culture, politics and society, and it is this intersectionality that compels us to adopt a multidisciplinary approach to assess, evaluate and define the phenomenon. By exploring the different layers that make Islamophobia the broadly understood issue that it has become today, the submissions guide us to a comprehensive definition that accepts no ambiguities and that leaves no dimension unconsidered. In short, the definition draws from the many contributions received putting the right words into a concept that is very familiar in our society.

FIGURE 4



⁴⁷ Written evidence submitted to the APPG on British Muslims by Bertie Vidgen, PhD student, University of Oxford.

TABLE 2

TOP JOURNALS PRIOR TO 2014

	Journal	Number of papers	Percentage of papers
1	Race and Class	23	2.67
2	Ethnic and Racial Studies	17	1.98
3	Islam and Christian-Muslim Relations	14	1.63
4	Patterns of Prejudice	14	1.63
5	British Journal of Social Psychology	9	1.05
6	International Journal of Intercultural Studies	9	1.05
7	Journal of Experimental Social Psychology	9	1.05
8	Contemporary Islam	8	0.93
9	Journal of Muslim Minority Affairs	8	0.93
10	British Journal of Sociology	7	0.82

TOP JOURNALS SINCE 2014

	Journal	Number of papers	Percentage of papers
1	Ethnic and Racial Studies	21	2.08
2	Journal of Muslim Minority Affairs	20	1.98
3	Patterns of Prejudice	13	1.29
4	International Journal of Intercultural Studies	12	1.19
5	Islam and Christian-Muslim Relations	10	0.99
6	Journal of Ethnic and Migration Studies	9	0.89
7	Journal of Ecumenical Studies	8	0.79
8	Journal of Muslims in Europe	8	0.79
9	Economic and Political Weekly	7	0.69
10	Identities	7	0.69

As such, as Vidgen points out in his submission, “there is no putting the genie back into the bottle”,⁴⁸ meaning that while a variety of linguistic arguments can be advanced against the lexicalization of the term, the mainstream adoption of ‘Islamophobia’ could indeed be already a signal that it is not the term that is up for acceptance, rather its definition. During the oral evidence session, Professor Tariq Modood confirmed that “we need to ensure there is a definition in place so that people cannot wriggle out of it”.⁴⁹ On a similar note, Paul Giannasi OBE, the cross-government hate crime programme lead, admitted during his oral evidence session that he “wouldn’t say ‘don’t ever use Islamophobia’, because lots of people understand what you say when you do”, while maintaining scepticism about the scope of the terminology and its applicability in criminal justice policy.⁵⁰ The need to retain the term was further discussed by members of the Manchester community, who during the oral sessions argued:

“There is the argument of what is a strict definition, and whether or not people have a right to criticise a religion or not... and then the other side of the argument is, whatever the reason or the history of this terminology of Islamophobia, there is a capital that has developed for two, three decades and it’s

accepted, and it might not be strictly correct, but when people use it, they know what they are trying to say.”

Here, we explore the main arguments advanced by both supporters and opponents of the term Islamophobia, by looking at its many dimensions, manifestations and targets. This includes the institutionalisation of Islamophobia, its reach beyond hate crimes, and also its targeting of expressions of ‘Muslimness’ or those perceived as such. In turn, we examine and contrast the arguments in favour of the term Islamophobia with those that oppose it by drawing on questions of free speech, exceptionalism of Islam and legitimate rights to criticise the religion.

In doing so, we outline the process of reasoning which underpins the working definition of Islamophobia proposed by the APPG on British Muslims.

ISLAMOPHOBIA: MORE THAN HATE CRIMES

What is Islamophobia? Most of the submissions presented to the APPG discuss Islamophobia as a phenomenon that encompasses far more than hate crimes, extending to a variety of different manifestations such as behaviours, casual discrimination, or the well-known conflation of

48 Written evidence submitted to the APPG on British Muslims by Bertie Vidgen, PhD student, University of Oxford.

49 From oral testimony to the APPG on British Muslims by Professor Tariq Modood on June 20, 2018.

50 From oral testimony to the APPG on British Muslims by Paul Giannasi OBE on June 26, 2018.

Islam with terrorism. Guidance Consultancy Ltd, for example, describes it as “A derogatory direct or indirect verbal, written or physically threatening act against a person or group based exclusively due to their Muslim faith religious identity”, fleshing out the broad spectrum of behaviours that can reasonably be seen as Islamophobic.⁵¹ Again acknowledging the wide breath of manifestations that need to be categorised as Islamophobia, Awan and Zempi define it as:

“A fear, prejudice and hatred of Muslims or non-Muslim individuals that leads to provocation, hostility and intolerance by means of threatening, harassment, abuse, incitement and intimidation of Muslims and non-Muslims, both in the online and offline world. Motivated by institutional, ideological, political and religious hostility that transcends into structural and cultural racism which targets the symbols and markers of a being a Muslim.”⁵²

This echoes Equaliteach’s submission, which highlights the fact that,

“It is important that any definition captures the fact that Islamophobia is more than just individual prejudice and includes systemic discrimination against Muslims and the exclusion of Muslims from the public sphere. However, we need versions which are accessible to people who are not academics, or specialists in the field.”⁵³

Similarly, and drawing from the Home Office data and a range of surveys, Bertie Vidgen shows how Islamophobia can manifest itself both violently or in less intense forms. For example, in 2016/17 religiously motivated hate crimes increased by 35%, and although the term does not reflect exclusively anti-Muslim hate crimes, those were often driven by “prominent Islamist events, such as Islamist terror attacks”. Beyond hate crimes, however, prejudice against Muslims in British society remains widespread. For example, 42% of English people are suspicious of Muslims, 25% agree that “Islam is a dangerous religion”, and 55% support the racial profiling of Arabs and Muslims by the police. The term Islamophobia, Vidgen argues, is thus able to capture both subtle and explicit manifestations of anti-Islam and anti-Muslim hatred. Although the two do not indicate the same thing, there is little point in attempting to tackle them as separate phenomena:

“Criticisms directed against Muslims often entail (at least implicitly) criticisms against Islam and criticisms directed against Islam are often simply tools for criticising Muslims. Anti-Islamism is not the

same as anti-Muslimism, but the two are intimately connected and both can be considered constitutive parts of Islamophobia.”⁵⁴

That is why the term Islamophobia is not just theoretically sound, but also practically convenient. “Islamophobia”, echoes Kallis reminding us of the need for a broad appreciation of the phenomenon, “unfolds on three levels: thought/prejudice; language; and behaviour/action.... a tripartite understanding of Islamophobia binds together cause, process, and effect along a spectrum that facilitates the escalation and normalisation of anti-Muslim racism.”⁵⁵ As noted earlier, acknowledging Islamophobia’s historical, cultural, political and sociological dimensions allows for a dynamic understanding of the phenomenon, rooted not only in its immediately observable manifestations, but also in the less evident processes that sustain it and normalise it.

This was one of the core themes which emerged during the oral evidence session. Kallis expressed concerns over the normalisation of Islamophobia, as he claimed that “racism has moved so far ahead from hatred ad phobia that it is now everyday attitude and behaviour”. As such, one of the central challenges with Islamophobia no longer relates to its exceptionality, or exceptional manifestations, but to the process of normalisation through which the phenomenon has become so hard to detect. “When something becomes so normalised”, continued Kallis, “it does become invisible”. This is also why, when asked by parliamentarians whether we need a definition of Islamophobia, he answered:

“Yes of course we need a definition, and we need one now. Sometimes definitions can be quite awkward but we’re talking about a phenomenon that is gaining traction for negative reasons and we need to somehow both identify it as a particularly pernicious form of something much bigger and at the same time strengthen its relationship with that ‘much bigger’. I would actually say that this talk about definition is in many ways five or six years too late.”⁵⁶

In his submission, Peter Hopkins distinguishes between “everyday Islamophobia” (ranging from physical assault to being purposely overlooked or excluded), “institutional Islamophobia” (when the manifestation occurs within an institutional context, such as education, local authority or government), and “state Islamophobia” (when the manifestation is driven by the State, either intentionally or unintentionally, through practices that reinforce

51 Written evidence submitted to the APPG on British Muslims by Kaleem Hussain of Guidance Consultancy Ltd.

52 Written evidence submitted to the APPG on British Muslims by Dr Imran Awan of Birmingham City University, and Dr Irene Zempi of Nottingham Trent University.

53 Written evidence submitted to the APPG on British Muslims by Sarah Soyei of Equaliteach.

54 Written evidence submitted to the APPG on British Muslims by Bertie Vidgen of University of Oxford.

55 Witten evidence submitted to the APPG on British Muslims by Professor Aristotle Kallis of Keele University.

56 From oral testimony to the APPG on British Muslims by Professor Aristotle Kallis on June 20, 2018.

the discrimination). Touching upon a key aspect in favour of the adoption of a legally binding definition of Islamophobia, he further argues that losing the term could result in victims “not reporting instances of discrimination, hatred or exclusion” because the act is not recognised as Islamophobic by those who have suffered it.⁵⁷ This is, effectively, evidence of the fact that efforts to define Islamophobia are not mere intellectual exercises, but much needed attempts to tackle a very real issue. Islamophobic incidents, Awan and Zempi remind us, occur in public spaces, on trains, buses, in shopping centres as well as in the workplace – and often in the presence of other people who, however, do not intervene.⁵⁸ Islamophobia is indeed a very real phenomenon, and one in need of a critical clarification and codification, which would only be possible if different views, approaches and experiences come together to inform a broad and legally-binding definition.

Similarly, failing to adopt a broad definition of Islamophobia – and limiting our understanding of it to its most apparent manifestations – would result in the creation of instruments that would only partially tackle the problem. As Akeela Ahmed points out, the “structural nature of Islamophobia” – which concerns “every aspect of a British Muslim person’s life” such as education, employment and representation in the Criminal Justice System – and the “intersectional nature of Islamophobia” – which concerns its intersection with racism and sexism – would not be captured if we were to understand and define Islamophobia solely as religious hate crime. In her submission, other examples of casual Islamophobia are outlined, for example with pupils commenting “it was Muslims, it was Muslims” when a fire alarm went off in a secondary school in the outskirts of London.⁵⁹ The National Union of Students (NUS) adds to this by fleshing out other, more hidden manifestations of Islamophobia. Their study revealed that 40% of the surveyed Muslim students would refrain from “engaging in a high-profile position in their students’ union” because of the “negative portrayal of Muslims”.⁶⁰

Such perspectives are echoed in the Ramadhan Foundation’s submission, which describes a more all-encompassing Islamophobic environment: “verbal, physical, online abuse... negative stories in the media... unlawful discrimination in employment”, all fall within the broader phenomenon of Islamophobia.⁶¹

Again showing the breadth of Islamophobia, Sariya Cheruvallil-Contractor describes it as a

“Prejudicial attitude or behaviour, expressed towards an individual or individuals on account of their Islamic belief or a presumption that they may have Islamic beliefs, which is expressed in writing, speech or action and which results in unfairness or injustice towards them as perceived by these individuals.”⁶²

This argument finds a strong root in real world scenarios. Benefiting from his experience in tackling hate crime, Paul Giannasi pointed at the inherently Islamophobic tropes that are applied in the context of criminal justice:

“When someone is guilty of a rape or of grooming gangs, it’s only mentioned if they’re Muslims, it wouldn’t be mentioned if they’re Christians. When Andrew Breivik kills lots of people because of racist sentiments, we see him as a disaffected loner with mental health issues. But when it’s a Muslim lad that does the same activity, we see it as a fundamentalist ideology that the communities are responsible for. And I think that’s a societal challenge of being able to see somebody in the same context regardless of the background.”⁶³

Tahir Abbas’s submission goes even further, as he explains Islamophobia as “discourse, an action, an outcome, a perception, an experience”, further grounding Islamophobia in the idea that it has become “all too easy to speak ill of Muslims and Islam without reservation, and without basing it on any verifiable ‘truths’.” Abbas identifies 12 types of Islamophobia, which locate themselves within both cultural or institutional racisms. This categorisation, reported here in full, shows the full extent of Islamophobia as it encompasses a variety of manifestations that make Islamophobia a cultural phenomenon reinforced by structural, or indeed institutional constructs, that stigmatise, marginalise and discriminate against Muslims.

1. Crime: Hate crime against Muslims/ criminalisation of Muslims
2. Cultural: Orientalism and “failed multiculturalism” discourses
3. Gendered: “Dangerous’ brown men, “vulnerable” brown women
4. Ideological: Political left and the right are hostile

57 Written evidence submitted to the APPG on British Muslims by Professor Peter Hopkins of Newcastle University.

58 Written evidence submitted to the APPG on British Muslims by Dr Imran Awan of Birmingham City University, and Dr Irene Zempi of Nottingham Trent University.

59 Written evidence submitted to the APPG on British Muslims by Akeela Ahmed MBE of the Government’s Cross-Department Working Group on Anti-Muslim Hatred.

60 Written evidence submitted to the APPG on British Muslims by Ilyas Nagdee, Hareem Ghani, and Ayesha Ahmed, of the National Union of Students (NUS).

61 Written evidence submitted to the APPG on British Muslims by Mohammed Shafiq of the Ramadhan Foundation.

62 Written evidence submitted to the APPG in British Muslims by Dr Sariya Cheruvallil-Contractor of Coventry University.

63 From oral testimony to the APPG on British Muslims by Paul Giannasi OBE on June 26, 2018.

to Islam/Muslims

5. Institutional: Organisations, rationalisation and normalisation lock in Islamophobic groupthink
6. Intellectual: Influential right-leaning and left-leaning thinkers in denial
7. Media: TV, print and social media and the press barons
8. Political: Populism, nationalism and neoliberalism driving mass public sentiment
9. Religious: Christian, Jewish, Hindu and others hostile towards Muslim minorities
10. State: Law, policymaking, judiciary, executive
11. Structural: Education and employment outcomes for Muslim groups; housing and health inequalities
12. Xenophobic: Resistance to immigration and the limits of ethnic boundaries

This classification opens another important point. Islamophobia is not just “an individual matter”, rather, it is “part and parcel of a wider social, historical, political and cultural discourse that continues to evolve and grow”.⁶⁴ It is not just hate crimes, or visible violence, but a cultural, historical, and political trajectory that has led to the formation of an ecosystem in which anti-Muslim racism festers and manifests itself. As representative of the Sheffield community discussed in their oral evidence session: “We all know that Islamophobia is not just a matter of concern for the criminal justice system and for hate crimes. That is far too simplistic. It’s steeped in every facet of society”.

Speaking to the APPG, Sariya Cheruvallil-Contractor argued that Islamophobia captures a diverse range of actions or behaviours, from name-calling to hijab-pulling, as well as unfair media coverage.⁶⁵ Significantly, she added that the term further captures the feelings articulated by many Muslims of being under siege, being unable to voice dissent of any form, and regularly censoring what they say. The Sheffield community added in this regard:

“We should be focusing on what is the purpose of defining Islamophobia... practically definitions don’t make a difference. A definition that is well defined, well described, capable of achieving parliamentary support such that it could, in its ultimate manifestations, be put into statute so that the law can be upheld around these things, that’s really

important. But actually, it also underpins education, it also underpins normative statements about what is acceptable and what isn’t, and it also deals with these complex issues about your freedom to live as you wish.”

This is why the term Islamophobia is so important, as it is the only one that is capable of encompassing all the nuances that illustrate specific encounters with Muslim populations and Islam within this historical, cultural and political space. In this regard, Awan and Zempi write:

“Muslim men have emerged as the new ‘folk devils’ of popular and media imagination, being portrayed as the embodiment of extremism and terrorism, whilst Muslim women have emerged as a sign of gender subjugation in Islam, being perceived as resisting integration by wearing a headscarf or face veil. Such stereotypes provide fertile ground for expressions of Islamophobia in the public sphere. Following this line of argument, Islamophobia manifests itself as an expression of anti-Islamic, anti-Muslim hostility towards individuals identified as Muslims on the basis of their ‘visible’ Islamic identity.”⁶⁶

The ‘visible’ markers of identity were also highlighted by Tell MAMA in its submission to the APPG which stated: “The targeting of Muslim women due to their overt religious identity demonstrates how the hijab has become an essentialised way to see “Muslimness”, which, in turn, ‘others’ Muslim women through a process where their visible identity is seen to embody all the ‘problematic and threatening about Islam and Muslims’.”⁶⁷

On the opposite side of the spectrum, Romy Hasan disagrees with the notion that the term Islamophobia can be used to indicate such a broad variety of anti-Muslim sentiments. Indeed, he contends that publicly held views such as “Muslims create problems in the UK” are not Islamophobic, but are rooted on a pragmatic assessment of Muslim beliefs and practices. Because Islam also incorporates “a set of practices”, this criticism should not be seen as being based on a racist discrimination against Muslims, but on a legitimate concern about what Islamic precepts and provisions entail.⁶⁸ Echoing this position, Southall Black Sisters argue that “the term is riddled with ambiguities and conflates too many issues since it implies not just hatred of Muslims but of the religion itself”. This, they continue, can bring to an overly wide application of the term Islamophobia,

Most Muslims believe that Islam is compatible with the British way of life

⁶⁴ Written evidence submitted to the APPG on British Muslims by Professor Tahir Abbas of LSE.

⁶⁵ From oral testimony to the APPG on British Muslims by Dr Sariya Cheruvallil-Contractor on

⁶⁶ Written evidence submitted to the APPG on British Muslims by Dr Imran Awan of Birmingham City University, and Dr Irene Zempi of Nottingham Trent University.

⁶⁷ Written evidence submitted to the APPG on British Muslims by Tell MAMA.

⁶⁸ Written evidence submitted to the APPG on British Muslims by Dr Romy Hassan of University of Sussex.

which can be extended to any type of “offense of religious sensibilities”.⁶⁹

Tania Saeed disagrees with the above positions, and argues that the stereotypization of Muslim practices can and should be categorised as Islamophobia: “Islamophobia reduces a diverse community of Muslim citizens to a monolithic category that is associated with violence and fear”, and that leads Muslims to be “considered suspect by virtue of being Muslims”. In addition, she points at the current social and political context as a key contributor in the rationalisation and standardisation of fear and hatred of Muslims, which consolidates stereotypes based on Muslims’ “degree of religiosity”.⁷⁰ Assessments about Muslims based on generalised and stereotypical assumptions about their faith, their religious identity, or their practices, need to be categorised as central parts of an Islamophobic discourse. In this regard, Professor Jacqueline Stevenson, one of the contributors who took part in the oral evidence sessions, claimed in her research that “a lack of religious literacy means that many staff appear uncomfortable about challenging Islamophobia”.⁷¹ A definition could therefore provide the ideal framework to successfully address and tackle religious stereotypes.

Saeed contends that the term ‘Islamophobia’ is the right one to adopt exactly because is the only one that is “wide enough to capture a range of experiences, and narrow enough to inform implementable policies”.⁷² This is indeed crucial, because a new and legally binding definition of Islamophobia has to also capture “low-level hatred and negative attitudes that would not be classed as crimes by police”, but which would still be categorised as manifestations of anti-Muslim racism.⁷³ As the experience with anti-Semitism has shown, these racisms go far beyond what can be captured as criminal acts. They encompass a whole range of behaviours – spanning from conspiracy theories to micro-aggressions – that do not meet the criminal threshold but are either precursor to criminal acts or, at the very least, create the ideal environment for anti-Muslim racism to fester and criminal acts to grow from it.

This echoes the argument advanced by Anas Sarwar MSP, through which he emphasised the need to go beyond criminal acts when assessing the impact that Islamophobia has across society: “Given the range of sectors that Islamophobia impacts on, the vast majority of which is not criminal, it must be appropriate for adoption in the classroom, college and university campuses and workplaces across the

country”.

The Chair of the Cross Party Group on Tackling Islamophobia in the Scottish Parliament, Anas Sarwar MSP, further weighed into the debate by expressing support for the adoption of a legally binding definition of Islamophobia. In his response to the consultation by the APPG, he contended that “defining Islamophobia will help to demonstrate to our diverse communities that we as lawmakers recognise Islamophobia exists and that it will be challenged”. This effectively adds another level of reasoning to the debate. Adopting a definition of Islamophobia not only identifies a widespread phenomenon, but sends a positive message to all those communities and individuals who suffer from it.

Elaborating on this, he further contended: “It is important that any definition of is credible, accepted by diverse Muslim communities, respected by institutions and fair minded individuals or groups and unambiguous in law.”⁷⁴

LAW AND ISLAMOPHOBIA

Among legal contributors to the APPG inquiry were the Law Commission, the Crown Prosecution Service and the Islamophobia Response Unit, a voluntary sector organisation which works with victims to address instances of direct or indirect discrimination on grounds of religion and/or race.

THE LAW COMMISSION

The Law Commission told us about a detailed review into hate crime offences it conducted in 2014. The remit for the project was to examine the case for extending the aggravated offences in the Crime and Disorder Act 1998 and stirring up offences in the Public Order Act 1986 to apply equally to the five protected characteristics of hate crime: disability, gender identity, race, religion, and sexual orientation. While all five protected characteristics are covered by the enhanced sentencing regime, the aggravated offences regime applies only to race and religion, and the stirring up of offences apply only to race, religion and sexual orientation, and not disability or gender identity.

The first recommendation of the report was that the enhanced sentencing system could be put to better use, particularly with regard to transgender identity, sexual orientation and disability. The second recommendation was to conduct a comprehensive review of the aggravated offences regime to extend to

⁶⁹ Written evidence submitted to the APPG on British Muslims by Pragna Patel of Southall Black Sisters.

⁷⁰ Written evidence submitted to the APPG on British Muslims by Tania Saeed of Lahore University.

⁷¹ From oral testimony to the APPG on British Muslims by Professor Jacqueline Stevenson on June 26, 2018.

⁷² Written evidence submitted to the APPG on British Muslims by Tania Saeed of Lahore University.

⁷³ Written evidence submitted to the APPG on British Muslims by Akeela Ahmed MBE of the Government’s Cross-Department Working Group on Anti-Muslim Hatred.

⁷⁴ Written evidence submitted to the APPG on British Muslims by Anas Sarwar MSP, of the Cross-Party Group on Tackling Islamophobia.

disability, sexual orientation, and transgender identity. The Law Commission placed greater emphasis on the latter three protected characteristics, indicating that religion and race were adequately protected. However, the Commission informed us that it is currently reviewing offensive online communications, the report for which will be published later this year. As part of this review, the Law Commission informed us it will be examining how well the Malicious Communications Act 1988 deals with offensive communications; how the Communications Act 2003 deals with online communications; what 'grossly offensive' means and whether this poses difficulties in legal certainty; whether the law requires proof of fault or intention in prosecuting offensive online communications; whether there is a need to update definitions in the law which technology has rendered obsolete, or confused, such as the meaning of 'sender'; and how other parts of the criminal law overlap with online communications laws.

The Law Commission's forthcoming report will have particular relevance for dealing with Islamophobia online. From the report published in 2014, what does materialise is the significance of a working definition of Islamophobia for broader social understanding of anti-Muslim racism before the criminal law is invoked. As we heard from Professor Salman Sayyid, the purpose of a definition is not just to inform the application of the criminal code, it is also required in order to bring about a transformation in social etiquette. As with considerations of diversity in the legal profession and its effect on the dispensation of justice, or the perception of justice being seen to be done, the subject of a lecture by the former President of the Supreme Court Lord Neuberger to the Criminal Justice Alliance,⁷⁵ social etiquette based on an agreed definition of Islamophobia can buttress the operational aspects of the criminal law when it comes to prosecuting Islamophobic crimes.

THE CROWN PROSECUTION SERVICE

The CPS in written evidence did make an effort to address the APPG's terms of inquiry. The CPS informed us that they do not have a specific definition of Islamophobia/anti-Muslim hatred and that when dealing with incidences of Islamophobia/anti-Muslim hatred, it applied the statutory framework contained in s.28 of the Crime and Disorder Act 1998 and s.145 of the Criminal Justice Act.

Under this framework, an offence is religiously aggravated if: immediately before, during or after the commission of the offence, the offender

demonstrated towards the victim hostility based on the victim's membership (or presumed membership) of a religious group or; the offence was motivated (wholly or partly) by hostility towards members of a religious group based on their membership of that group. However, the CPS informed us that there is no definition of 'religion' nor is there a definition of 'hostility'.

On the subject of free speech and the criminal law on incitement and public order offences, the CPS told us, "we have to balance the rights of an individual to freedom of speech and expression against the duty of the state to act proportionately in the interests of public safety, to prevent disorder and crime, and to protect the rights of others."⁷⁶

IMPRESS

The APPG heard from IMPRESS, a Leveson-compliant independent self-regulatory body for the press in the UK. While IMPRESS did not directly address the terms of inquiry in its written evidence submission, it told us about its Standards Code in great detail.⁷⁷ Its Code includes a clause on discrimination, which prohibits incitement to hatred against all groups with protected characteristics. While IMPRESS has not adopted a definition of Islamophobia or anti-Muslim hatred, it has adopted a press standard on religious discrimination. IMPRESS also told us that it balances freedom of expression with other rights and interests, reflecting the spirit of equalities legislation. It does this by exercising its code when journalism that is likely to incite hatred against religious believers, rather than simply criticizing religious belief, the latter of which does not breach the code.

IMPRESS stressed that it had developed specific clauses on hate speech and religious discrimination in response to the issues brought to light in the Leveson Inquiry, which heard a substantial amount of evidence from individuals and rights-based organisations relating to the discriminatory treatment of women, Muslims and minorities in the press. Clause 4 of the IMPRESS Standards Code states that publishers "must not make prejudicial or pejorative reference to a person on the basis of that person's age, disability, mental health, gender reassignment or identity, marital or civil partnership status, pregnancy, race, religion, sex or sexual orientation or another characteristic that makes a person vulnerable to discrimination;⁷⁸ publishers must not refer to the protected characteristic unless it is relevant to the story; and publishers must not incite hatred against any group based on that group's

⁷⁵ "Fairness In The Courts: The Best We Can Do", Address to the Criminal Justice Alliance 10 April 2015 by Lord Neuberger, President of the Supreme Court, accessed 07.11.2018, <http://criminaljusticealliance.org/wp-content/uploads/2015/04/The-Best-We-Can-Do-Lord-Neuberger-at-the-CJA-100415.pdf>

⁷⁶ Written evidence submitted to the APPG on British Muslims by the Crown Prosecution Service.

⁷⁷ Written evidence submitted to the APPG on British Muslims by Jonathan Heawood, Chief Executive Officer of the Independent Monitor for the Press (IMPRESS).

⁷⁸ Written evidence submitted to the APPG on British Muslims by IMPRESS.

protected characteristic that makes the group vulnerable to discrimination.” IMPRESS stated that it has not specified which types of hate speech or discrimination are covered in the code, as it is not possible to list them all.

IMPRESS also defined ‘hate speech’ to be that which is intended to, or is likely to, provoke hatred or to put a person or group in fear. The disputed words must be more than provocative, offensive, hurtful, or objectionable. It includes, but is not limited to, speech that is likely to cause others to commit acts of violence against members of groups or discriminate against them.

ISLAMOPHOBIA RESPONSE UNIT (IRU)

The APPG also heard from the Islamophobia Response Unit (IRU), a voluntary sector organisation which offers legal advice and support to victims of Islamophobia and religious discrimination.⁷⁹ They told us that acts of Islamophobic discrimination are analysed through the prism of the Equality Act 2010, which outlines four civil offences:

1. Direct discrimination: treating one person worse than another person because of protected characteristic.
2. Indirect discrimination: when an organisation puts a rule or policy or a way of doing things in place, which has a worse impact on someone with a protected characteristic than someone without one.
3. Harassment: treating a person in a way that violates his/her dignity, or creates a hostile, degrading, humiliating or offensive environment.
4. Victimisation: treating someone worse because the person is taking action/or perceived to be taking action under the Equality Act.

The IRU deals with cases where the relevant protected characteristic is religion – specifically Islam.

The IRU presented a number of common examples of discrimination cases they had handled for Muslim clients that speak to the above-mentioned civil offences. These include: not getting sufficient time to pray five daily prayers, not getting sufficient break time to pray the Friday afternoon prayers (slightly longer than the daily prayers and, for Muslim males, must be prayed in congregation at a set time); not being provided adequate prayer spaces by institutions such as schools, even where a significant proportion of users are Muslims; Muslims who wear the hijab or have a beard coming into conflict with uniform policies; being name-called, bullied or harassed using Islamophobic language. The key test for the IRU when there is a complaint of Islamophobia, it explained in

its submission, is to identify whether the incident is an offence that falls under the Equality Act; is there clear precedent or guidance that accurately fits the criteria of the facts of the case; and is there evidence to substantiate the complaint.

In its written submission, the IRU told the APPG that it currently turns away dozens of cases due to the absence of a definition of Islamophobia and the narrow conception of civil offences in the Equality Act. A robust definition of Islamophobia on the other hand, would enable individuals to identify whether they had experienced Islamophobia or not and would enable organisations that support victims to more clearly substantiate the basis of a complaint and evidence the nature of religiously-motivated discriminatory practice which produced a discriminatory outcome. For example, it is notoriously difficult to prove discrimination during the application, selection and interview process, however we know from data on the unequal outcomes faced by Muslims in the labour market, and as captured in the Women and Equalities Committee report, ‘Employment opportunities for Muslims in the UK’, that it clearly does happen.⁸⁰

Remedies such as name-blind applications, diverse interview panels and unconscious bias training for recruitment professionals have all been suggested as means to tackle institutional processes which yield unequal outcomes for Muslims and other minorities. Buttressing this is, in our view, a definition of Islamophobia which gives meaning and substance to efforts to address conscious and unconscious forms of bias discrimination.

ISLAMOPHOBIA OR A FREEDOM OF SPEECH IMPEDIMENT?

Much of the debate was centred upon the question of whether or not Islamophobia is the appropriate terminology to deploy when describing anti-Muslim racism. Specifically, the conversation among the different submissions focused on the juxtaposition of Islamophobia with other phenomena such as anti-Semitism; its lexical accuracy; and the issue of free speech, with particular emphasis being placed on whether the term is or could be used to silence legitimate criticism of the religion.

The issue of free speech was acutely felt among the submissions, with some suggesting that Islamophobia could become a subterfuge to censor critiques and criticism of Islam. The National Secular Society rejects the idea that any set of beliefs should be protected from criticism, as they argue that “‘Islamophobia’ confuses hatred of, and discrimination against, Muslims with criticism of Islam.” They contend

46% of Muslims said that prejudice against Islam makes it very difficult to be a Muslim in this country’

⁷⁹ Written evidence submitted to the APPG on British Muslims by the Islamophobia Response Unit (IRU).

⁸⁰ Written evidence submitted to the APPG on British Muslims by the Islamophobia Response Unit (IRU).

that accusations of Islamophobia “have been used to silence debate about (and within) Islam”, as in the case of LGBT activists criticising Muslim clerics’ view on homosexuality, or feminist activists criticising “Islamic views on women”.⁸¹ Southall Black Sisters echoed this position, as they argue that “legitimate expression of free speech should be protected by article 10(1) [of the Human Rights Acts] but may be caught by a definition of Islamophobia”. To them, a condemnation of political Islam; criticism of patriarchal and heterosexual structures inherent in Islam; criticism of Sharia law; gender segregation; criticism of prominent Muslim leaders; promotion of atheism and secularism; all fall within the realm of the right to free speech, which should not be impeded or criminalised by a legally binding definition of Islamophobia.⁸² Zahed Amanullah advances a similar argument, as he states that “a clearly defined indicator of doctrinal critique” needs to be identified to avoid such debates being caught under the realm of Islamophobia.⁸³ On a similar note, Paul Giannasi OBE rejected the term Islamophobia as he stated “it’s about protection of Muslims’ human rights rather than Islam”.⁸⁴

In many other submissions, the notion that the term Islamophobia can lead to impediments to freedom of speech was highly contested. The central argument advanced by many participants in our inquiry is that identifying free or Islamophobic speech would depend on the way in which the debate is formulated, or to put it with Vidgen, “what is at stake here is not whether Islam should be criticised but, rather, on what basis Islam should be criticised.”⁸⁵ As such, giving up the term Islamophobia – and with it the possibility of creating legal instruments to tackle it – simply because of the perceived risk that may limit free speech would be highly misguided. “Freedom of speech comes with a responsibility”, contends Sariya Cheruvallil-Contractor, as she emphasises the need to “protect the dignity and rights of everyday Muslims” because the consequences of harmful, Islamophobic speech are real and acutely felt by the victims.⁸⁶ In this regard, it is useful to remember that the real-world impact of Islamophobic speech was already acknowledged by the 2017 Home Affairs Select Committee on hate crime, which, as Vidgen reminds us, recommended that “the Government should review the entire legislative framework” around online

hate speech, harassment and extremism (House of Commons Home Affairs Committee, 2017).⁸⁷

Tania Saeed argues that, in making the distinction between Islamophobic or free speech, one would simply need to look at whether the speech “is intentionally demonizing a religion, or a diverse group of people, inciting hatred against a group”, which would thus entail assessments being made on a case to case basis and rooted in established “common sense” parameters.⁸⁸ This is echoed by Vidgen, who argues that in both “blatant Islamophobic hate speech” and “subtle Islamophobic hate speech”, the issue relates to the “expression of negativity against all Muslims” (emphasis added).⁸⁹ For Nadya Ali and Ben Witham, resorting to the debate over freedom of speech is but an excuse to legitimise “anti-Muslim racism”. Echoing John Stuart Mill, they argue that “freedom of speech ends when it causes harm to others”. Ali and Witham further their concern about the boundaries between Islamophobia and free speech by arguing that “there is no ‘good faith’ criticism of Islam”. Central in their argument is the concept of inseparability of race and religion, whereby an attack on the religion cannot be separated from an attack on the race because both concepts are constructs adopted “as a means of categorising colonial subjects”.

As such, the recourse to the notion of free speech and a supposed right to criticise Islam results in nothing more than another subtle form of anti-Muslim racism, whereby the criticism humiliates, marginalises, and stigmatises Muslims. One, real life example of this concerns the issue of ‘grooming gangs’:

“Participants reported being told that ‘Mohammed is a paedophile’, for instance. This comment does not, in a strictly grammatical sense, have the victim themselves as subject, but is rather an example of the ‘criticism of Islam’ as it is actually articulated and experienced. Yet, clearly, it is aimed at (and can achieve) harm to individual Muslims, and is not rooted in any meaningful theological debate but rather in a racist attempt to ‘other’ Muslims in general, associating them with the crime our society sees as most abhorrent of all. This strategy has been actively pursued by far right groups including the BNP and EDL but has also been indulged - especially, as our previous research has shown, in relation to ‘grooming gangs’ - by mainstream politicians of all of our main

81 Written evidence submitted to the APPG on British Muslims by Stephen Evans of the National Secular Society.

82 Written evidence submitted to the APPG on British Muslims by Pragna Patel of Southall Black Sisters.

83 Written evidence submitted to the APPG on British Muslims by Zahed Amanullah of the Institute of Strategic Dialogue (ISD).

84 From oral testimony to the APPG on British Muslims by Paul Giannasi OBE on June 26, 2018.

85 Written evidence submitted to the APPG on British Muslims by Bertie Vidgen of University of Oxford.

86 Written evidence submitted to the APPG on British Muslims by Dr Sariya Cheruvallil-Contractor of Coventry University.

87 Written evidence submitted to the APPG on British Muslims by Bertie Vidgen of University of Oxford.

88 Written evidence submitted to the APPG on British Muslims by Dr Tania Saeed of Lahore University.

89 Written evidence submitted to the APPG on British Muslims by Bertie Vidgen of University of Oxford.

political parties.”⁹⁰

Similar viewpoints are present in the submission from the NUS, in which it is argued that discussions on Islam actually need to be encouraged to dispel myths about the religion, and they would only fall into the realms of Islamophobia if the debate was to move “into dehumanising, collectively vilifying or targeting Muslims”.⁹¹

Islamophobia is by no means conceptualised in an attempt to silence debates about Islam, but to understand the framework within which the debate can take place. That is why, for example, Giannasi’s stance that “anti-Muslim sentiment is more relevant because I don’t think it’s about Islam”, appears misinformed. Claiming that “it’s important to say ‘this is not saying that any religion has rights, this is saying that we all have the right to believe or not believe and live life free from abuse’”, Giannasi effectively, however involuntarily, sheds a light into what Islamophobia attempts to do: it does not give rights to a religion to be removed from legitimate debates, rather, it gives rights to Muslim to hold their beliefs free from abuse.⁹²

Professor Tariq Modood presented a helpful series of tests which he set to determine whether what we are dealing with is reasonable criticism of Islam or Muslims or Islamophobia. According to Modood, the following five tests should be applied:

1. Does it stereotype Muslims by assuming they all think the same?

Does the criticism(s) seem to suggest that all or most Muslims have this blameworthy characteristic and that this feature defines Muslims, indeed drowns out any worthy characteristics and ignores contextual factors?

2. Is it about Muslims or a dialogue with Muslims, which they would wish to join in?

Does the mode of criticism consist of generalising about a group in a way that tends to exclude them rather than treat them as conversational partners who share common concerns?

3. Is mutual learning possible?

For example, one may criticise some Muslims for sexual conservatism or puritanism but is one willing to listen to those Muslims who think that contemporary societies like Britain are over-sexualised and encourage sexually predatory and undignified behaviour?

4. Is the language civil and contextually appropriate?

Is the behaviour or practice being criticised in an offensive way and seems to make Muslims the target rather than stick to the issue? (A good analogy is here is how reasonable, contextual criticism of Zionism can become a diatribe against Jewish people as such.)

5. Insincere criticism for ulterior motives?

Does the person doing the criticism really care about the issue or is using it to attack Muslims (in the way that many use feminism and homosexuality)?

If the answer to any of the five tests is a ‘Yes’, then we may be dealing with Islamophobia or anti-Muslim racism, according to Modood.⁹³

The APPG found these five tests compelling and a useful measure for ascertaining whether contentious speech is indeed reasonable criticism or Islamophobia masquerading as ‘legitimate criticism’.

In his response to the consultation by the APPG, Anas Sarwar MSP argued that a definition of Islamophobia would be highly beneficial to clarify the boundaries between legitimate and Islamophobic speech, as he stated: “In the valid debate of freedom of speech, it is important to define Islamophobia so that it cannot be mischaracterised as restricting the questioning of theology”. In this regard, and considering the conditions that a definition should satisfy to be functional across sectors, Sarwar added:

“It is also important that the law does not creep into the territory of debating the rights or wrongs of different theological viewpoints... The test has to be whether it passes the test with the fair minded majority. In order to do that any definition must not be an attempt to stifle debate or disagreement on theology. It must solely be focused on prejudice and bias focused towards Muslims – the followers of Islam – or those that are misrecognised as Muslims rather than Islam itself.”⁹⁴

Professor Tim Winter, Director of Studies at Wolfson College, Cambridge and the Dean of Cambridge Muslim College, makes a valuable argument evoking the spirit of critical inquiry within Islam too arguing, “Islamic culture in its classical and authentic form values difference, diversity and debate over God’s nature, edicts and purposes.”⁹⁵ To extend the point argued by Sarwar, we would add that any definition must not be an attempt to stifle debate or disagreement on theology within Islam and much as without.

⁹⁰ Written evidence submitted to the APPG on British Muslims by Dr Nadya Ali of University of Sussex and Dr Ben Whitman of De Montfort University.

⁹¹ Written evidence submitted to the APPG on British Muslims by Ilyas Nagdee, Hareem Ghani and Ayesha Ahmed of NUS.

⁹² From oral testimony to the APPG on British Muslims by Paul Giannasi OBE on June 26, 2018.

⁹³ Written evidence submitted to the APPG on British Muslims by Professor Tariq Modood MBE, of the University of Bristol.

⁹⁴ Written evidence submitted to the APPG on British Muslims by Anas Swarwar MSP of the Cross Party Group on Tackling Islamophobia.

⁹⁵ ‘The Myth of Islamic Uniformity’, Shaykh Abdal Hakim Murad (Professor Tim Winter). Undated.

The history of classical Islam is one of internal debate, discussion and dissenting opinion. Moreover, the right to free speech in European democracies, Britain included, is not and never has been an absolute right. Qualifications to the exercise of free speech abound with various restrictions existing, for example, in counter-terrorism legislation, including statements that encourage, either intentionally or recklessly, the commission of terrorist acts and which ‘glorify’ acts of terrorism.

Many of the submissions which we received challenged the premise that the right to free speech is absolute, or that it should be used as a tool to stigmatise, marginalise or humiliate minorities without any legal, or in fact moral, restraints. The right to free speech ends when words and actions begin to “fuel hatred, violence and stimulate antagonistic responses which are at odds with the cohesive society”.⁹⁶ Upon this concept, we heard that a definition of Islamophobia could perhaps be cognizant of the legal elements of “intent” and “recklessness” when determining the boundaries for policing free speech.

Intent and recklessness are broadly used in British jurisprudence: by way of example, most of the provisions contained in the Terrorism Act 2006, such as “Encouragement of terrorism” or “Dissemination of terrorist publications”, rely on this distinction to identify offenders and categorise the offence (Terrorism Act, 2006). A similar rationale applied in this context would allow for the creation of tools that can clearly draw the boundaries between Islamophobic speech and free speech, and by doing so, impede a recourse to a ‘free speech’ defence as a means to legitimise hateful and antagonising speech. When discussing what is a ‘respectful’ way of criticising Islam, Rt Hon Liam Byrne MP suggested in fact that Islamophobic behaviour is laced with intent and recklessness.

“I strongly urge you to recommend a definition of Islamophobia, not least because it allows you to leverage a number of pretty tried and tested legal concepts that are already in place. So if you look at the Terrorism Act 2006, there’s a couple of clauses in there which are sort of widely used. So you know, 2b, it is an offence to intend a member of the public to be directly or indirectly encouraged or induced to commit, prepare or instigate acts of terrorism. It’s also reckless as to whether the members of the public would be directly or indirectly encouraged. So there is a lot of legal history, and tradition and

teaching about focus on the motive. But actually there are some concepts in the Terrorism Act 2006, like it’s an offence to glorify; it’s an offence to incite, but also it’s an offence to be reckless. And so, if you had a definition of Islamophobia, you’re then just able to leverage well-established precedents that prohibit glorification, recklessness or incitement.”⁹⁷

This framework, as Vidgen suggest, would allow for legislative tools to become more effective in tackling Islamophobic speech. So far, guidelines have been enforced “prudently”, which the Law Commission has argued, “has led to the toleration of online hate crime that ought to be prosecuted” (Law Commission, 2014).⁹⁸

Finally, we should not forget that a widely accepted definition of anti-Semitism has “proven that it is possible to protect an ethnic identity and/or religious group without undermining freedom of speech within a rights-based framework”. Akeela Ahmed argued that “It is certainly possible to criticise Islam without inciting hatred toward Muslims, homogenising them and demonising them”.⁹⁹ This is effectively the turning point of the debate, and a useful historical analogy that

Over half (52%) of perceived victims of religion-based hate crime were Muslims

dispels doubts about alleged free speech impediments: if anti-Semitism was successfully codified without impacting on free speech, then Islamophobia should undoubtedly be reserved the same treatment. “The tension between freedom of speech and freedom from discrimination”, writes Kallis, “has been diffused to a significant extent by instituting a stronger aura of what I have elsewhere called taboo around anti-Semitic language and imagery, let alone legislation and action”. Negotiating a “low threshold of taboo” for Islamophobia that is similar to that for anti-Semitism is therefore not only the “most effective short-term defence strategy against the diffusion and continuing normalisation of Islamophobia”, but also something that has been proved to be both possible and much needed to ensure the protection of “those at the weaker end of inherently asymmetrical power relations”.¹⁰⁰

Among other concerns surrounding the term Islamophobia, some have looked at linguistic ambiguities as a reason to oppose the formal adoption of the term. Southall Black Sisters reject the idea that any religious-based discrimination should be treated differently from racial discrimination, first because discrimination against Muslims would be better captured through the “traditional lens of racism”, and second because the conflation of religion with race

⁹⁶ Written evidence submitted to the APPG on British Muslims by Kaleem Hussain of Guidance Consultancy Ltd.

⁹⁷ From oral testimony to the APPG on British Muslims by the Rt. Hon. Liam Byrne MP on June 27, 2018.

⁹⁸ Written evidence submitted to the APPG on British Muslims by Bertie Vidgen of University of Oxford

⁹⁹ Written evidence submitted to the APPG on British Muslims by Akeela Ahmed MBE of the Government’s Cross-Department Working Group on Anti-Muslim Hatred.

¹⁰⁰ Written evidence submitted to the APPG on British Muslims by Professor Aristotle Kallis of Keele University.

can result in an impediment to challenging religious and cultural values. During the oral evidence session, the group reaffirmed its belief that the entire concept of Islamophobia should be rejected:

“We are not convinced that the concept of Islamophobia would add anything of value to the struggle against racism. SBS accepts there is anti-Muslim racism in the same way that there is racism towards Jewish people, there is racism towards Roma people there is anti-immigration racism, there are so many kinds of racism, but we do not believe that Islamophobia is a socially distinct phenomenon because the causes and consequences of racism are the same.”¹⁰¹

Similar themes emerged during the oral session, with Lord Singh acknowledged the different types of prejudice against Sikhs, Muslims, Jews, or against women through sexism for example, yet opposed the approach claiming it should not be dealt with through compartmentalising prejudices: “There should be ‘hate crime against others’”, stated Lord Singh when asked about his opposition to the term ‘Islamophobia’. He said “there should not be ‘Islamophobia’ or ‘anti-Semitism’, because that polarises the debate that these two communities are suffering and other communities are not suffering at all”. Echoing Southall Black Sisters’ argument, Lord Singh opposed the adoption of a definition of Islamophobia on the basis that it could create a hierarchy among different vulnerable groups and minorities.¹⁰²

In his submission, Romy Hasan also rejects the term Islamophobia, labelling it “highly problematic” and contending it cannot be equated to anti-Semitism. He writes:

“Given that non-Jews are also Semites, applying anti-Semitism solely to Jews is arguably inappropriate but given that this term has long been in use rather than, for example, ‘anti-Jewish prejudice’, it has become accepted as solely applying to Jews. Accordingly, Islamophobia cannot be equated with racism or anti-Semitism: Islam, after all, is an ideology like any other religious or non-religious ideology, as well as a set of practices.”¹⁰³

However, Hasan’s argument sits awkwardly within the debate. Firstly, he defines Islam (a religion) as an ideology – ignoring that the two are separate and have two distinguished meanings – while describing Christianity and Judaism, appropriately, as religions. This shows a concerning degree of inaccuracy or, ever more worryingly, bias. Second, he accepts that

the term ‘anti-Semitism’ is suitable to indicate anti-Jewish prejudice despite not being linguistically accurate (non-Jewish individuals can be Semites, for example), simply because it has become a widely accepted term. Yet, he is opposed to the idea of applying the same rationale to Islamophobia.

To be sure, debates surrounding the suitability of the word ‘Islamophobia’ have also been centred upon linguistic technicalities such as the use of suffix ‘phobia’, which has been contested on the basis that it denotes an irrational fear. Many of the submissions, such as Kallis, concede that the word might indeed be considered “poor” or “misleading”, but do not accept that the term should be rejected simply on that basis, particularly in light of its widespread adoption in society which, he argues, feeds into the “current momentum of political and public discussion”.¹⁰⁴

Taken to extremes, the idea of abandoning the term Islamophobia on the basis of its suffix has become a means for neoconservative or right-leaning spokespeople to reject the entire concept and thus delegitimise the problem. Such has been, for example, one of the main arguments advanced by Douglas Murray, associate director at the Henry Jackson Society and author of *The Strange Death of Europe: Immigration, Identity, Islam*, who has long argued that the fear of Islam is not irrational but in fact, “supremely rational”, because Islam can be both violent and extremist.¹⁰⁵

Rather than deterring us from adopting the term Islamophobia, these arguments should induce us to ponder upon the widespread anxiety that has dominated the West’s conceptualisations and understandings of Muslims and Islam. This is one of Vidgen’s key arguments, which draws from Gottschalk and Greenberg’s (2008) highly influential work in which they describe Islamophobia as a “social anxiety towards Islam and Muslim cultures”. This position is echoed by Saeed (2007) who argues that the Muslims are the subjects or “public anxiety”, and by Taras (2012), who frames contemporary responses to Muslims within a “persisting European anxiety about Orientalism”.¹⁰⁶ In this regard, another interesting contribution weighing in on the debate is that offered in Tania Saeed’s submission. Approaching the debate from a socio-psychological perspective, she writes:

“[Islamophobia] is a socio-psychological phenomenon that ranges from distrust to fear and hatred of the Muslim identity and Islam; the ‘phobia’ is far from an irrational fear, it is informed by a social and political context that rationalizes such fear and hatred of

¹⁰¹ From oral testimony to the APPG on British Muslims by Pragna Patel on June 19, 2018.

¹⁰² From oral testimony to the APPG on British Muslims by Lord Singh on June 19, 2018

¹⁰³ Written evidence submitted to the APPG on British Muslims by Dr Romy Hassan of the University of Sussex.

¹⁰⁴ Written evidence submitted to the APPG on British Muslims by Professor Aristotle Kallis of Keele University.

¹⁰⁵ Douglas Murray, “Forget ‘Islamophobia’: Let’s Tackle Islamism”, *Standpoint*, June 2013, accessed 03.10.2018, <https://standpointmag.co.uk/node/5017/full>

¹⁰⁶ Written evidence submitted to the APPG on British Muslims by Bertie Vidgen of University of Oxford

Muslims.”¹⁰⁷

Finally, Chakraborti and Zempi argue that the term Islamophobia should be adopted exactly because the terminology has long been established in the political lexicon. After all, ‘anti-Semitism’ and ‘Homophobia’ are widely used to indicate a variety of manifestations from discrimination, to bigotry, to violence, against Jewish or homosexual individuals, despite not being linguistically impeccable. Similarly, the use of the term Islamophobia is “unproblematic”, as it indicates the same range of discriminatory manifestations as well as well-established, yet again, linguistically imperfect, terms. In this regard, they write:

“As before, if Antisemitism is not deemed problematic as an appropriate name to describe anti-Jewish and anti-Judaic expressions, then Islamophobia should not be deemed problematic either. If homophobia is not deemed to require a single definition to be adopted in order to understand and subsequently respond to it, then Islamophobia should not be deemed to require a single definition either.”¹⁰⁸

During the oral evidence session, Modood furthered the argument in favour of the adoption of the term Islamophobia by highlighting the need to focus on the definition rather than on the word. When asked whether a different terminology would be better to avoid linguistic disputes, he stated:

“The other term is anti-Muslim racism, but the reason why I’ve used Islamophobia is that it took off. If something is there, and already has traction, then we are weakening the political will and capital that has been created over time by saying throw that away let’s start again. The big issue isn’t the term, it’s the content, so I say let’s stay with Islamophobia it’s common enough now and actually this country has led the way and so many others countries are using it as well but let’s make sure that we have clarity and have a definition that can be used by policy makers and legislatures.”¹⁰⁹

RACIALISATION AND INSTITUTIONAL ISLAMOPHOBIA

Dr Omar Khan of the Runnymede Trust explained the reason for advancing a definition of Islamophobia as ‘anti-Muslim racism’ in the Trust’s twentieth anniversary report stating: “Defining Islamophobia as anti-Muslim racism properly locates the issue as one in which groups of people are ascribed negative cultural and racial attributes which can lead to a

wide range of experiences, either as an unconscious bias, prejudice, direct or indirect discrimination, structural inequality or hate incidents.”¹¹⁰

As discussed above, Islamophobia is positioned within a social and cultural space that homogenises Muslims and places them at disadvantage vis-à-vis society, on the basis of their belonging to a specific group perceived to carry certain characteristics. The process is known as ‘racialisation’ and, as Massoumi, Miller, Mills, and Aked argue:

“Racialisation describes process by which certain groups become signified as ‘races’ within specific social contexts. European colonisation relied on pseudo-scientific theories of races to categorise people into different racial hierarchies, today we rely on more culturalist explanations. Muslim appearances, behaviours and assumed practices are taken as a sign of inferiority - this is the process of racialisation. If ‘race’ is a fiction created when certain ethnic heritage or cultural practices attach to social advantage or disadvantage, it is hard to see religious identity as ontologically distinct from ‘race’. For good reason then, racialisation is increasingly used to explain Islamophobia as a form of racism.”¹¹¹

The concept of racialisation thus situates Islamophobia within anti-racism discourse which is not however just informed by biological race, but by a culture – broadly defined – that is perceived to be inferior to and by the dominant one. The hierarchy imposed upon this socio-cultural segmentation further contributes to homogenising Muslims on the basis of their real or perceived association with that group, making “racial and religious forms of abuse and discrimination faced by Muslims... inextricable”.¹¹²

During his oral evidence session, Paul Giannasi OBE touched upon the issue of racialisation – and more specifically about the conflation between race and religion – bringing into the debate his experience with hate crimes:

“The perpetrators will see somebody who was different, and lots of victims of anti-Muslim hate crime would be Sikh, Hindu, Christians, but they would be identified as Muslims. And lots of Muslims would suffer racial abuse triggered by them wearing Islamic clothes for instance... If you look at the data that we have disaggregated... In 2011 we found that somewhere between 52 and 59 per cent of victims of religious hate crime – and it was 1820 or so at the time – 52 or 59 per cent were Muslims. But then when

¹⁰⁷ Written evidence submitted to the APPG on British Muslims by Dr Tania Saeed of Lahore University.

¹⁰⁸ Written evidence submitted to the APPG on British Muslims by Professor Neil Chakraborti of University of Leicester, and Dr Irene Zempi of Nottingham Trent University.

¹⁰⁹ From oral testimony to the APPG on British Muslims by Professor Tariq Modood on June 20, 2018.

¹¹⁰ From oral testimony to the APPG on British Muslims by Dr Omar Khan on June 19, 2018

¹¹¹ Written evidence submitted to the APPG on British Muslims by Dr Narzanin Massoumi of University of Exeter; Professor David Miller of University of Bristol, Dr Tom Mills of University of Aston; and Dr Hilary Aked of University of Bath.

¹¹² Written evidence submitted to the APPG on British Muslims by Dr Ben Whitham of De Montfort University and Dr Nadya Ali of University of Sussex.

you apply that to the Census data, that suggests that Muslims are about a third as likely to suffer from religious hostility as a Jewish person. And we didn't think that that was in any way true, but the reality is that lots of Muslims would report hate crimes as a race hate crime, because we record based on the perception – we would ideally want forces to record both, as the victims perceive it. But if somebody uses racial language and then the victim reports it as a racist crime then it obviously wouldn't appear in religious crimes. So the actual incidents of a Muslim experience or risk of having to experience hate crime is significantly greater than the data would tell us.”¹¹³

The racial and religious dimensions of hostility or discrimination faced by Muslims was also spoken of in the submission by Zulfiqar Karim, the Secretary General of Bradford Council of Mosques. Stating that “an overwhelming majority of Muslims experience ‘double disadvantage’ on grounds of faith and race,” he presented a definition of Islamophobia thus,

“Islamophobia is direct or indirect acts aimed at marginalisation and suppression of Muslim faith identity towards individuals, groups or institutions by ways of:

1. Invoking fear and prejudice against people of the Islamic faith (Muslims).
2. Inciting hatred and violence against Muslims.
3. Direct or indirect discrimination to deny Muslims, because of their faith, legitimate access to opportunities, facilities and services.
4. Denying Muslims the right to practice their faith values, free of harassment, fear of violence against them or fear of incurring discrimination and hatred against them.
5. By creating an atmosphere of mistrust, which aids and abets acts of Islamophobia as defined in this definition – e.g. remarks by individuals and groups that can be made without fear of being held to account. Also use of print, social or electronic media to deliberately malign and create fear and division surrounding the Muslim community.”¹¹⁴

Tariq Modood's definition of Islamophobia encapsulates perfectly the concept of racialisation of

Muslims, as he writes:

“Islamophobia is the racialising of Muslims based on physical appearance or descent as members of a community and attributing to them cultural or religious characteristics to vilify, marginalise, discriminate or demand assimilation and thereby treat them as second class citizens... Islamophobia is a form of cultural racism because while the perception and treatment of Muslims clearly has a religious and cultural dimension it, equally clearly, bears a physical appearance or ancestral component.”¹¹⁵

This, adds Peter Hopkins, translates Islamophobia into an exclusionary process that affects Muslims regardless of whether they are practicing or not – as well as “those mistaken for being Muslim” – effectively strengthening and further legitimising arguments in favour of a wide definition that “overtly illustrate the nuances and complexities of Islamophobia”.¹¹⁶ In turn, this allows greater scope for Islamophobia to be

The risk of being a victim of hate crime was highest for Muslim adults (Crime Survey for England and Wales, 2016-2018)

discussed not merely as a social, political, cultural and historical phenomenon, but also as one that exists in a space of gender, class, race and other factors that produce vulnerabilities. In this regard, the intersection

between Islamophobic hate crimes and gender, race and ethnicity, appearance and space is often ignored in the Criminal Justice System.¹¹⁷ This constitutes a serious limitation to the way in which Islamophobia can be understood. As Stevenson points out:

“Racism and Islamophobia are experienced differently by different groups; however, female Muslims encountered high levels of Islamophobia in relation to dress; Black Muslims faced racism as well as Islamophobia and so encounter an additional ethnic penalty; while first generation Muslims faced racism and hostility in relation to their immigrant status.”¹¹⁸

In its submission to the APPG, Tell MAMA stated that victims contacting the organisation “will experience different forms of Islamophobia and anti-Muslim [hatred] because of their religion and ethnicity”. Tell MAMA further noted that “Any definition must consider how racialisation of Muslim identity means, for example, that white converts are verbally abused with racial epithets like ‘P*ki’.”¹¹⁹

¹¹³ From oral testimony to the APPG on British Muslims by Paul Giannasi OBE on June 26, 2018.

¹¹⁴ Written evidence submitted to the APPG on British Muslims by Zulfiqar Karim DL, Secretary General of Bradford Council of Mosques.

¹¹⁵ Written evidence submitted to the APPG on British Muslims by Professor Tariq Modood MBE, of the University of Bristol.

¹¹⁶ Written evidence submitted to the APPG on British Muslims by Professor Peter Hopkins of Newcastle University.

¹¹⁷ Written evidence submitted to the APPG on British Muslims by Dr Imran Awan of Birmingham City University and Dr Irene Zempi of Nottingham Trent University.

¹¹⁸ Written evidence submitted to the APPG on British Muslims by Professor Jaqueline Stevenson of Sheffield Institute of Education.

¹¹⁹ Written evidence submitted to the APPG on British Muslims by Tell MAMA.

During the oral evidence session, parliamentarians explored the issue of anti-Muslim racism probing Kallis on whether the process of racialisation could apply to white Muslim converts who did not fit within a specific racial profile. Kallis's answer sheds further light into the conceptualisation of anti-Muslim racism:

“Race is not about phenotype, race exists first and foremost in the eyes of the racist. Race is a group that is defined by the person that makes a generalisation. But we are talking about a racism that is defined by the power, it is asymmetrical so people who have the power, this is a single group, all Muslims however they look like, however the practice, where they come from, how they dress, whatever their political views, they are all part of this phantom imaginary group. Race therefore in the phenotypical sense of the word plays a small part of this discussion.”¹²⁰

Kallis further added that there is a need for a special category of racism against Muslims due “to the conditions of our world, at a time when prejudice and discrimination are directed at people with Muslim backgrounds has become not only pervasive but also increasingly troubling”. Adding to the discussion of Islamophobia as a form of anti-Muslim racism, the Muslim Council of Britain drew the APPG's attention to the UN definition of racism, highlighting the ways in which it operates not simply as an attitude or a prejudice, but by denying people dignity, rights and liberties across a range of political, economic, social and cultural institutions.¹²¹

In short, Islamophobia is not just a racist process that selects its victims on the basis of their physical appearance, but also a process of separation between the dominant, nativist culture, and the culture that is being problematized because of its practices, being them real or perceived. This process thus structures the issue within an inclusion/exclusion framework, as it specifies, argue Awam and Zempi, “who may legitimately belong to a particular national, or other community, whilst, at the same time, determining what that community's norms are and thereby justifying the exclusion of those whose religion or culture assign them elsewhere”.¹²² That is also why, as Saeed puts it, “Muslim identity is reduced to stereotypes of violence and oppression”,¹²³ and the social context that prompts this phenomenon is also what sustains it: “It is the racist who creates the race”, claims Kallis, reminding us of the social and

political responsibilities we bear in the racialisation of Muslims.¹²⁴

We also heard arguments about sectarianism within Muslim communities and whether this was or was not Islamophobia. Professor Tariq Modood spoke about the mis-classification of Islamophobia in cases of sectarian disputes. He told us Islamophobia should be confined to naming the specific process through which Muslims are racialised by non-Muslims, which thus entails categorising sectarian issues under a different terminology. Modood made this case during the oral evidence session:

“I talked about racialising which is when an outsider creates a group, so as an example black people created as a group by white Europeans. Even the Windrush generation that we have been recently talking about, when they came to Britain, they thought they were Barbadians, Ghanaians, Jamaicans, they didn't know they were black. They were told they were black when they arrived in Britain. So I think racialising is something that is done from the outside and sometimes there are aspects of self-racialising, but dividing a group and saying you are not the real thing... I think we have to find some other category for that, it is a fault and it would fail some of my tests, but not specifically in relation to Islamophobia which would fail my tests in terms of equality and intolerance.”¹²⁵

Indeed, it would be misleading to interpret Islamophobia as a tool that can capture, together with the issues of racialisation, issues of sectarianism. As such, it is necessary that issues of sectarianism are understood, and dealt with, as separate phenomena from Islamophobia. Officers of this APPG feel an independent inquiry by government into sectarianism, across all faith communities, may be a possible way forward inviting all faith communities to participate, including British Muslims.

Furthermore, without a definition of Islamophobia that is capable of encompassing this process of racialisation, we risk limiting our chances of identifying Islamophobic discourses. “This means that commentators like Trevor Cavanagh (sic)”, writes Ahmed, “are able to talk about a ‘Muslim problem’ using racialised and Islamophobic language, without it being widely recognised as Islamophobic”.¹²⁶ It also means that far-right groups can retain the freedom to reject accusations of racism because, arguing that Muslims are not a race, they limit “the definition to

¹²⁰ From oral testimony to the APPG on British Muslims by Professor Aristotle Kallis on June 20, 2018.

¹²¹ Written evidence submitted to the APPG on British Muslims Miqdaad Versi of Muslim Council of Britain (MCB).

¹²² Written evidence submitted to the APPG on British Muslims by Dr Imran Awam of Birmingham City University and Dr Irene Zempi of Nottingham Trent University.

¹²³ Written evidence submitted to the APPG on British Muslims by Dr Tania Saeed of Lahore University.

¹²⁴ Written evidence submitted to the APPG on British Muslims by Professor Aristotle Kallis of Keele University.

¹²⁵ From oral testimony to the APPG on British Muslims by Professor Tariq Modood on June 20, 2018.

¹²⁶ Written evidence submitted to the APPG on British Muslims by Akeela Ahmed MBE of the Government's Cross-Department Working Group on Anti-Muslim Hatred.

biological constructs and thus would argue that their rhetoric is not necessarily racist” (Bridge Institute). Conversely, continues the Bridge Institute,

“The most effective definition to measure and tackle varying forms of abuse would be ‘anti-Muslim racism’ as it could quantify online, face to face, written, verbal, microaggressions towards individuals and use ‘racism’ as the starting point to measure abuse.”¹²⁷

Interestingly, during the oral evidence session, Southall Black Sisters made exactly the argument that because Muslims are not a race, the entire concept of Islamophobia should be discarded, as they stated:

“Islam is not a race and this is a pertinent point, can there be racism against a set of ideas as opposed to people... So even liberals and anti-racists will say Islamophobia is in effect a form of racism, whereas Islamists and those on the extreme wing of the spectrum will argue that it’s the protection of religion.”¹²⁸

The argument, however, appears highly misguided. As noted earlier, Islamophobia cannot be understood in a vacuum, nor should it be decontextualized and removed from historical, social, political and cultural trends that inform – and have informed – similar phenomena. When looking at anti-Semitism, for example, we do not observe prejudice developing solely on the basis of biological features, but one that emerges from ‘set of ideas’ that, through the creation of stereotypes, racialize Jewish individuals for their belonging to that specific group. In the context of anti-Semitism, conspiracy theories have long been acknowledged as a form of anti-Jewish racism, despite them being effectively ‘sets of ideas’ about the Jewish population. Yet, because they form the basis of the process of racialisation whereby Jewish people – or those perceived to be Jewish – come to be victimised, they are broadly accepted as manifestations of anti-Semitism. Likewise, it would be absurd to interpret Islamophobia merely as a form of racism restricted to biological traits, as it would be to imagine the conceptualisation of Islamophobia as a vehicle to protect a religion. Among all the submissions, for example, the agreement that Islamophobia should be considered a form of racism specific to Muslims was evident (Modood, Miller et al, Kallis, Awan and Zempi, Hopkins etc.), yet there was absolutely no indication that the term should also be introduced because of its capacity to ‘protect’ the religion. If anything, many submissions evidenced and supported the idea of enabling criticism of the and pointed at a clear conceptualisation and definition of Islamophobia as the right tool to frame doctrinal debates around Islam

in a manner that does not demonise and de-humanise Muslims.

In this regard, it is also useful to dispel another argument proposed during Southall Black Sisters’ oral evidence session, which concerns the idea that the adoption of a definition of Islamophobia can cause public bodies to be “fearful of intervening in minority affairs for fear of being labelled as Islamophobic and offending cultural sensibilities”.¹²⁹ The claim does not stand to scrutiny for reasons similar to those expressed above. A legally binding definition of Islamophobia is not advocated in an effort to create a protective umbrella that can shield Islam from any form of criticism, rather to demarcate clearly and definitively the boundaries between legitimate criticism and anti-Muslim racism. It is exactly because of the supposed confusion in understanding how to ‘criticise’ Islam without offending ‘cultural sensibilities’ that the case for the adoption of the term Islamophobia finds its strength. Without a clear definition, debates over Islamic practices, precepts, manifestations etc., would be confined to a perennial status of ambiguity in which one party would feel racialised and the other censored.

In addition, considering Islamophobia effectively as “anti-Muslim racism” allows to position the phenomenon within a clearer socio-cultural context informed by both historical and contemporary trends.

As noted above, Islamophobia cannot be separated from anti-Semitism because both phenomena and both terminologies share remarkably similar traits. Kallis contends in this regard that

“While the ideological and cultural components of anti-Semitism are very different from those of Islamophobia, the processes by which hatred is (or has historically been) mainstreamed and facilitates more aggressive language, behaviour, and action are critically similar. The most effective way to strengthen the reach and cogency of any definition of Islamophobia is to restate it as a very modern racialising project, with new arguments but feeding from deep historic stores of diffuse cultural prejudice.”¹³⁰

It is therefore arguable that, although Islamophobia and anti-Semitism are of course culturally and ideologically different, they identify the same type of racism – one based on actual or perceived racial features, ethnic appearances, and cultural practices – as well as the processes and outcomes whereby social majorities “have come to view those groups as external, dangerous, and threatening.”¹³¹

¹²⁷ Written evidence submitted to the APPG on British Muslims by Dr Abida Malik of the Bridge Institute.

¹²⁸ From oral testimony to the APPG on British Muslims by Pragna Patel on June 19, 2018.

¹²⁹ From oral testimony to the APPG on British Muslims by Pragna Patel on June 19, 2018.

¹³⁰ Written evidence submitted to the APPG on British Muslims by Professor Aristotle Kallis of Keele University.

¹³¹ Ibid.

Adopting that language, continues Kallis, is as important as giving legal footing to the word 'genocide' was in the post-war years, which recognised "the particular fate of Jews in the Nazi 'new order'." As such, just like genocide indicates "a very particular kind of crime against humanity that required public visibility and recognition in the particular historical context of the mid-20th-century world", so Islamophobia indicates a very specific kind of racism directed against Muslims. Furthermore, the institutionalisation of the term genocide allowed for it to be used retrospectively and thus locate all similar crimes within the same category – a process that would be invaluable for identifying and tackling Islamophobic crimes.

Yet, during the oral evidence session, Southall Black Sisters remarked against the institutionalisation of the term Islamophobia:

"We worry that the institutionalisation of the term Islamophobia would lead to a specific kind of privileging of victimhood. So my victimhood is worse than your victimhood, which creates competitiveness, who are the ultimate victims, and instead of solidarity and alliances being formed it leads to hatred of the other. Minority groups should be working together instead of separating off from each other, and seeing the other religion as the other and that's what we see as a growing trend of otherisation within communities."¹³²

Again, the group proposes a weak argument against a legal adoption of the term Islamophobia. There is no evidence to suggest that by creating a category of Islamophobic crimes, Muslim could be incentivised to perceive themselves as 'ultimate victims', let alone that this odd competition could lead victimised groups to hate each other. The exceptional nature of Islamophobia does not rest upon an issue of ranking, that is, an attribution of value rooted in the level of seriousness of that particular discrimination vis-à-vis other forms of prejudice. Rather, it is based on the historical, social, cultural and political processes that inform the way in which this particular form of racism exists and manifests itself. Resorting again to the institutionalisation of anti-Semitism, there is no evidence in support of the thesis that the Jewish population sees itself as the 'ultimate victim', nor that it is in open competition with other minorities for that status. Even more, the issue has never been debated in those terms, and indeed the adoption of anti-Semitism was never contested for fear it might induce Jewish communities to compete for the title of 'ultimate victims'.

Furthermore, the idea that the categorisation of anti-Muslim racism as Islamophobia could reduce the cooperation between different minority groups seems abstruse. First, again looking at anti-Semitism,

there is no evidence that Jewish communities have become more isolated as a result of the adoption of the term. If anything, the opposite could be argued, since the adoption of anti-Semitism has allowed for legal protection of otherwise vulnerable communities and, consequently, a greater propensity and desire to safely integrate in British society. Second, because by identifying the specific Islamophobic – or indeed anti-Semitic – prejudice, communities can learn about acceptable and unacceptable behaviours and narratives, which can lead to greater inter-group cooperation and cohesion.

Interestingly, Southall Black Sisters acknowledged in their oral evidence that "there is a racialisation of religion that is taking place", yet they seemingly refuse to consider Islamophobia as a racialising phenomenon. When asked by parliamentarians whether we need to roll back the accepted definition of anti-Semitism – which indeed creates a special category of anti-Jewish racism – they replied: "To be fair... anti-Semitism has also caused a lot of controversy and concerns", further admitting that they have issues with both terminologies. With the uncompromising stance revealing an aversion to both terms, certain elements of the answer provided displayed the group's little understanding of the meaning of Islamophobia: "Anti-Semitism is not necessarily about Judaism, it's not anti-Judaism unlike Islamophobia which comes across as anti-Islam and that then creates the problems, is it religion, is it people, what is it?"¹³³ Here lays the problem. Islamophobia does not mean 'anti-Islam' and, as such, the adoption of a legally binding definition should not be understood as a means of curtailing criticism of the religion. Islamophobia indicates the process through which Muslims are racialised and become victims of discrimination, abuse and violence on the basis of their 'Muslimness', be it real or perceived. As such, the term Islamophobia does not shield the religion from criticism, but sets the boundaries within which the criticism can be moved without racialising Muslims.

Of course, the process of racialisation of Muslims also stems from practices that have been ingrained within the functioning of nation-states and that, either purposely or accidentally, contribute to compartmentalising and 'othering' Muslims. This process has led many to talk about 'structural' or 'institutional' Islamophobia, in an effort to indicate the state-based barriers that problematize and marginalise Muslims while simultaneously reinforcing the socio-cultural divide between 'Us' and 'Them'.

The term 'institutional Islamophobia' finds its roots in the 1999 Macpherson report, which followed the public inquiry into the murder of black teenager Stephen Lawrence and the mishandling of the case

¹³² From oral testimony to the APPG on British Muslims by Pragna Patel on June 19, 2018.

¹³³ From oral testimony to the APPG on British Muslims by Pragna Patel on June 19, 2018.

by both the Crown Prosecution Service and the Metropolitan Police Service. Both public bodies, the report found, were affected by issues of race, incompetence and corruption, which resulted in flawed investigations marred by controversy. Against this backdrop, Sir William Macpherson evidenced for the first time a case for ‘institutional racism’, intended as a phenomenon that manifests itself “not solely through the deliberate actions of a small number of bigoted individuals, but through a more systematic tendency that could unconsciously influence police performance generally”.¹³⁴ Following the ground-breaking report, ‘institutional racism’ came to be defined as

“The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantage minority ethnic people.”¹³⁵

There is also offered the case to favour the term ‘Institutional’ rather than ‘Structural’ Islamophobia. While the latter suggests a certain degree of transcendence that places the burden of Islamophobic practices on somewhat abstract constructs, the former clearly points at people and institutions “engaged in practices that discriminate against Muslims”. Or as a participant at the Sheffield community consultation event put it:

“Any definition of Islamophobia has to recognise that Islamophobia is perpetuated in political rhetoric and a broad range of policy measures. So, it’s perpetuated in counter-terrorism, in community cohesion, in integration, in immigration debates, and worst of all, in the continuous racialisation of criminality.”

This clarity also allows to identify not just explicit manifestation of Islamophobia, such as hate crimes, but also “to focus on the policies developed by policy makers and enacted by government which discriminate against Muslims”.¹³⁶ Policies that do not directly or explicitly discriminate against Muslims, but that are based on tropes that produce discriminatory outcomes, need to be addressed as a key component of the ecosystem in which Islamophobia is established. Conceptualising Islamophobia along these lines therefore allows for a real assessment of those social and institutional constructs that sustain it, and for the adoption of real policies that can break them.

These arguments echo strongly the 2004 findings of the Commission on British Muslims and Islamophobia set up by the Runnymede Trust in 1996. Drawing from the Macpherson inquiry, the report discusses institutional Islamophobia as “those established laws, customs and practices which systematically reflect and produce inequalities in society between Muslims and non-Muslims”.¹³⁷

Institutional Islamophobia manifests itself in a variety of ways and, as Abbas argues, encompasses issues of socio-economic inequality, such as employment, housing, educational attainment, as well the “rationalisation and normalisation lock in Islamophobic groupthink”, which is by all means the institutionalisation of Islamophobia. In this regard, and drawing directly from her experience, Ahmed writes:

“Often I hear from women who will not go to work due to such hostile environment until the news cycle has moved on and these discussions are less likely to take place in the work environment. Similarly, parents report that their children are often subjected to anti-Muslim bullying in the classroom, or when they do sports; but when they make complaints to schools, the matters are brushed under the carpet and/or not dealt with appropriately. In some cases, teachers make comments about Muslim students and/or Islam which are derogatory and there is no recourse for students to deal with these incidents... There are also instances of Islamophobia by voluntary organisations. In particular, I have received reports regarding feminist groups which are actively Islamophobic toward Muslim women who attend their conferences. As a result, Muslim women often go to these conferences seeking empowerment but are instead silenced and marginalised because they were hijab and/or identify with their faith.”¹³⁸

Resorting to his experience with Islamophobia in Scotland, Anas Sarwar MSP discussed five levels of institutional Islamophobia, also highlighting the work that the Cross Party Group on Tackling Islamophobia has been conducting thus far:

1. Police Scotland/Legal Framework: reporting rates, how they are recorded, how they are handled, barriers to reporting, successful prosecution rates, communication with communities. There is also a consideration with this on the existing legal protections for Muslims and how this compared to other forms of hate crime.
2. Employability: the impact of Islamophobia on

¹³⁴ William Macpherson, *The Stephen Lawrence Inquiry. Report of an Inquiry*, (United Kingdom: The Stationary Office, 1999) accessed 01.11.2018, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/277111/4262.pdf p. 41.

¹³⁵ *Ibid.* 43.

¹³⁶ Written evidence submitted to the APPG on British Muslims by Dr Narzanin Massoumi of University of Exeter; Professor David Miller of University of Bristol, Dr Tom Mills of University of Aston; and Dr Hilary Aked of University of Bath

¹³⁷ Robin Richardson ed., *Islamophobia issues, challenges and action*, (Stoke on Trent, UK and Sterling, USA: Trentham Books, 2004), p. 14.

¹³⁸ Written evidence submitted to the APPG on British Muslims by Akeela Ahmed MBE of the Government’s Cross-Department Working Group on Anti-Muslim Hatred.

access to the labour market, career progression and in employment practices. Within this we are also considering the diversity of the senior leadership of the civil service and public sector bodies.

3. Education: how bullying is recorded, how it is handled, training of staff, creating an equality charter in schools, teaching our shared history and building a more diverse workforce.

4. Women: there is a clear gendered nature to Islamophobia with women being a particular target. Creating a platform for women to share their own experience and to help shape policy priorities.

5. Media: considering how incidents are reported, use of descriptive language and how that perpetuates or challenge Islamophobia. The role of social media.¹³⁹

There is, as such, an enormous institutional responsibility to de-legitimise discriminatory practices that ingrain Islamophobia within the fabric of our society. It would be fruitless to imagine a definition of Islamophobia that has no footing or applicability in our legal system. The Criminal Justice System, notes Ahmed, as well as other governmental bodies such as the Department of Health, the Department of Education and the Department of Universities, “require a proper definition and policy on Islamophobia” to ensure that their policies do not discriminate against Muslims. Similarly, “a definition is required that is relevant for businesses, employers and other organisations which can be included in employment and workplace policies”.¹⁴⁰ This would effectively create mechanisms through which Islamophobia can be detected, reported, and sanctioned, a crucial step to eradicate it from society. That is why, as the NUS puts it, the definition of Islamophobia “will see the incorporation of the systemic and institutional ramifications of Islamophobia within the discourse of Islamophobia which is currently occupied mainly by political participation and the like.”¹⁴¹

Research conducted by Professor Jacqueline Stevenson, explored the issue of institutionalised discrimination of religious minorities in higher education settings, pointing at Muslim students as a category that acutely feels the effects of “visible” and “invisible” discrimination”. Among the reasons:

1. Whilst social and ethnic diversity on campus is seen as a cause for ‘celebration’, religious diversity is largely unrecognised and unacknowledged. This can make Muslim students feel invisible, ignored, overlooked, undervalued or disregarded as Muslims.

2. Despite this invisibility, Muslim students also feel highly visible - as a result of prevailing discourses around the threat faced from Islamic fundamentalism on campus.

3. The lack of institutional and/or individual understanding about Islam or of the needs of religious students, and insufficient religious literacy amongst staff groups and student peers, many Muslim students experience intended or unintended racism or Islamophobia. This ranges from casual micro-aggression to overt discrimination, intolerance or even hatred, and is frequently unchecked and unchallenged on campus.

4. The invisibility of religion, alongside the visibility of being Muslim and/or experiences of Islamophobia can threaten Muslim students’ sense of belonging on campus which may, in turn, affect self-esteem, confidence, or integration, and thus has implications for retention and attainment, and for Muslim students’ overall experiences of being a student in UK higher education.¹⁴²

Stevenson further contends that evidence points at increasing discrimination and physical and verbal abuse on campus experienced by religious minorities, especially Muslims, with many recounting incidents of verbal abuse and a few examples of physical abuse, including being spat on or having items of clothing ripped. As she wrote:

“Islamophobia and/or anti-Muslim racism was, across the accounts given, both present and pervasive. Moreover, it was rarely checked and frequently unchallenged. It therefore operated as a form of institutional racism: “So somebody said something stupid about Muslims in class and I looked at the lecturer and she just looked right back and looked so embarrassed because she knew she should say something but she just didn’t know what. So in the end she said nothing although afterwards she apologised to me for that (Roxana, Pakistani heritage, female, 19, undergraduate).”¹⁴³

The adoption of a definition of Islamophobia might, therefore, actually help draw the boundaries between hate speech and legitimate dialogues, through which an educational process can be initiated around those stereotypes and generalisations about Islam that generate fear.

Second, there is a hidden, albeit obvious conflation between Islam and extremism, which is thus far one of the prevalent lenses through which Islam is widely discussed – or even worse positioned – in society. It is

¹³⁹ Written evidence submitted to the APPG on British Muslims by Anas Sarwar MSP of the Cross Party Group on Tackling Islamophobia.

¹⁴⁰ Written evidence submitted to the APPG on British Muslims by Akeela Ahmed MBE of the Government’s Cross-Department Working Group on Anti-Muslim Hatred.

¹⁴¹ Written evidence submitted to the APPG on British Muslims by Ilyas Nagdee, Hareem Ghani and Ayesha Ahmed of NUS.

¹⁴² Jacqueline Stevenson, “Muslims Students in UK Higher Education: Issues of Inequality and Inequity”, Bridge Institute for Research and Policy, October 2018, accessed 07.11.2018, <http://bridgeinstitute.co.uk/wp-content/uploads/2018/10/Bridge-Higher-Education-report-1-FINAL.pdf>

¹⁴³ Ibid.

the exceptionalisation of Islam – the process through which Islam and Muslims are problematized on the basis of a perceived proximity to extremism – that aids this form of institutional Islamophobia in becoming even more entrenched in our world. As Miller et al argue:

“Neoconservative think tanks are attempting to influence government counter-terrorism policies and have at least arguably had some effect. This suggests that an adequate definition of Islamophobia should also be alive in the activities of think tanks and other policy groups engaged in attempting to influence government policy. These activities are practical means by which policies that discriminate against Muslims are created and implemented.”¹⁴⁴

MUSLIMNESS: EXPRESSIONS AND PERCEPTIONS

Having established that Islamophobia is the best term to conceptually identify the phenomenon; that it does not impede free speech; that it is able to encompass a variety of manifestations; and that it is a form of cultural racism; the submissions focused on identifying the parameters through which this form of cultural racism is applied, or in other words, the perceptions that underpin the Islamophobic logic. The debate around manifestations or perceptions of ‘Muslimness’ is an uncomfortable but crucial one to have, and sits at the heart of a new, working definition of Islamophobia. Indeed, understanding Islamophobia entails not just being aware of how it manifests itself, but also being cognizant of what it actually targets.

Ali and Witham’s explanation of ‘Muslimness’ offers a clear starting point to understand the issue, as they contend that Islamophobic actions and behaviours

“Are predicated on perception of the victims ‘Muslimness’. Such an understanding of Muslim difference combines biological attributes (skin colour) with religious and cultural practices including clothing (hijab, niqab, skull caps, kurtas), eating (halal meat, inhibitions on alcohol and pork) and a strong imaginary about the ‘radical otherness’ of so-called ‘Muslim practices’. These have included (but are not limited to), Female Genital Mutilation (FGM), Forced Marriage (FM), veiling, a supposed propensity for electoral fraud, the imposition of sharia law, and child sexual exploitation.”¹⁴⁵

This practice underpins the logics behind Islamophobia, and is in turn informed by the process of racialisation discussed earlier. Social processes

and political contexts reinforce the attribution of certain characteristics to a specific group, which is consequently placed under hyper-scrutiny and problematized on the basis of the level of religiosity displayed, that is, the extent to which such characteristics are made detectable. This is assessed not only against visible attributes, such as for example Islamic garments, but also religious practices, such as specific dietary requirements associated with Islam: “victims are often identified or ‘racialised’ as Muslims by abusers”, Ali and Witham write, “due to, for example, south Asian appearance, skin colour, clothing or other markers of ‘race’.”¹⁴⁶ Adding to this argument, Dr Jafari from the University of Strathclyde told the APPG: “Muslim practices such as production, distribution, promotion and consumption of halal certified products and services are increasingly demonized by anti-Muslim organisations and individuals. Muslim beliefs and lifestyle preferences are also equally negatively ridiculed and insulted.”¹⁴⁷

The stereotypization of Muslims strongly echoes Vidgen’s analysis of the tropes used to justify Islamophobia:

- Paedophilia
- Rape
- Terrorism
- Criminality
- Benefits claimants
- Barbarism/being uncivilized
- Sexism and anti-feminism
- Fundamentalist, illiberal or undemocratic¹⁴⁸

Of course, Islamophobia does not manifest itself exclusively when the ‘Muslimness’ is visible. Saeed argues that “Practicing Muslim women who may not be visibly Muslim may encounter Islamophobia in the work place, or in an educational institution because of their religious practices, or encounter instances of Islamophobia where their religiosity is constantly under scrutiny”. This evidences the fact that it is Muslims’ religiosity that informs prejudice, however this is displayed and even if it is not displayed in a visible manner. In this regard, she suggests the implementation of tools that can help detect those factors that inform prejudice against expressions of ‘Muslimness’. Based on a new and comprehensive definition of Islamophobia, she proposes the creation of a survey to explore not just the lived experiences of the victims, but also focus “on the perception of a representative sample of non-Muslim citizens, and

¹⁴⁴ Written evidence submitted to the APPG on British Muslims by Dr Narzanin Massoumi of University of Exeter; Professor David Miller of University of Bristol, Dr Tom Mills of University of Aston; and Dr Hilary Aked of University of Bath.

¹⁴⁵ Written evidence submitted to the APPG on British Muslims by Dr Ben Whitham of De Montfort University and Dr Nadya Ali of University of Sussex.

¹⁴⁶ Ibid.

¹⁴⁷ Written evidence submitted to the APPG on British Muslims by Dr Jafari from the University of Strathclyde.

¹⁴⁸ Written evidence submitted to the APPG on British Muslims by Bertie Vidgen of University of Oxford.

their understanding of what Islamophobia means". The survey, which could be distributed in workplaces, educational institutions and neighbourhoods, would help understand the deep nature of anti-Muslim prejudice, or more specifically, that prejudice that stems from the stereotypization and problematization of different 'expressions of Muslimness'.¹⁴⁹

Saaed's argument is widely supported by the literature. Research conducted by Jones, Catto, Kaden, and Elsdon-Baker and which explored popular associations of Islam with, for instance, rejection of science and progress, showed that Muslims are perceived as a social threat even by those who denounce anti-Muslim prejudice. This seeming paradox can only be explained if we account for the way in which processes of racialisation and cultural othering have affected all segments of society, thus resulting in the normalisation – and acceptance – of stereotypical representations of Islam. Considering the multifaceted nature of Islamophobia, it is therefore critical for new research tools to be devised and applied towards the identification of subtler forms of prejudice and stigmatisation. As Jones et al argue,

"This suggests, then, a need for sociologies of race and religion to work more collaboratively. At the methodological level, this might mean incorporating lines of questioning about belief within research instruments designed to track prejudice, and deeper analysis of claims about religious belief when these are used to justify racialized political norms. At the political level, it also means engaging more directly with the argument that Islamophobia should be opposed not just because Muslim identity is rarely wholly voluntary, but also because even voluntarily chosen beliefs can be misrepresented in prejudiced, potentially harmful ways."¹⁵⁰

Islam has indeed long been discussed in contrast to other socio-cultural norms and, in Britain specifically, this has taken the form of narratives centred upon the nebulous concept of 'British values'. Whatever categorisation we might wish to attribute to 'British values' – be it based on morality norms or universal values – those are popularly depicted as irreconcilable with religious, cultural or political agency based on Islamic faith. Even more, contends Abbas, the concept of 'British values' has become "a favourite trope of both the soft and hard right", which use this ideological argument to "excuse their Islamophobia"

or indeed "legitimise it".¹⁵¹

Awam and Zempi's stance in this regard is enlightening as they contend that:

"Islamophobia can be interpreted through the lens of cultural racism whereby Islamic religion, tradition, and culture are seen as a 'threat' to 'British values' and 'national identity', whilst 'visible' Muslims are viewed as 'culturally dangerous' and threatening the 'British/Western way of life'.¹⁵²

In this regard, they further refer to the case of white British converts to exemplify a form of racism based on perceptions of cultural superiority. On the basis of their research into converts to Islam, Awam and Zempi contend that white Muslim women who wear a veil – or indeed any other religious identifier – come to be targeted exactly for their decision to convert to Islam. In the eyes of the abusers, British converts have supposedly betrayed British values and the British way of life. It is within this perceived dichotomy, they continue, that Islamophobia positions itself as a form of "new racism", one that does not stem from "an explicit belief of biological superiority", but that is based on "notions of religious and cultural superiority".¹⁵³ Or, as Kallis puts it,

"Anti-Muslim racism understands and talks about people and communities with Muslim backgrounds as a 'race' – bound together by a cultural-religious code that continues to be seen as allegedly incompatible with – and hostile to – western ideas and ways of life."¹⁵⁴

As Richardson argues in his study on representations of British Muslims in the broadsheet press, the ability of "mainstream white society to regulate the parameters of British society" to include or exclude Muslims involves devising new "tests" which,

"[A]t to exclude Muslims both from the position "British", and also from the debate on what it is to be "culturally British". Two rejectionist strategies are used interchangeably in order that this exclusion be successful: First, Muslims are excluded from the position "British" by virtue of the "Britishness" they are perceived to lack; and second, Muslims are excluded from the position "British" by virtue of the "Islamicness" that they are perceived to have. This second rejectionist strategy obviously has feedback loops into the first, since simple identification with a religion should pose no prima-facie exclusion from being "British". Therefore, in order to function

149 Written evidence submitted to the APPG on British Muslims by Dr Tania Saaed of Lahore University.

150 Stephen H. Jones, Rebecca Catto, Tom Kaden, Tom Elsdon-Baker, "That's how Muslims are required to view the world: Race, culture and belief in non-Muslims' descriptions of Islam and science", *The Sociological Review* 1-17, 2018.

151 Written evidence submitted to the APPG on British Muslims by Professor Tahir Abbas of LSE.

152 Written evidence submitted to the APPG on British Muslims by Dr Imran Awam of Birmingham City University, and Dr Irene Zempi of Nottingham Trent University.

153 Ibid.

154 Written evidence submitted to the APPG on British Muslims by Professor Aristotle Kallis of Keele University.

coherently as an exclusion strategy, Islam must be presupposed to be fundamentally non-British.”¹⁵⁵

As Professor Tim Winter puts it, in his essay on ‘The Myth of Islamic Uniformity’, “Among the most frequent themes of anti-Muslim rhetoric is the claim that ‘the Muslims’ comprise a single type of humanity whose preferences and behaviour are straightforwardly driven by a simple and uniform religion. Thus have Muslims joined the long and melancholy list of human collectivities who have been reified and essentialised as Dark Others: Jews, Blacks, Irish, Catholics, Roma, and many more. They are the opposite of ourselves; and help to define our identity by telling us what we are not; and to serve this psychological purpose they must be a single kind of thing.”¹⁵⁶

The view that Islam is socially and culturally represented as dangerous, hostile and incompatible with Western – or in the case British – values, is echoed by Awam and Zempi, as they point out that “in the British context, Islam and Muslims have increasingly been seen to be ‘culturally dangerous’ and threatening the ‘British way of life’” by those who subscribe to the ‘clash of civilisations’ thesis. Crucially, they continue, “it is increasingly Islamic religion, tradition and culture that have been seen as a ‘threat’ to the Western ideals of democracy, freedom of speech and gender equality”, a claim that allows Islamophobia to be attributed a religious component in addition to the racial one.¹⁵⁷ As discussed in Jones et al Islamophobia does not stem exclusively from the association of Muslims with ethnic group membership and correspondent somatic features, but from a criticism of the religion based on cultural racist tropes, which denigrate Islam on the basis of a perceived deviation from dominant values such as democracy, freedom of speech and gender equality. In this regard, it is also worth remembering that anti-Muslim racism is not static but dynamic, as it is dependent upon antagonistic constructions of expressions of ‘Muslimness’ that are in themselves fluid and transformative. Incidentally, this is why Chakraborti et al point out that a definition of Islamophobia “must be flexible and fluid enough to ensure that the changing and transformative nature of

any discriminatory phenomena can be duly captured and identified.”¹⁵⁸

In short, Islamophobia essentialises Muslims, locating them in a homogenous group defined by one, single essence that is continuously depicted and perceived as incompatible, or inassimilable, with western societies. This is, according to Modood, one of the central issues when tackling Islamophobia. It is not just about the most immediate concerns relating to, for example, hate crimes, rather, it is about contesting tropes that reduce Muslims or expressions of ‘Muslimness’ to a single essence. Consequently, an anti-essentialist definition of Islamophobia serves the purpose of

“Showing that various popular or dominant ideas about Muslims, just as in the case of, say, women, gays, etc., are not true as such but are aspects of socially constructed images that have been made to stick on those groups of people because the ascribers are more powerful than the ascribed.”¹⁵⁹

Islamophobia does not, however, stem solely from the degree of religiosity expressed by Muslims, but also from different ethnic groups’ perceived Muslim identity or perceived ‘Muslimness’. Indeed, because anti-Muslim racism stems from ethnic, cultural, or religious tropes, the stereotypization of ‘Muslimness’ – that is, the way in which the public believes Muslimness is expressed – can influence public attitudes towards other ethnic or religious communities perceived to be of Islamic faith. In this regard, the testimony of the Network of Sikh Organisations sheds a light on the impact that cultural stereotypes have in influencing society’s perception of different degrees of ‘Muslimness’:

“In Britain we have seen the attempted murder of a Sikh dentist in Wales by Zack Davies, an individual linked to the now proscribed group National Action. In targeting Dr Sarandeve Singh Bhambra, Davies wanted to take ‘revenge’ for Lee Rigby... Disparaging remarks like ‘Bin Laden’ or ‘Taliban’ are a common occurrence for Sikhs with turbans, and we recently saw the conviction of a man calling his Sikh neighbour ‘ISIS slag’ and ‘ISIS bitches’... It is clear that visible

Muslim female, Sheffield

“I don’t wear the hijab, but my friends do. They were told to go back to where they came from and

told they were foreigners. We didn’t report it, to whom and why bother?”

¹⁵⁵ Robin Richardson ed., *Islamophobia issues, challenges and action*, (Stoke on Trent, UK and Sterling, USA: Trentham Books, 2004).

¹⁵⁶ ‘The Myth of Islamic Uniformity’, Shaykh Abdal Hakim Murad (Professor Tim Winter). Undated.

¹⁵⁷ Written evidence submitted to the APPG on British Muslims by Dr Imran Awan of Birmingham City University, and Dr Irene Zempi of Nottingham Trent University.

¹⁵⁸ Written evidence submitted to the APPG on British Muslims by Professor Neil Chakraborti of University of Leicester.

¹⁵⁹ Written evidence submitted to the APPG on British Muslims by Professor Tariq Modood, MBE, of the University of Bristol.

differences are a motivating factor in such incidents. This is as true for Muslim women in hijabs as it is for orthodox Jews or Sikhs.”¹⁶⁰

In short, political and social contexts inform public anxieties about Muslims, who are consequently identified and problematized on the basis of their real or alleged identification with that group and perceived or actual manifestations of religiosity.

As Professor Salman Sayyid and Abdoolkarim Vakil argue, “Muslimness, like Jewishness or Englishness in common expression. It describes not so much any person or actual group than a family of overlapping and flexible features by which in a given situation something is seen as having the quality of being Muslim. Such features can range from the names people use to the clothes they wear, from the languages they speak to the foods they eat – or don’t eat. These features are not fixed but rather historical and contextual – some are long enduring, others more recent. As with all stereotypes, it is not their truth that is at stake but their currency. Islamophobia is more broadly encompassing than ‘hatred’; in some contexts it may be individual and intentional, in others institutional and routinized; it is more visible in incidents, but it is grounded, and experienced, in more everyday forms and embedded in social structures. It is these many shades of targeted expression that Muslimness captures.”¹⁶¹

Of course, Muslims are not the only victims of this process of racialisation. Jewish communities have suffered from the same form of discrimination – for example with stereotypes about the Jewish population controlling governments and media – until ‘anti-Semitism’ categorised anti-Jewish conspiracy theories as illegal. But for Muslims, who are accused of wanting to overthrow liberal governments, or establish Islamic law in Western societies, the protection offered by a legal system lacking a clear and multi-layered definition of Islamophobia is insufficient.¹⁶² Muslims are popularly associated with conspiracy theories such as ‘Eurabia’ – which imagines Muslims as wanting to ‘Islamise’ and ‘Arabise’ Europe – and ‘Entryism’ – which imagines them as wanting to infiltrate our political system and overturn it from within. To this day, these conspiracy theories go unchallenged because they are not recognised as crimes, and because we are still to adopt a legally binding definition of Islamophobia that recognises the phenomenon as a whole.

Furthermore, as Abbas writes, “both radicalisation and

Islamophobia thrive because of the wider workings of structural and cultural racism.”¹⁶³ This is why failing to adopt a definition of Islamophobia leads to vicious circle in which no community wins and our society becomes more and more fragmented. Muslims risk a continuous marginalisation and stigmatisation, while the current Islamophobic environment will continue to provide the perfect incubator for extremist ideas cemented within the far-right ideology.

Conversely, adopting a definition Islamophobia allows for an acknowledgement of the broad range of phenomena that ought to be categorised within it, which can in turn provide us with the right legal tools to eradicate it from society. Terminologies such as “anti-Muslim hostility or discrimination... anti-Muslim sentiment”, suggested by Giannasi during his oral evidence session,¹⁶⁴ retain an element of incompleteness that does not fully capture the deeper nature of Islamophobia. Conversely, as Vidgen argues, “negativity against Muslims is therefore a suitable moral, conceptual and empirical basis for defining Islamophobia in that it captures its essence; actions and beliefs which treat Islam and Muslims as undesirable or inferior”¹⁶⁵. Such a position is broadly felt among the different submissions, a testament to how important it is to tackle every manifestation of Islamophobia. Kallis, for example, suggests that a definition of Islamophobia

“Should be inclusive, capturing the widest possible gamut of human targets and offending discourses / attitudes / actions. It should straddle potentially inflexible conceptual categories, such as race and culture and religion, recognising that anti-Muslim racism understands and talks about people and communities with Muslim background as a ‘race’ - bound together by a cultural-religious code that continues to be seen as allegedly incompatible with -

Muslim male, London

“I was stopped at Heathrow airport. The policeman said that they targeted me because of my attire. This has happened to me so many times. I cannot report it because the police do not see this as Islamophobic behaviour.”

¹⁶⁰ Written evidence submitted to the APPG on British Muslims by Lord Singh of Wimbledon and Hardeep Singh, of the Network of Sikh Organisations (NSO).

¹⁶¹ Written evidence submitted to the APPG on British Muslims by Professor Salman Sayyid and Abdoolkarim Vakil of Leeds University and King’s College London, respectively.

¹⁶² Written evidence submitted to the APPG on British Muslims by Akeela Ahmed MBE of the Government’s Cross-Department Working Group on Anti-Muslim Hatred.

¹⁶³ Written evidence submitted to the APPG on British Muslims by Professor Tahir Abbas of LSE.

¹⁶⁴ From oral testimony to the APPG on British Muslims by Paul Giannasi OBE on June 26, 2018.

¹⁶⁵ Written evidence submitted to the APPG on British Muslims by Bertie Vidgen of University of Oxford.

and hostile to - western ideas and ways of life.”¹⁶⁶

Tell MAMA told us that any definition of Islamophobia “should, primarily, centre the voices and experiences of Muslims” adding that the organisation would “welcome further understanding of this issue in the hope that the debate can move beyond semantics whilst ensuring that fundamental rights are taken into consideration.”¹⁶⁷

Taking into account how the term Islamophobia has been used thus far, Chakraborti et al remind us that

“The Centre for Hate Studies prefers and duly recommends the adoption of the term Islamophobia not least because it has been established in the public and political lexicons for almost two decades and is how those experiencing discrimination, bigotry and hate on the basis of their perceived or otherwise Muslim-ness refer to it.”¹⁶⁸

Having heard a wide cross-section of viewpoints from academic experts, parliamentarians, lawyers, community activists and, importantly, voices from within British Muslim communities, the APPG upon consideration of the vast body evidence presented to us, proposes the following working definition of Islamophobia:

ISLAMOPHOBIA IS ROOTED IN RACISM AND IS A TYPE OF RACISM THAT TARGETS EXPRESSIONS OF MUSLIMNESS OR PERCEIVED MUSLIMNESS.

¹⁶⁶ Written evidence submitted to the APPG on British Muslims by Professor Aristotle Kallis of Keele University.

¹⁶⁷ Written evidence submitted to the APPG on British Muslims by Tell MAMA.

¹⁶⁸ Written evidence submitted to the APPG on British Muslims by Professor Neil Chakraborti of University of Leicester.

An INDEX to Tackle Islamophobia

Among the questions prepared by the APPG to discuss the spectrum and applicability of a working definition of Islamophobia, one suggested the creation of an index that attributes values to manifestation of Islamophobia on the basis of their degree of severity. Specifically, the question asked “How useful would a scale of intensity or Islamophobia/anti-Muslim hatred be for measuring the strength of anti-Muslim feeling/anti-Muslim prejudice?”, and the responses it attracted were varied and often discordant.

Sariya Cheruvallil-Contractor, for example, embraces the idea as she argues that it would allow Islamophobia “to be classified with regards to its severity, relevant legal frameworks and the broader context within which the act of discrimination takes place”. Indeed, her work had already led to the creation of an index to measure the severity of religious discrimination, in which 7 different categories were identified:

1. Religion or belief naivety.
2. Religion or belief prejudice
3. Religion or belief hatred
4. Religion or belief disadvantage
5. Religion or belief direct discrimination
6. Religion or belief indirect discrimination
7. Religion or belief institutional discrimination¹⁶⁹

Other organisations, such as FOSIS and the Bridge Institute, support the creation of an index to measure the targeted abuse towards Muslims over time. FOSIS, for example, contends that it would be very useful especially in providing guidelines and examples to teachers, doctors and employers, as well as in clarifying the different forms of Islamophobia and thus leaving no uncertainty as to what is and is not Islamophobia.¹⁷⁰

Tania Saeed does not oppose the creation of an index, but only if constructed as “part of a larger survey that includes both qualitative and quantitative approaches to measuring Islamophobia”. Through her research, Saeed was able to identify different forms of Islamophobia based on the lived experiences of 40 individuals who took part in her research, but she argues that “a more representative sample will be needed for a policy implementation”.¹⁷¹

Peter Hopkins, opposes the idea of the index because “this runs the risk of particular Islamophobic incidents being regarded as more or less serious than others and potentially therefore more or less worthy of attention”.¹⁷² In addition, echoed organisations such as MEND and the NUS, an index could also result in certain forms of Islamophobia becoming more acceptable than others, which would then nullify the lived experience of individuals who have suffered from it.

Chakraborti et al also place the emphasis on potential negative repercussions of an index, identifying three key issues. First, they argue that since “it is not deemed necessary to measure the strength of racism, disablism or homophobia for instance”, indexing manifestations of Islamophobia would not make the phenomenon equitable to other forms of discrimination. Second, they claim that such a categorisation would create “further unnecessary confusion, complexity and contestation” of all manifestations of Islamophobia. Third, they suggest that “scale can only ever be subjective and therefore something that could not be used or applied consistently.”¹⁷³

Aristotle Kallis offers a more ambiguous answer, as he contends that an index might be “counter-intuitive... as it would presumably have to make distinctions between language and action”, but at the same time he accepts the idea that the index could also allow to measure “the dramatic process of deepening anti-Muslim racism that has been going on for years in many European and other societies”.¹⁷⁴

Unfortunately, too few submissions explored the question of indexing Islamophobia, which leaves the APPG with too little information to be able to provide a comprehensive and critically informed view over the issue. Even so, the diversity of opinions expressed offers a useful insight into the complexity of the question, highlighting the need for the APPG to explore this particular section in greater detail at a later stage.

¹⁶⁹ Written evidence submitted to the APPG on British Muslims by Dr Sariya Cheruvallil-Contractor of Coventry University.

¹⁷⁰ Written evidence submitted to the APPG on British Muslims by Sara Mir of the Federation of Student Islamic Societies (FOSIS).

¹⁷¹ Written evidence submitted to the APPG on British Muslims by Dr Tania Saeed of Lahore University.

¹⁷² Written evidence submitted to the APPG on British Muslims by Professor Peter Hopkins of Newcastle University.

¹⁷³ Written evidence submitted to the APPG on British Muslims by Professor Neil Chakraborti of University of Leicester.

¹⁷⁴ Written evidence submitted to the APPG on British Muslims by Professor Aristotle Kallis of Keele University.

Chapter 4 - Community Consultation findings

In order to ensure the inquiry engaged with Muslim communities, the APPG undertook four community consultations in four cities in the UK: Manchester, London, Birmingham and Sheffield. The four events were very well attended by a range of community members including police officers, academics, community activists, students and young persons, councillors and local Members of Parliament, members of the public, and victims of Islamophobia, some of whom shared their experience with officers of the group. Some of the community consultation events were also attended by agencies such as the Crown Prosecution Service, senior police officers, local council officials and by interfaith groups. Among equality organisations presenting their work at these events were the Runnymede Trust (Manchester) and Hope Not Hate (Birmingham). Anonymous victim forms were also made available to attendees during the community consultations to solicit direct contributions from victims of Islamophobia.

The focus of this chapter are the views expressed during the community consultations. We have included findings from the community consultation exercises in this report to give voice to the many victims of Islamophobia who shared their experiences with us and to reinforce the reasons for embarking on this inquiry for a working definition of Islamophobia. As the examples illustrated below will show, Islamophobia is experienced in a myriad of different forms and affects individuals in a wide variety of circumstances.

ISLAMOPHOBIC ABUSE EXPERIENCED BY VICTIMS

From the numerous victim forms we were able to collect, we found a number of themes which served to reinforce the evidence presented to us by academic experts and community activists. We found that the racialisation of Muslims has palpable consequences with both Asian, Black and white convert Muslims being targeted for abuse on grounds of their Muslimness. We also found that age-old stereotypes and tropes about Islam, such sexual profligacy and paedophilia or Islam and violence, and their modern-day iteration in the 'Asian grooming gangs' or 'Bin Laden' labels re-emerge in discourses and dispositions which heighten vulnerability of Muslims to hate crimes. We further observed what we would regard as situations which are exemplary of Islamophobia being Britain's bigotry blind spot with Muslims often faced with incidents occurring in

public where by-standers or witnesses are unmoved to intervene and speak up against abuse directed at Muslims. Several of these incidents are summarised below to give a snapshot of the stories shared with the officers during the community consultation events.

One Muslim female wrote of the verbal abuse she faced at a petrol station during the morning school run, in Birmingham:

There was a large queue at a local petrol station and a lady in another car got out and accused me of blocking the queue...this then quickly led to her blaming this on my hijab as I couldn't see where I was going, calling me a Paki etc and a whole lot of verbal abuse. "No action was taken by the police as I was a white revert Muslim, I was told there was no grounds to report the incident. It couldn't be reported as a race incident as I didn't belong to any ethnicity other than English/white...no grounds to prosecute on religious/hate crime I could not take it any further!"

Another Muslim female wrote of an incident at her home in Wales where a firework was posted through the letterbox of her home:

"A lit firework was posted through the letterbox of my own home...the incident was reported to the police through 101 but no significant action was taken... there was CCTV on the street however, it was not used to find or prosecute the perpetrator...this happened twice but still no security was provided by the police officers. It pushed and motivated my family to move house. Our local MP helped move house but no real justice was received."

We heard of a mosque in Birmingham which allegedly had a pig's head and pig's blood sent to it:

"Someone emailed the mosque website suggesting that pigs heads and blood had been placed in a proposed site for a Muslim country...we reported the incident to the police but they couldn't find the perpetrator. The police advised that the land was checked and nothing found. We had no one else to turn to."

One Muslim male in Birmingham had been subjected to verbal and physical abuse, including at his place of work where he claims he was asked if he "was Bin Laden":

"I have been spat at on the street when I wore a prayer hat...I've witnessed people calling Muslims devils...at work I was asked if I was bin laden??? (laughable)...I was asked to explain Rochdale cases, and "if you all

are like that"...my daughter was called the Taliban... the list goes on."

Another Muslim male in Birmingham told us of an incident in which he was called "a terrorist" for not giving way to another driver:

"A driver felt that I did not let him join the traffic along a dual carriage. He followed me into a petrol station. I had my two young children in my car. In front of my children he shouted "YOU TERRORIST, YOU SHOULD HAVE GIVEN ME WAY AND LET ME IN" (to join the lane)...I did not report the incident but I did try to engage and talk to the driver but he drove away."

A Muslim female from Barnsley told of abuse she frequently experienced including on occasions when she was out and about with her children:

"Swear words were shouted at me and my children from men in cars, this happened five times on different occasions...my son who is seven years old was spat at white in B&Q in Barnsley. I reported the swearing from cars on two occasions as I took down the car registration numbers...the police visited the perps (sic) both times and said if I had another complaint against them they will be arrested...the police said the young men were white who were remorseful and going to start university so I dropped the case."

One Muslim student in Sheffield told us about an experience on public transport where the victim was subjected to verbal and physical abuse and no-one intervened to stop it:

"Whilst using public transport, I was receiving verbal abuse, about my appearance and dress code. As I turned I was then provoked with pieces of paper being thrown towards me, the transport was in fact surrounded with members of the public of many races yet nobody thought to end the abuse. It then came to a point where I was made to exit a couple of stops early for both mine and others' safety."

One individual in Sheffield told us that someone spat at him in his car whilst he was driving:

"My car window was spat at by a passenger in driving vehicle. I did not report this."

At our event in Sheffield, we were told of a number of incidents which occurred following the trial of a group of Asian men convicted of child sexual exploitation,¹⁷⁵ including this case of an individual terrified by a taxi driver in Darlington although it is not clear to us whether the individual who related the incident was a passenger or pedestrian:

"The incident in the taxi in NE Darlington took place after the Newcastle CSE [child sexual exploitation] trials. Taxi driver drove his car dangerously and carelessly, frightening me. I reported it to my manager at work."

One female who attended the Sheffield event told us about some of her friends, who wear headscarves, who were abused in a shop:

"I don't wear the hijab, but my friends do. They were told to go back to where they came from and told they were foreigners. We didn't report it, to whom and why bother?"

One Muslim father told us about his son who had been physically assaulted. He was critical of the response from police and prosecution service though details of the assault itself were not provided to the APPG.

"My son was beaten up in 2012. Police and prosecution did every little about it and so I don't have any trust in S Yorkshire police. I feel neglected by them."

We also heard from a participant in the Sheffield community consultation of a young girl who was attacked on the bus, it was claimed, for wearing a headscarf.

"My daughter was attacked on the bus for wearing a headscarf. She ran off the bus and was followed and beaten up outside of my home. They were her friends but couldn't understand why she started wearing it. I reported it to the school and only one of the pupils involved was excluded. My daughter was depressed, she feared school and never returned...the school should have supported my daughter not left her feeling isolated. I felt frustrated...children need to be educated at school to not bully and respect diversity."

These narratives demonstrate a wide range of incidents and circumstances in which Muslims were subjected to abuse, intimidation or assault. From being called derogatory names such as terrorist and 'Bin Laden', to being spat at, attacked for wearing a headscarf, to more extreme forms of inflicted harm, such as having a lit firework posted through the letterbox. The places where abuse occurred ranges from the home, the mosque, roads, shops, public transport to schools. During our consultations, victims stressed the importance of a working definition of Islamophobia to the task of tackling the problem and holding individuals to account for conduct that is abusive, discriminatory, intimidating, or violent and which is targeted at expressions of Muslimness.

A striking aspect of the anonymous victim testimonies was the impact on the mental health of victims which often included feelings of isolation, having nobody to turn to, feeling neglected by the police and the sense that there was no point in reporting the crime, avoiding public spaces, having to move house or school or jobs to put an end to the abuse. This element of the victim testimonies indicated the importance of capturing the impact of Islamophobia within the definition.

¹⁷⁵ Lizzie Dearden, "Grooming gangs abused more than 700 women and girls around Newcastle after police appeared to punish victims", The Independent, February 23, 2018, accessed 07.11.2018, <https://www.independent.co.uk/news/uk/crime/grooming-gangs-uk-britain-newcastle-serious-case-review-operation-sanctuary-shelter-muslim-asian-a8225106.html>

At our consultation in London, we heard from victims who stressed experiences ranging from individual abuse to institutional Islamophobia. We heard from victims who had suffered verbal and other abuse but who witnessed no remedial action from the police, and others who highlighted how a lack of representation and accountability within institutions can compound the problem of identifying Islamophobic incidents and having robust procedures in place to tackle it whenever and wherever it occurs. As one participant put it to us: “We need institutional change. Definition needs to accommodate institutional practices.”

One participant at the London consultation told us:

“There are grave concerns about Transport for London (TfL) not having representation for BAME and Muslim drivers around its table. United Private Hire Drivers (UPHD) have constantly been refused representation compared to the other five unions that are represented and are able to voice their concerns at TfL.”

Another participant told us how inflammatory or Islamophobic speech by politicians can elide into attacks on minorities when institutions, such as political parties, are reticent to deal with the problem of hate speech:

“In the current political environment, hate crimes against all minorities will increase and the ignorant will become more vocal if politicians are not held accountable.”

Another participant spoke of the inequalities experienced by Muslims which emanate from institutional Islamophobia.

“Islamophobia is also discrimination in housing, education, employment. Islamophobia is not just conversation, negative discourse, set of perception, it is also the material inequality that Muslims live.”

One man told us of sustained abuse he had experienced and his losing faith in the police after nothing was done to stop it.

“On different occasions, I have been spat on, verbally abused, have had eggs thrown at me, physically attacked, and on one occasion someone tried urinating on my residence. I reported it to the police

for the first few times, but no action was taken so after that I stopped reporting it to the police.”

Another person told us of instances when he had been stopped at airports and the futility of reporting the issue because it is not seen as Islamophobic. He said:

“I was stopped at Heathrow airport. The policeman said that they targeted me because of my attire. This has happened to me so many times. I cannot report it because the police do not see this as Islamophobic behaviour.”

The anonymous forms allowed space for individuals to share further information with the APPG which went beyond victim experiences, providing some scope for individuals to speak about the impact of Islamophobia on Muslims as a group.

One individual told us, “Islamophobia is felt by the whole Muslim community through institutionalised Islamophobia, through security measures like Prevent. Islamophobia is felt when I am under scrutiny for possible acts that I don’t even think of doing; when I am questioned without reason...”

Another told us that a definition was necessary so that actions that are Islamophobic can be dealt with to restore confidence to Muslims and wider society that it will not be tolerated. We were told,

“We need to ensure there are consequences for people engaging in such abuse as a deterrent – the first way of de-normalising Islamophobia.”

Another person iterated the same stating: “We need a strong zero policy tolerance on Islamophobia.”

As we heard from participants, adopting a definition is only the start of a process. We heard from individuals who said,

“A definition that clearly states an accountability to institutions, and that keeps vulnerable members (women and elderly) safe. Essentially we need a definition but we need to understand how it will help and what it will do.”

“After the definition has been defined, we need it to instil confidence in the Muslim community to report incidents that are taking place.”

Muslim female, Sheffield

“My daughter was attacked on the bus for wearing a headscarf. She ran off the bus and was followed and beaten up outside of my home. They were her friends but couldn’t understand why she started wearing it. I reported it to the school and only one of the pupils involved was excluded. My

daughter was depressed, she feared school and never returned...the school should have supported my daughter not left her feeling isolated. I felt frustrated...children need to be educated at school to not bully and respect diversity.”

We also heard from various people who asserted a different point of outlook to the majority of views we encountered which emphasised Islamophobia as their preferred word to describe the targeting of Muslims for their real or perceived Muslimness. For example, one individual who came to a community consultation event told us,

“You have to return to basics in order to have a working definition that is applicable to everyday life – all walks of life. You HAVE to begin by eliminating the term ‘Islamophobia’, it conjures up fear of Muslims. It subconsciously reinforces the idea of fearing Muslims. Them and us. It should be anti-Muslim or anti-Islamic.”

Some individuals mentioned the importance of educational institutions to build awareness of Islamophobia and training for statutory sector employees, to challenge institutional Islamophobia. We heard from one participant who said, “We need more education in schools and communities.”

Another told us, “Training statutory sector workers as teachers, social workers, others all using Islamophobic language and subtle behaviours, which family/community do not feel they can challenge.”

This was coupled by individuals who spoke about the impact of Islamophobia experienced in educational settings. In Birmingham, we heard from a participant who raised the Trojan Horse affair,

“Let’s not forget that we are standing in a city where the so called Trojan Horse affair happened. People are frustrated here because they have been vilified and victimized for being Muslim. Those schools involved in the so called Trojan horse affair were some of the top performing schools and now those schools have below average GCSE attainment levels. That’s Islamophobia. Disempowering an entire Muslim community, taking away their futures, their hopes and aspirations, making them feel no matter what they do it doesn’t count. The conservative government is responsible for that and we have not seen any justice, but day by day, Birmingham further sinks into a black hole. Crime levels have shot up, community disengagement and distrust has increased. Those students in those schools have been prejudiced, they can’t get jobs, they can’t get into colleges, they are riddled with anxiety. We are witnessing the loss of a generation, of a community right now, right here.”

Others told us of the effects of the Prevent statutory duty on schools and the recent incident in a Newham school regarding the wearing of headscarves by young girls,

“Any definition must cover such scenarios as head teachers referring students to counter-terror police because a Muslim boy wants to grow a beard or wear

a prayer cap, or punish for wanting a prayer room. Also OFSTED questioning the wearing of hijab. Any definition must not only be based on an individual being victimized because of their faith, but also any comments which victimize and defame the Muslim community in general.”

We also heard of the role of communities and interactions between people of different background to tackle the problem as a shared concern. Participants told us, “We need community cohesion and community integration to prevent Islamophobia” and “Closer workings between different communities trying to understand different religions and their teachings.”

Another participant suggested the importance of engaging the white majority on the subject of Islamophobia in order to make progress in tackling the scourge. It was said to us that, “We need to have these discussions in established white communities to drive change.”

Muslims are more likely than the British public as a whole to say that their national identity is important to their sense of who they are

The media was another area which came in for stern criticism with individuals telling us, “Media outlets need to

be held accountable. Fines for media organisations and make it easier for people to report anti-Muslim racism.”

We also heard from individuals who told us,

“Double standards by the media need to be called out such as always calling a brown person who commits a crime as a terrorist, but a white person as having mental health issues.”

“We need to tackle the dehumanization of Muslims in the media and by political parties.”

The community consultations enabled the engagement and expressions of thought from a cross section of British Muslim communities. Common themes that emerged from discussions included the dehumanization of Muslims, accountability for media, Islamophobia extending beyond words and into material inequality being felt through employment and housing, and the definition being more than just words but rather, making a real difference at the grass roots level with individuals, whether Muslim or not, better equipped to challenge Islamophobia when confronted by it. Broadly speaking, the community consultations reinforced the need for a working definition that has practical implications.

Conclusion

The contributions we received as part of our inquiry and the expert witnesses from whom we took evidence have been carefully and constructively engaged in order for us to arrive a working definition which addresses many of the principal factors which have shaped this debate over the last two decades.

We concur with those academics whose work has highlighted the importance of three key factors at play when it comes to Islamophobia: process, actions and impact. We have attempted to incorporate all three dimensions in our proposed working definition to signify racialisation as the process, racism as the actions and the undermining of expressions of Muslimness as the impact.

Furthermore, in advancing a definition of Islamophobia, we are consciously aware and alert to the possibility, indeed probability, of a hostile reaction from certain quarters. As we heard from some of those from whom we took evidence, “Any formulation that seeks to redress embedded disadvantages and injustices will be contested. Likewise, any definition of Islamophobia will be challenged. One could replace ‘expressions of Muslimness’ with ‘Muslim identity’, or ‘Muslim’ and it would not alter the thrust of the objections, nor the fact that it would be questioned. The only definition of Islamophobia that is likely not to be questioned is one that does not challenge anything; that is, one that does not deliver change or even the hope of something better.”¹⁷⁶

In undertaking this inquiry, we are resolved to deliver something that will positively change conditions for Muslims in British society and offer hope of something better. British Muslims are British citizens and it is our firm belief that adopting a definition of Islamophobia will demonstrate to Britain’s Muslim communities that we, as politicians and we together as a society, recognise the impediments to the flourishing of Muslims in Britain and will take steps to demarcate the healthy preservation of expressions of Muslimness consistent with the law, fundamental freedoms and human rights.

Having heard a wide cross-section of viewpoints from academic experts, parliamentarians, lawyers, community activists and, importantly, voices from within British Muslim communities, the APPG upon consideration of the vast body evidence presented to us, proposes the following working definition of Islamophobia:

ISLAMOPHOBIA IS ROOTED IN RACISM AND IS A TYPE OF RACISM THAT TARGETS EXPRESSIONS OF MUSLIMNESS OR PERCEIVED MUSLIMNESS.

The proposed definition of Islamophobia can be illustrated by a range of guidelines and examples rather than a list of essential features, which we feel would confine a prescriptiveness to its understanding to the detriment of contextual and fluid factors which continue to inform and shape manifestations of Islamophobia.

We found the IHRA explanatory notes and examples both helpful and informative and it inspired much of the thinking of Parliamentarians engaged in this process of proposing a working definition of Islamophobia. The explanatory notes provided under the IHRA definition of anti-Semitism could, in all fairness, be adopted in their entirety to Islamophobia.

Contemporary examples of Islamophobia in public life, the media, schools, the workplace, and in encounters between religions and non-religions in the public sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, instigating or justifying the killing or harming of Muslims in the name of a racist/fascist ideology, or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Muslims as such, or of Muslims as a collective group, such as, especially but not exclusively, conspiracies about Muslim entryism in politics, government or other societal institutions; the myth of Muslim identity having a unique propensity for terrorism, and claims of a demographic ‘threat’ posed by Muslims or of a ‘Muslim takeover’.
- Accusing Muslims as a group of being responsible for real or imagined wrongdoing committed by a single Muslim person or group of Muslim individuals, or even for acts committed by non-Muslims.
- Accusing Muslims as a group, or Muslim majority states, of inventing or exaggerating Islamophobia, ethnic cleansing or genocide perpetrated against Muslims.
- Accusing Muslim citizens of being more loyal to the ‘Ummah’ (transnational Muslim community) or to their countries of origin, or to the alleged priorities of Muslims worldwide, than to the interests of their own nations.
- Denying Muslim populations the right to self-determination e.g., by claiming that the existence of

¹⁷⁶ Written evidence submitted to the APPG on British Muslims by Professor Salman Sayyid and AbdoolKarim Vakil of Leeds University and King’s College London, respectively.

an independent Palestine or Kashmir is a terrorist endeavour.

- Applying double standards by requiring of Muslims behaviours that are not expected or demanded of any other groups in society, eg loyalty tests.
- Using the symbols and images associated with classic Islamophobia (e.g. Muhammed being a paedophile, claims of Muslims spreading Islam by the sword or subjugating minority groups under their rule) to characterize Muslims as being ‘sex groomers’, inherently violent or incapable of living harmoniously in plural societies.
- Holding Muslims collectively responsible for the actions of any Muslim majority state, whether secular or constitutionally Islamic.

The examples below, which further illustrate ways in which Islamophobia is experienced do not exhaust the phenomena but give shape to its effects from physical violence (a, b, c) to verbal abuse and intimidation (d, e), and from socio-economic discrimination and exclusion (f, g), to the entrenching of racism in our broader civic life (h and i).

We have used a number of incidents widely reported in the press in order to exemplify some of the forms of expression of Muslimness which are targeted and the type of incidents which qualify as Islamophobia. This is not an exhaustive list, but it is indicative of the breadth of Islamophobia in our society.

A. MAN TRIED TO KILL MUSLIM WOMAN AND 12-YEAR-OLD GIRL AS ‘REVENGE’ FOR TERROR ATTACKS.¹⁷⁷

On September 20, 2017, Paul Moore attempted to murder a Muslim woman and a 12-year old girl in revenge for the Parsons Green terror attack. Prosecutors concluded that both victims had been attacked merely on the basis of the colour of their skin and perceived Islamic faith. The APPG’s definition of Islamophobia is reflected in the nature of this tragic attack, in which two innocent Muslims were targeted on the basis of their perceived Muslimness. The racialisation suffered by the victims, both non-White and with garments clearly indicating their faith, added to the Islamophobic trope whereby Islam becomes associated with terrorism and violence. This specific example of Islamophobia sadly sheds a light

on some of the worst kind of physical manifestations of Islamophobia.

B. “WE DON’T LIKE MUSLIMS OVER HERE’ - WOMEN TIED UP AND TORTURED MAN.¹⁷⁸

Two women from Guisborough brutally tortured a Muslim convert, tying him up, hitting him with a hammer, and beating him while one of them shouted at the victim “We don’t like Muslims over here, you know. I f***ing hate them”. The women were convicted of religiously-aggravated assault, with the CPS concluding that the attack was fuelled by the women’s hostility to the victim’s faith. While revealing the damage that anti-Muslim violence causes, the attack also reflects the broader dimensions of Islamophobia. The victim in this case was a convert, and was therefore assaulted not on the basis of his race but merely on the basis of his religion. The vile comments made by the women reflects the ‘othering’ or ‘displacing’ of Muslims from their local and national contexts with taunts of not being wanted in this country.

C. MUSLIM MOTHER ‘ATTACKED FOR WEARING HIJAB’ AS SHE WENT TO COLLECT CHILDREN FROM LONDON PRIMARY SCHOOL.¹⁷⁹

A Muslim woman was assaulted on her way to a primary school, where she had gone to pick up her children, by three women who pulled her hijab and started beating her and insulting her. While the woman did not suffer any serious injury, the emotional impact of the attack is considerable. The woman, who was visibly Muslim - she wore the hijab - was belittled and humiliated by the assaulters who asked her if she was ‘hot’ in her headscarf. The story offers yet a pertinent example of the victimisation of Muslim women whose expression of Muslimness is captured in their form of dress. The incident further relays some of the locations where incidents occur, that is, in public spaces such as on the streets or outside a school.

D. “PUNISH A MUSLIM DAY LETTERS”.¹⁸⁰

In 2018, Muslim institutions and individual Muslims, including parliamentarians, began to receive letters titled “Punish a Muslim Day”; the letter contained various instructions to ‘punish’ Muslims. The letters,

¹⁷⁷ “Man tried to kill Muslim woman and 12-year-old girl as ‘revenge’ for terror attacks”, The Independent, March 2, 2018, accessed 07.11.2018, <https://www.independent.co.uk/news/uk/crime/leicester-muslim-attempted-murder-woman-girl-revenge-uk-terror-attacks-a8236391.html>

¹⁷⁸ “Guisborough friends jailed for attack on would-be soldier”, The Northern Echo, August 14, 2018, accessed 07.11.2018, <http://www.thenorthernecho.co.uk/news/16397452.guisborough-friends-jailed-for-attack-on-would-be-soldier/?ref=twtr>

¹⁷⁹ “Muslim mother ‘attacked for wearing hijab’ as she went to collect children from London primary school”, Evening Standard, June 5, 2015, accessed 07.11.2018, <https://www.standard.co.uk/news/crime/muslim-mother-attacked-by-group-of-women-for-wearing-hijab-as-she-went-to-collect-children-from-10300208.html>

¹⁸⁰ ‘Punish a Muslim day’ letters: London police urge communities to unite against threats”, Evening Standard, April 2, 2018, accessed 07.11.2018, <https://www.standard.co.uk/news/uk/police-urge-londoners-to-unite-as-thugs-threaten-spate-of-hate-crimes-on-punish-a-muslim-day-a3803881.html>

which were sent to locations primarily in Leicester, Bradford and east London – although widely shared on social media – invited ‘participants’ to carry out attacks against Muslims such as verbal abuse, removing a woman’s head-scarf (hijab), physical assault (using acid as a weapon), and attributed a ‘score’ on the basis of the type of attack committed. The example shows unequivocally that hatred against Muslims takes many forms and that, although it is a type of racism, it develops on the basis of a person’s belonging or perceived belonging to the Islamic faith. It also homogenises Muslims on the basis of tropes rooted in popular culture, such as visible identifiers, but also perceptions of Muslimness. In addition, the letters served the purpose of cementing the divide between Muslims and non-Muslims in society by calling on individuals to engage in acts of violence against fellow citizens.

E. “RACISTS LEAVE PIG’S HEAD ON MOSQUE’S DOORSTEP.”¹⁸¹

In August 2017, a hate crime was committed in Northern Ireland when attackers left a pig’s head at a mosque and painted Islamophobic graffiti on the walls. The religiously motivated attack, served the purpose of intimidating local Muslim communities by assaulting their place of worship with racist graffiti and insulting their faith by leaving a pig’s head inside their mosque. This example illustrates some of the most perceptible expressions of Islamophobia, where the target is a building or institution associated with the Islamic faith, where the instrument of attack is something seen to be ‘anti-Islam’ and the act itself a form of intimidating behaviour towards Muslim communities.

F. MOTORISTS FORK OUT £1,000 MORE TO INSURE THEIR CARS IF THEIR NAME IS MOHAMMED.¹⁸²

An investigation conducted by The Sun in January 2018 revealed that the country’s top companies that provide car insurance would give far lower quotes to drivers with a typical English-sounding name like ‘John Smith’, and far higher quotes to drivers with a typical Muslim-sounding name like ‘Mohammed Ali’. Basing the study on a controlled comparison – whereby all variables were the same except the names – the investigation found that the same type of insurance would cost several hundred pounds more depending on the name stated in the application. This form of Islamophobia manifests itself in a subtler way,

as it does not result in violence perpetuated against Muslims but in the crystallisation of practices that contribute towards socio-economic discrimination and exclusion of Muslims. This example echoes the discussions around ‘institutional Islamophobia’ clarifying the way in which structural anti-Muslim racism impacts the lives of Muslims and leads to unequal outcomes.

G. STATE COMMISSION SAYS ‘ISLAMOPHOBIA, DISCRIMINATION AND RACISM’ PREVENTING MUSLIMS FROM SUCCEEDING IN UK JOBS MARKET.¹⁸³

Research released by the Social Mobility Commission in 2017 showed that Muslims are, overall, far less likely to succeed in the labour market than any other faith group due to rampant Islamophobia, discrimination and racism. The research pointed at many instances of discrimination suffered by Muslim men and women, who are deprived of the opportunity to reach their potential because of structural barriers. Muslim women, for example, reported that “wearing the hijab at work was an additional visual marker of difference that was perceived and experienced as leading to further discrimination.” Again falling within the category of institutional Islamophobia outlined in this report, this case sheds light into the widespread and structural dimension of Islamophobia. Islamophobia does not need to manifest itself violently to be considered as such, as many expressions of Islamophobia severely impact the life of Muslim individuals by limiting their participation in Britain’s public life and by curbing their ability to succeed.

H. ISLAMOPHOBIA IS A SERIOUS PROBLEM FOR MUSLIMS - AND NEW RESEARCH HIGHLIGHTS IT IS ALSO AN ISSUE FOR PEOPLE OF OTHER ETHNICITIES AND RELIGIONS.¹⁸⁴

Research conducted at Newcastle University investigated the extent in which Islamophobia impacted other faith groups on the basis of their perceived expression of Muslimness. Focusing on the experience of Sikhs, South Asians, Eastern Europeans and black young people, the research found that many had been abused for being perceived to be Muslim. Nearly all Sikhs interviewed reported being mistaken for Muslims. While showing, as the research notes, the extent to which Muslims are being scapegoated in our society, this example clarifies ways in which Islamophobia can develop merely on the stereotypical construction of Muslimness – not on

181 “Racists leave pig’s head on mosque’s doorstep”, Metro, August 24, 2017, accessed 07.11.2018, <https://metro.co.uk/2017/08/24/racists-leave-pigs-head-on-mosques-doorstep-6876285/?ito=cbsshare>

182 “Motorists fork out £1,000 more to insure their cars if their name is Mohammed”, The Sun, January 22, 2018, accessed 07.11.2018, <https://www.thesun.co.uk/motors/5393978/insurance-race-row-john-mohammed/>

183 “Britain’s Muslims face workforce discrimination: report”, Al Jazeera, September 7, 2017, accessed 07.11.2018, <https://www.aljazeera.com/news/2017/09/britain-muslims-face-workforce-discrimination-report-170907145307858.html>

184 “Mistaken for Being Muslim”, Newcastle University Press Office, March 2, 2017, accessed 07.11.2018, <https://www.ncl.ac.uk/press/articles/archive/2017/03/islamophobia-otherethnicgroups/>

the actual Muslim identity of the target. This is why we believe that stressing the impact of perceptions of Muslimness is critical to provide a comprehensive explanation of the many ways in which Islamophobia can manifest itself.

I. MEN JAILED OVER BACON TIED TO BRISTOL MOSQUE DOOR HANDLES.¹⁸⁵

On 17 January 2016, two men and two women were involved in an incident at the Jamia Mosque in Totterdown, Bristol. The mosque is one of the largest Muslim places of worship in the south west of England and one of the first to be opened in Bristol, in 1968. The two men and women tied a St George's flag to the fence of the mosque and draped bacon on the door handles of the mosque, while shouting racial abuse at elderly worshippers inside. Scrawled on the flag were the words 'NO MOSQUES' in large letters. When the group were asked by a passerby why they were putting the sign up, one of the men replied, "We don't want no more mosques here." Kevin Crehan and Mark Bennett were jailed for 12 months and nine months, respectively, for religiously aggravated public order offences. Alison Bennett, the wife of Mark Bennett, was given a six-month sentence, suspended for two years, and Angelina Swales was handed a four-month sentence, suspended for two years, also for religiously aggravated public order offences. All four individuals pled guilty to the charges. The case entails a number of tropes characterizing Islamophobic behaviours, from the deliberate use bacon and a sign stating 'no mosques', to the symbolism of the St George's flag and the word 'here' when referring to mosques in the local area. The 'here' can mean both Bristol, the local area, but also Britain, when taking into context the English flag. The verbal abuse shouted at worshippers inside the mosque is a further layer to the display of Islamophobic actions this particular incident connotes.

¹⁸⁵ "Men jailed over bacon tied to Bristol mosque door handles", BBC Bristol, July 20, 2016, accessed 13.11.18 <https://www.bbc.co.uk/news/uk-england-bristol-36846555>

Acknowledgements

The APPG would like to thank every individual, organisation, community-based participant, and parliamentarian who submitted written evidence, gave oral evidence, or participated in the community consultations.

Special thanks are extended to our secretariat for their continuous hard work and all their efforts before, during and after the evidence sessions and community consultations. This inquiry ran smoothly due to their diligence and commitment. Particular thanks are also due to the staff of the Aziz Foundation and especially Dr Antonio Perra, whose considerable support to the secretariat in the preparation of this report has been immensely valuable.

Our community consultation events were hosted by fellow officers and members of the APPG, Afzal Khan MP (Manchester), Shabana Mahmood MP and Liam Byrne MP (Birmingham), Gillian Furniss MP and Jared O'Mara MP (Sheffield) and Naz Shah MP. We thank them all for their tremendous support with what was a significant aspect of our inquiry; contributions and perspectives from local communities.

The APPG pays tribute to the many victim-centred organisations and initiatives which work with individuals, local communities, government and statutory agencies and third sector organisations to champion the rights of victims for redress of grievance and advocate for better protection for

people of Muslim background, or perceived Muslim background. We hope our report and the proposed working definition demonstrably improves your ability to support victims and raise awareness of and effectively challenge Islamophobia.

This report was made possible by generous support from Penny Appeal, World Federation of KSIMC and the Aziz Foundation. We thank them all for their support. The views expressed in this report do not necessarily reflect the views of the funders.

The views and conclusions expressed in this report, unless expressly attributed to other individuals or organisations, are those of the Officers of the APPG. The APPG takes full responsibility for its conclusions and analysis.

This is not an official publication of the House of Commons or the House of Lords. It has not been approved by either House or its committees. All Party Parliamentary Groups are informal groups of Members of both Houses with a common interest in particular issues. The views expressed in this report are those of the group.

Appendix 1 - Written evidence

The following individuals and organisations sent written evidence to the inquiry:

AVOW - Advancing Voices of Women (Against Islamophobia)	of Aston, and Dr Hilary Aked, University of Bath.	Humanities, Professor of Modern & Contemporary History
Akeela Ahmed MBE, Chair of The Government's Cross-Department Working Group on Anti-Muslim Hatred	Dr Omar Khan, Director, Runnymede Trust	Professor Dr. Thijl Sunier, Vrije Universiteit Amsterdam
Aliakbar Jafari, Scottish Ahlul Bayt Society	Dr Romy Hassan, University of Sussex, Senior Lecturer at the Science Policy Research Unit	Professor Jacqueline Stevenson, Sheffield Hallam University Head of Research, Sheffield Institute of Education
Anas Sarwar MSP, Labour Member of Scottish Parliament & Chair of the Cross Party Group on Tackling Islamophobia	Ilyas Nagdee, Black Students' Officer & Hareem Ghani, National Women's Officer & Ayesha Ahmed, Public Affairs Officer, National Union of Student (NUS)	Professor Neil Chakraborti, University of Leicester, Head of Department, Department of Criminology
Asim Qureshi, Research Director, CAGE	Jonathan Heawood, Chief Executive Officer, The Independent Monitor for the Press (IMPRESS)	Professor Peter Hopkins, Newcastle University, School of Geography, Politics and Sociology
Bertie Vidgen, University of Oxford, DPhil Student at the Oxford Internet Institute	Josh Smith, Researcher, Demos	Professor Salman Sayyid, University of Leeds, Centre for Ethnicity and Racism Studies and AbdoolKarim Vakil, King's College London
Dr Abida Malik, Director of Research, Bridge Institute	Kaleem Hussain, Director, Guidance Consultancy Ltd	Professor Tahir Abbas, Visiting Fellow, London School of Economics
Dr Ben Whitham, De Montfort University, & Dr Nadya Ali, University of Sussex, School of Global Studies University of Sussex	Lord Singh of Wimbledon (Director) and Hardeep Singh (Deputy Director), The Network of Sikh Organisations (NSO)	Professor Tariq Modood, MBE, FBA, FAcSS, FRSA, Politics and Public Policy, University of Bristol
Dr Sariya Cheruvallil-Contractor, Coventry University, Research Fellow in Faith and Peaceful Relations, CTPSR	MEND (Muslim Engagement and Development)	The Rt Hon Liam Byrne MP, Birmingham, Hodge Hill
Dr Tania Saeed, Lahore University of Management Sciences, Assistant Professor	IRU (Islamophobia Response Unit)	Safa Mir, Vice President of Student Affairs, Federation of Student Islamic Societies (FOSIS)
Dr Imran Awan, Birmingham City University, Associate Professor in Criminology, Deputy Director - Centre for Applied Criminology & Dr Irene Zempi, Nottingham Trent University, Lecturer in Criminology	Mick Conboy, Hate Crime Stakeholder Manager, Operations Directorate, Crown Prosecution Service (CPS)	Sarah Soyei, Head of Strategy and Development, EqualiTeach
Dr Myriam Francois, Research Associate, SOAS	Miqdaad Versi, Assistant Secretary General, Muslim Council of Britain (MCB)	Stephen Evans, Chief Executive Officer, National Secular Society
Dr Narzanin Massoumi, University of Exeter, Lecturer in Criminology, Professor David Miller, University of Bath, Professor of Sociology, Bath University, Dr Tom Mills, Lecturer in Sociology, University	Mohammed Shafiq, Chief Executive Officer, Ramadhan Foundation	Zahed Amanullah, Head of Networks and Outreach, Institute Strategic Dialogue (ISD)
	Paul Giannasi, Head of the Cross-Government Hate Crime Programme, Department for Communities and Local Government	Zulfqar Karim DL, Bradford Council of Mosques
	Pragna Patel, Director, Southhall Black Sisters	Tell MAMA (Measuring Anti-Muslim Attacks)
	Professor Aristotle Kallis, Keele University, School of	

Appendix 2 - Oral evidence sessions

The following witnesses gave oral evidence to the inquiry

TUESDAY 19 JUNE 2018

Dr Omar Khan, Director of Runnymede Trust
Dr Abida Malik, Director of Research Bridge Institute
Zahid Amanullah, Network Outreach ISD
Sarah Soyei, Equaliteach
Lord Singh, House of Lords
Pragna Patel, Southall Black Sisters
Jonathan Haywood, IMPRESS
Akeela Ahmed, Cross-Government Working Group on Anti-Muslim Hatred

WEDNESDAY 20 JUNE 2018

Miqdaad Versi, Assistant Secretary General, Muslim Council of Britain.
Professor Tariq Modood, University of Bristol
Dr Irene Zempi, Nottingham Trent University
Professor Aristotle Kallis, Keele University

Dr Nadya Ali, University of Sussex
Dr Ben Whitham, De Montfort University
Josh Smith, DEMOS

TUESDAY 26 JUNE 2018

Professor Jacqueline Stevenson, University of Sheffield
Paul Giannasi, Head of the Cross-Government Hate Crime Programme, Department for Communities and Local Government
Professor Tahir Abbas, Visiting Fellow at London School of Economics

WEDNESDAY 27 JUNE 2018

Ilyas Nagdee, National Union of Students
The Rt. Hon. Liam Byrne MP
Anas Sarwar, former MP for Glasgow Govan and member of the Scottish Parliament
Professor Neil Chakraborti, University of Leicester

Appendix 3 - Community consultation participants

The following individuals and organisations attended the community consultation events:

13 JULY 2018, MANCHESTER

Amna Abdullatif, Vice Chair, Manchester BME Network

Dobir Miah, Prevent policy team, Manchester City Council

Fiona Worrall, Director of Neighbourhoods, Manchester City Council

Gemma Rice, Inclusion and Community Engagement Manager, Crown Prosecution Service (CPS)

Haytham Alhamwi, Rethink Rebuild Society

Heather Fletcher, Muslim-Jewish Forum

Kabir Ahmed, Chairman, Manchester Council for Community Relations

Khalda Ali, Sahell Women's Project

Martin Goldman, Chief Crown Prosecutor, North West Region

Mohammed Ullah, Muslim Chaplin, The University of Manchester

Mona Mohammed, Head Teacher, Manchester Islamic High School for Girls

Nasima Begum & Hasina Chowdhury, Manchester Bangladeshi Women's Organisation

Nasrulla Khan, Chief Executive Officer, Manchester Council for Community Relations.

Rob Potts, Assistant Chief Constable, Greater Manchester Police

Saima Alvi, British Muslim Heritage Centre

Shazia Awan, Community Safety Team, Manchester City Council

Siema Iqbal, Manchester City Council Women's Network

Zubaida Haque, Research Associate, Runnymede Trust

Zulf Ali, Chief Executive Officer, Kashmir Youth Project

15 AUGUST 2018, SHEFFIELD

Azizum Akhtar, Rotherham Ethnic Minority Alliance

Barrister Zaiban Alam, Bank House Chambers

Dr Alan Billings, South Yorkshire Police and Crime Commissioner

Dr. Lee Crookes, University of Sheffield, University Teacher, Widening Participation Officer, Department of Urban Studies and Planning

Gill Furniss MP, Sheffield Brightside and Hillsborough

Gul Nawaz Hussain QC, Joint Head of Chambers, Bank House Chambers

Hafeas Rehman, Pakistan Muslim Centre

Jared O'Mara MP, Sheffield Hallam

Jeni Vine, Sheffield Cohesion Advisory Group

Professor Jawed Siddiqi

Shakoor Adalat, Vice Chair, Rotherham 12 Defence Campaign

Steve Watson, Chief Constable, South Yorkshire Police

Zlakha Ahmed, Apna Haq

30 AUGUST 2018, BIRMINGHAM

The Rt Hon Liam Byrne MP, Panel member

Shabana Mahmood MP, Panel member

Rt Hon Baroness Sayeeda Warsi, Panel member

Mahmooda Qureshi, Hope Not

Hate UK, Panel Member

Inspector Mustafa Mohammed, West Midlands Police, Panel Member

Councillor Shafique Shah, Birmingham City Council

Councillor Mohammed Idrees, Birmingham City Council

Dr. Chris Allen, Leicester University

Mohammed Saleem, Halal Council UK

Dr Katherine Brown, Birmingham University

Inspector Nawaz Hanif, West Midlands Police

Samia Yasmin, PhD Student Aston University

17 SEPTEMBER 2018, LONDON

Dr. Zahid Iqbal, Executive Officer, Minhaj ul Quran International UK

Fadel Soliman, Director, Bridges Foundation

Jas Athwal, Leader, Redbridge London Borough Council

Louis Tarjuman, London Refugee Community Network

Mohamed Omer, Board Member & External Affairs, Gardens of Peace

Samayya Afzal, Community Engagement Manager, Muslim Council of Britain

Shabnam Chaudri, Detective Superintendent, London Metropolitan Police Service

Shah Mahmud, Community Engagement Coordinator, Newham Council

Yusuf Patel, Community Engagement Officer, Policy, Performance and Equalities Team, Redbridge Council

Appendix 4 - Islamophobia / Anti Muslim hatred questionnaire

Anna Soubry MP, Chair and Wes Streeting MP, Co-Chair

Islamophobia/Anti-Muslim Hatred Questionnaire

Have you ever experienced an Islamophobic incident (hate crime, verbal abuse or other instance of religiously motivated anti-Muslim behaviour)

.....

When did the incident occur?.....

Where did the incident occur?

Please briefly describe what happened:

Did you report the incident; and if so, to whom?

Was any action taken against the perpetrator?

Did you seek any other help, if so from whom? (For example, local mosque)

.....
.....

In your view, what could be done to prevent Islamophobic/Anti-Muslim Hate incidents?

Would you like to add any other comments? Please use the box below:

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All Party Parliamentary Group
on British Muslims

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET COMMITTEE EQUALITIES

8 NOVEMBER 2021

REPORT OF THE CHIEF EXECUTIVE

UPDATE REPORT ON IMPLEMENTATION OF THE WELSH LANGUAGE (WALES) MEASURE 2011 AND WELSH LANGUAGE STANDARDS

1. Purpose of report

1.1 The purpose of this report is to update Cabinet Committee Equalities (CCE) on the implementation of the Welsh Language (Wales) Measure 2011 and Welsh Language Standards.

2. Connection to corporate well-being objectives / other corporate priorities

2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:

- **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

3.1 Since the council received its compliance notice from the Welsh Language Commissioner in 2015, progress towards implementing the 171 assigned standards has continued.

3.2 Updates on compliance have been provided at every CCE since 28 April 2016.

4. Current situation/proposal

4.1 Key progress/updates with compliance since the last update report, presented in July 2021, can be summarised as:

- The new Welsh Language Strategy and action plan for 2021 to 2026 was published on the Council's website on 1 September 2021.
- The Welsh in Education Strategic Plan (WESP) consultation was launched on 27 September 2021. This consultation is to invite views on Bridgend County Borough Council's WESP 2022-2032. The consultation aims to seek the views of residents,

our workforce, elected members and stakeholders on the proposed WESP for 2022-2032. The results from the consultation will be used to inform the final WESP which will be implemented in September 2022. The consultation will close on 19 December 2021, and results will be presented to Cabinet in January 2022.

- The 'Stepping Forward' - The Welsh Language Commissioner's assurance report for 2020-21 was issued in September 2021, focusing on:
 - Regulation during the pandemic
 - The effect of COVID-19 on the provision of Welsh language services
 - The effect of COVID-19 on organisations' internal arrangements

A copy of the 'Stepping Forward' Welsh Language Commissioner assurance report can be seen in **Appendix one** (Welsh) and **Appendix two** (English).

- No new complaints have been received since the last update report.
- There are no outstanding complaints to give an update on.

5. Effect upon policy framework and procedure rules

5.1 There is no effect upon the policy framework and procedure rules.

6. Equality Act 2010 implications

6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh language have been considered in the preparation of this report. As a public body in Wales, the council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. This is an information report, therefore it is not necessary to carry out an Equality Impact assessment in the production of this report. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 The well-being goals identified in the Act were considered in the preparation of this report. The following is a summary to show how the five ways of working to achieve the well-being goals have been used to formulate the recommendations within this report:

Long-term – Ensuring that the council is able to deliver bilingual services now and in the future.

Prevention – Improving services and upskilling staff will ensure that everyone regardless of language choice has equal access to services and thus preventing complaints and Welsh Language Commissioner Investigations.

Integration - By providing bilingual services to the public we make everyone feel equal and valued.

Collaboration - Partnership working assists the council in meeting its duties under the Welsh Language Standards. Working in collaboration with partners is further evidenced in the Five-Year Welsh Language Strategy.

Involvement - Publication of the report ensures that the public and stakeholders can review the work that has been undertaken.

8. Financial implications

8.1 There are no financial implications arising from this report.

9. Recommendation

9.1 That the Cabinet Committee Equalities receives and considers this report and its appendices.

Mark Shephard
CHIEF EXECUTIVE
8 November 2021

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Background papers:

None

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Camu Ymlaen

Adroddiad sicrwydd
Comisiynydd y Gymraeg
2020-21



Comisiynydd y
Gymraeg
Welsh Language
Commissioner



Cyhoeddwyd yn unol ag adran 4 Mesur y Gymraeg (Cymru) 2011
Medi 2021

Cynnwys

Rhagair y Comisiynydd

1	Adroddiad cryno: prif ganfyddiadau	3
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3	Effaith COVID-19 ar ddarpariaeth gwasanaethau Cymraeg	15
4	Effaith COVID-19 ar drefniadau mewnol sefydliadau	34

Atodiadau

Rhagair y Comisiynydd

Bu'n flwyddyn heb ei thebyg - fel y mae pandemig Covid-19 wedi gorfodi pob un ohonom i fyw ein bywydau o ddydd i ddydd mewn ffyrdd gwahanol, bu'n rhaid i sefydliadau cyhoeddus Cymru hefyd addasu'n sydyn i 'normal newydd'. 'Normal' lle'r oedd cyfarfodydd ac apwyntiadau yn cael eu trefnu'n rhithwir; 'normal' lle nad oedd ots ble roedd staff sy'n ateb y ffôn wedi eu lleoli yn ddaearyddol; 'normal' lle nad oedd modd darparu gwasanaethau derbynfa arferol a 'normal' lle'r oedd cyfarwyddiadau a negeseuon yn cael eu cyhoeddi'n gyson ac ar frys i boblogaeth gyfan ar gyfryngau cymdeithasol.

Yn sicr, cyflwynodd cyfnod y pandemig heriau lu ac mae'n parhau i wneud hynny, ond rhoddodd hefyd gyfleoedd i'n sefydliadau cyhoeddus i ddarparu gwasanaethau mewn ffyrdd gwahanol ac arloesol. Cofleidiodd rhai sefydliadau y cyfle i roi lle canolog i'r Gymraeg tra bod eraill wedi methu â manteisio ar y cyfle i sicrhau bod eu trefniadau newydd yn cynnal a hybu darpariaeth gwasanaethau i siaradwyr Gymraeg.

Fy arfer yn flynyddol yn fy adroddiad sicrwydd yw datgan barn ar y modd y mae sefydliadau cyhoeddus wedi gweithredu i gydymffurfio â'u dyletswyddau statudol. Eleni fodd bynnag, mae'r pwyslais yn wahanol oherwydd fy mod yn awyddus i gydnabod pa mor anodd oedd y cyfnod, yn enwedig i weithlu'r sector iechyd a sefydliadau cyhoeddus allweddol eraill ar draws Cymru.

Pwrpas yr adroddiad hwn felly yw crynhoi'r hyn wyddom hyd yn hyn ynghylch effaith y pandemig ar ddarpariaeth Gymraeg sefydliadau a phrofiadau siaradwyr Gymraeg o'u gwasanaethau - nid yn unig y rhwystrau a gafodd effaith andwyol ond hefyd ar yr arferion effeithiol sydd wedi deillio o'r cyfnod. Prif werth hynny yw ei fod yn amlygu'r gwersi sydd i'w dysgu er mwyn galluogi sefydliadau i weithredu er mwyn cryfhau eu darpariaeth Gymraeg a chynyddu defnydd ohonynt i'r dyfodol.

Bydd pandemig Covid-19 yn sicr o newid sut mae gwasanaethau cyhoeddus yn cael eu darparu yng Nghymru o hyn ymlaen ac mae gwir angen i rai sefydliadau addasu i ymateb i negeseuon yr adroddiad hwn, fel mae eraill eisoes wedi gwneud. Rhaid iddynt weithredu i sicrhau, nid yn unig eu bod yn darparu'r gwasanaethau cyhoeddus sy'n hawlgan siaradwyr Gymraeg, ond eu bod hefyd yn cymryd eu cyfrifoldeb o'u hybu o ddifri, er mwyn annog dinasyddion Cymru i'w defnyddio.



Aled Roberts
Comisiynydd y Gymraeg
Medi 2021

1 Adroddiad cryno: prif ganfyddiadau

Mae'r adran hon yn crynhoi canfyddiadau'r Comisiynydd ynghylch effaith pandemig Covid-19 ar ddefnydd o'r Gymraeg gan sefydliadau cyhoeddus yn ystod 2020-2021.

Ar ôl cyfnod heriol y pandemig cynigir arweiniad, i roi cyfle eleni i sefydliadau cyhoeddus ddysgu o'r canfyddiadau a gweithredu er mwyn cryfhau darpariaeth a chynyddu defnydd o'r Gymraeg i'r dyfodol - eu cyfrifoldeb hwy yw sicrhau eu bod yn cydymffurfio â'u dyletswyddau.

Manteisiodd sefydliadau ar gyfleoedd i arloesi a chryfhau darpariaeth gwasanaethau Cymraeg

- Llwyddodd rhai sefydliadau i arloesi ac ymateb ar frys gan gyflwyno gwasanaethau newydd ar-lein yn Gymraeg yn gynnar yn ystod y pandemig. Mae'n dangos bod modd i sefydliadau ystyried y Gymraeg o'r cychwyn wrth roi prosiectau ar waith.
- Wrth newid i gynnal cyfarfodydd yn rhithiol roedd nifer o sefydliadau wedi canfod datrysiadau technegol er mwyn gallu parhau i ddefnyddio'r Gymraeg. Roedd sefydliadau eraill fodd bynnag, yn adrodd nad oedd modd iddynt addasu ac roeddent felly yn methu darparu gwasanaeth yn Gymraeg neu hwyluso gallu staff barhau i ddefnyddio'r Gymraeg wrth eu gwaith.

Lluniodd y Comisiynydd arweiniad brys: Cynnal cyfarfodydd fideo [dwyieithog](#) i ddarparu cyngor ymarferol i sefydliadau ar sut mae modd cynnig gwasanaethau dwyieithog yn rhithwir. Mae diffyg cyfieithu ar y pryd mewn rhai platfformau cyfarfod ar-lein o hyd ac oherwydd hyn mae angen i sefydliadau roi trefniadau eraill ar waith i alluogi defnydd o'r Gymraeg.

- Er bod pwysau mawr wedi bod ar wasanaethau cyfieithu sefydliadau yn ystod y pandemig gyda'r gofyn arnynt i gyhoeddi deunydd pwysig a swmpus ar frys; mae'n ymddangos i nifer lwyddo i ddygymod. Mae'r datblygiadau i drefniadau rhai sefydliadau, gan gynnwys datrysiadau technegol, yn dangos pa ymdrechion wnaed i addasu a bod yn fwy hyblyg er mwyn sicrhau bod y Gymraeg a Saesneg yn parhau i gael eu defnyddio ochr yn ochr.

Mae gan y Comisiynydd nodyn cyngor: Drafftio dwyieithog, [cyfieithu](#) a defnyddio'r Gymraeg wyneb yn wyneb sy'n darparu arweiniad i sefydliadau ar sut i wneud defnydd arloesol, effeithiol a chyfrifol o wasanaethau cyfieithu o bob math er mwyn hwyluso cynnig gwasanaethau dwyieithog o'r ansawdd uchaf. Mae'r adroddiad hwn hefyd yn rhoi enghreifftiau o sefydliadau sydd wedi sefydlu trefniadau ar gyfer cyfieithu testun ar frys a phrosesau ar gyfer blaenoriaethu mathau penodol o wybodaeth lle bo capasiti'r gwasanaeth cyfieithu wedi ei effeithio, fel mewn sefyllfa o bandemig.

Amlygodd rhwystrau y bwlch oedd eisoes yn ymddangos rhwng y sefydliadau sy'n cydymffurfio'n dda a'r rhai sydd heb drefniadau digonol

- Llwyddodd sefydliadau sydd â phrosesau hunan reoleiddio cadarn i ragweld a delio yn well gydag anawsterau oedd yn codi yn ystod y pandemig. Hwy oedd fwyaf tebygol o fod â darpariaeth Gymraeg oedd yn ddigon gwydn i beidio cael ei effeithio'n andwyol. Rhoddwyd trefniadau parhad busnes, neu drefniadau goruchwyllo penodol mewn lle ganddynt er mwyn parhau i gydymffurfio â'u dyletswyddau yn ystod y cyfnod heriol.

Mae angen i sefydliadau oedd wedi methu parhau i weithredu gymryd golwg ar drefniadau y rhai lwyddodd. Mae gan y Comisiynydd nodyn cyngor : [Goruchwyllo cydymffurfiaeth](#) sy'n darparu arweiniad ar roi trefniadau atebolrwydd, rheoli perfformiad a gwirio yn eu lle i sicrhau bod sefydliad yn gweithredu ei ddyletswyddau.

- Gwnaed penderfyniadau brys gan rai sefydliadau heb ystyried y Gymraeg. O ganlyniad, mewn rhai sefyllfaoedd nid oedd gwasanaeth Cymraeg ar gael fel yr oedd yn flaenorol.

Mae angen i sefydliadau ddiwygio eu cynlluniau a'u strategaethau ar gyfer ymateb i argyfwng i sicrhau fod ystyriaeth yn cael ei roi i effaith penderfyniadau ar y ddarpariaeth Gymraeg, maent angen cynlluniau parhad busnes cadarn mewn lle sy'n cynnwys parhau i hwyluso defnydd o'r Gymraeg.

- Er bod gwasanaethau cyfieithu nifer o sefydliadau wedi dygymod yn dda yn ystod y pandemig gwelwyd datganiadau a deunyddiau brys ynghylch y pandemig yn cael eu cyhoeddi yn Saesneg yn unig, neu'n cael eu cyhoeddi'n Gymraeg yn ddiweddarach na'r Saesneg.

Mae angen i sefydliadau sicrhau bod eu gwasanaethau cyfieithu yn ddigon gwydn i alluogi cyhoeddi gwybodaeth bwysig yn y Gymraeg; gall hyn olygu fod angen datblygu gwasanaethau cyfieithu, addasu trefniadau neu gynyddu capasiti sgiliau Cymraeg y gweithlu yn fwy cyffredinol.

- Dangosodd y symudiad at gyfarfodydd rhithiol ddibyniaeth sefydliadau ar ddarpariaeth platfformau cyfathrebu ar-lein cwmnïau rhyngwladol mawr er mwyn gallu cydymffurfio gyda'r safonau a defnyddio dwy iaith.

Mae Llywodraeth Cymru eisoes yn gweithredu'n strategol gyda'r cwmnïau perthnasol. Mae hyn yn gam hanfodol er mwyn galluogi sefydliadau i gynnal cyfarfodydd rhithiol mewn dwy iaith ac er mwyn sicrhau nad yw defnydd gweithwyr o'r Gymraeg yn parhau i fod wedi ei gyfyngu fel rhan o drefniadau gweithio newydd.

Amlygwyd pwysigrwydd gweithgaredd hybu i gynyddu defnydd o'r Gymraeg

- Mae safonau'r Gymraeg yn gosod dyletswydd ar sefydliadau nid yn unig i ddarparu gwasanaethau ond hefyd i hybu'r gwasanaethau Cymraeg hynny, er mwyn sicrhau fod pobl yn ymwybodol ohonynt ac yn eu defnyddio. Wrth i fwy o wasanaethau cyhoeddus gael eu darparu yn ddigidol yn sgil y pandemig, mae angen cydnabod bod carfan o ddefnyddwyr yn cymryd yn ganiataol ar sail profiad na fydd gwasanaethau ar gael – mae'n hanfodol rhoi gwybod iddyn nhw bod y gwasanaethau ar gael i sicrhau defnydd cynyddol o'r Gymraeg.

Mae angen i sefydliadau sicrhau fod gwasanaeth Cymraeg sy'n cael eu darparu yn cael eu hyrwyddo yn effeithiol ac adnoddau yn cael eu neilltuo i ganiatáu hynny.

- Gwelwyd arferion newydd yn cael eu mabwysiadu yn sgil cyflwyno patrymau newydd o weithio yn ystod y pandemig – megis yr anogaeth a roddwyd i staff nad oedd yn arfer drafftio testun yn Gymraeg i wneud hynny yn hytrach na dibynnu ar wasanaeth cyfieithu, gan fod angen symud yn gyflym i gyfleu negeseuon.

Mae'n adeg pwysig i sefydliadau ystyried pa ymyriadau mae modd iddynt eu cynllunio a'u gwireddu fel rhan annatod o gyflwyno ffyrdd newydd o weithio, er mwyn cynyddu defnydd o'r Gymraeg yn y gweithle.

- Manteisiodd rhai sefydliadau ar ddarpariaeth newydd ar-lein rhaglen 'Cymraeg Gwaith' y Ganolfan Dysgu Cymraeg Genedlaethol i gynnig cyfleoedd i'w staff ddatblygu eu sgiliau Cymraeg. Amlygwyd bod potensial i niferoedd uwch fanteisio ar y ddarpariaeth newydd oherwydd nad oes angen cymaint o fuddsoddiad o ran amser a chostau teithio a bod mwy o hyblygrwydd o ran amser astudio.

Mae angen i'r sefydliadau hynny sydd wedi profi anhawster i gynnal darpariaeth yn ystod y pandemig ystyried pa addasiadau mae modd iddynt eu cynllunio a'u cyflwyno er mwyn cynnig cyfleoedd i'w staff ddatblygu eu sgiliau Cymraeg.

- Bydd sefydliadau'n wynebu penderfyniadau polisi newydd a gwahanol yn sgil y pandemig ac mae'n hanfodol fod yr effaith ar y Gymraeg yn cael ei hystyried yn llawn.¹

Yn ystod 2021-22 dylai sefydliadau Rheoliadau Rhif 1 ystyried traweffaith Covid-19 ar y Gymraeg wrth adolygu eu strategaethau hybu a'u haddasu ar gyfer y 5 mlynedd nesaf – effeithiau megis y newidiadau i arferion gwaith ar y farchnad dai mewn rhai siroedd a'r cyfleoedd sy'n codi yn sgil bwriad y Llywodraeth i sefydlu hybiau cymunedol.

¹ yn unol â gofynion y safonau llunio polisi

2 Cyd-destun: rheoleiddio yn ystod y pandemig

- 2.1 Ym mis Mawrth 2020 pan oedd sefydliadau ar draws y sector cyhoeddus yng Nghymru yn gwneud cynlluniau i ddelio ag amgylchiadau eithriadol Covid-19, roedd cyfrifoldeb ar y Comisiynydd i ystyried effaith hynny ar ei allu i arfer ei swyddogaethau dan Fesur y Gymraeg. Roedd safonau'r Gymraeg a chynlluniau iaith Gymraeg yn parhau'n weithredol ac yn creu hawliau pwysig – roedd am weld cyfleoedd i ddefnyddio'r Gymraeg yn cael eu cynnal er gwaethaf heriau'r pandemig.
- 2.2 Roedd y Comisiynydd wedi datgan yn ei adroddiad sicrwydd ar gyfer 2019-20, Cau'r Bwlch, ei fod yn gweld risg o fwllch yn agor rhwng y sefydliadau oedd yn cydymffurfio'n dda gyda'u dyletswyddau statudol a'r rhai oedd heb drefniadau digonol i sicrhau hynny. Daeth yn amlwg fod risg i'r pandemig ddwysáu'r tueddiadau yn enwedig gan fod rhai sefydliadau, lle'r oedd pryderon eisoes yn bodoli am ddiffyg cydymffurfedd, yn adleoli staff oedd â chyfrifoldeb am y Gymraeg i adrannau eraill ymgymryd â gwaith yn gysylltiedig â'r pandemig.

Addasu dulliau rheoleiddio

- 2.3 Er mwyn cynorthwyo ymdrechion i atal ymlediad y firws, nid oedd y Comisiynydd yn dymuno rhoi pwysau ychwanegol ar sefydliadau cyhoeddus. Roedd yn sylweddoli mai blaenoriaeth sefydliadau'r sector iechyd yn enwedig dros y cyfnod heriol i ddod, fyddai ymdopi gyda'r dasg o atal ymlediad Covid-19 a delio gyda'r pwysau cynyddol o ofalu am nifer sylweddol o gleifion. Rhagwelai y byddai cyflogeion rhai sefydliadau yn gweithio dan amgylchiadau dwys ac nid oedd am iddynt orfod dygymod â straen ychwanegol tra bo'r galwadau arnynt ar eu hanterth. Byddai sefydliadau mewn sectorau eraill hefyd yn debygol o orfod newid eu trefniadau arferol, gyda llai o'u staff ar gael a nifer yn gweithio o adref. Roedd y Comisiynydd yn rhagweld na fyddai modd iddynt hwythau o bosibl, ddilyn eu prosesau arferol ar bob achlysur, ac y byddai cyfyngiadau sylweddol ar amser ac adnoddau. Er hyn, roedd o'r farn y byddai cyfrifoldeb sefydliadau i rannu gwybodaeth a chynngor cyffredinol i ddinasyddion Cymru yn wasanaeth pwysig.
- 2.4 Cysylltodd y Comisiynydd â sefydliadau cyhoeddus ddiwedd Mawrth 2020 i rannu gwybodaeth ynghylch sut yr oedd yn bwriadu addasu ei ddulliau rheoleiddio dan yr amgylchiadau. Pwysleisiodd fod dyletswydd arno o hyd i reoleiddio a gofynnodd i sefydliadau wneud eu gorau i barhau i ddefnyddio'r Gymraeg wrth ymwneud â'r cyhoedd i'r graddau yr oedd hynny'n bosibl. Anogodd sefydliadau i osod trefniadau cyfieithu digonol yn eu lle fel rhan o'u paratodau i gyfathrebu â'r cyhoedd a dywedodd mai mater i'r sefydliadau fyddai gwneud penderfyniadau ynghylch sut i ddefnyddio'r Gymraeg wrth rannu gwybodaeth frys, yn ddibynnol ar yr amgylchiadau ac unrhyw sefyllfa oedd argyfyngus yn ystod y pandemig.

Cymhwysedd dyletswyddau safonau'r Gymraeg mewn pandemig

- 2.5 Hysbyswyd sefydliadau ym mis Mawrth 2020 fod eithriadau wedi eu cynnwys yn rheoliadau safonau'r Gymraeg sy'n rhoi ystyriaeth i sefyllfaoedd o argyfwng a allai fod yn berthnasol i gyfnod y pandemig. Er enghraifft, mae rheoliadau rhif 2, 5 a 7 yn caniatáu rhoi ystyriaeth i eithrio gofynion corff i gyflenwi gwasanaeth pan fo argyfwng yn digwydd a'r gwasanaeth sy'n cael ei ddarparu ganddo yn angenrheidiol at ddiben atal, rheoli neu leddfu agwedd ar yr argyfwng hwnnw, a bod taer angen am y gwasanaeth. Felly, mewn amgylchiadau lle bodlonir yr amodau perthnasol, ni fyddai gofyniad ar rai sefydliadau i gydymffurfio â rhai o safonau'r Gymraeg.
- 2.6 Derbyniwyd nifer o geisiadau gan sefydliadau am eglurder ynghylch cymhwysedd eu dyletswyddau - amlygodd ymchwiliadau i gwynion gan y cyhoedd i'r Comisiynydd wedi hynny bod diffyg dealltwriaeth yn parhau yn achos rhai sefydliadau a bod hynny wedi arwain at benderfyniadau bwriadol ac anfwriadol i beidio cydymffurfio gyda'r safonau. Cafodd hynny yn ei dro effaith andwyol ar ddarpariaeth gwasanaethau Cymraeg i'r cyhoedd.

Gohirio proses delio â chwynion ac ymchwiliadau statudol

- 2.7 Rhwng Ebrill a Gorffennaf 2020 gohiriwyd pob ymchwiliad statudol i fyrddau iechyd ac ymddiriedolaethau GIG Cymru. Cafodd rhai ymchwiliadau i sefydliadau mewn sectorau eraill eu gohirio yn ogystal – hysbyswyd cynghorau sir a Gweinidogion Cymru bod y Comisiynydd yn barod i oedi prosesau ymchwilio pe bai sefydliad yn ei hysbysu nad oedd yn gallu ymateb i ddarparu gwybodaeth o fewn yr amserlen arferol.
- 2.8 Cysylltodd y Comisiynydd ag achwynwyr i'w gwahodd i gyflwyno sylwadau ar ei fwriad i ddiwygio amserlen yr ymchwiliadau statudol yr oedd wedi eu cychwyn eisoes. Rhoddwyd sicrwydd i achwynwyr, lle'r oedd y Comisiynydd yn gwneud penderfyniad i ohirio ymchwiliad, y byddai'n ail afael yn y broses unwaith yr oedd yn ystyried ei bod yn briodol gwneud hynny.
- 2.9 Penderfynwyd hefyd gohirio gwneud penderfyniadau ynghylch sut i ddelio â'r cwynion newydd dderbyniwyd rhwng Ebrill 2020 a Gorffennaf 2020, gan gynnwys pob cwyn a dderbyniwyd am fyrddau iechyd ac ymddiriedolaethau GIG Cymru. Ail gydiwyd yn llawn yn y broses ym mis Awst gan fod y Comisiynydd o'r farn bod pwysau ychwanegol pandemig Covid-19 wedi lleihau yn ddigonol.

Roedd y disgrisiwn a ddangoswyd gan y Comisiynydd wrth ddelio â chwynion rhwng mis Mawrth ac Awst yn gymorth sylweddol i ryddhau amser swyddogion i weithio i sicrhau parhad gwasanaethau dwyieithog yn ystod yr amgylchiadau heriol y pandemig. Symudwyd llawer iawn o swyddogion i rolau hanfodol ar ddechrau'r pandemig (ailgyflwynwyd y polisi yma ar ddechrau mis Hydref), gan ei gwneud yn anodd ymateb i ymchwiliadau parhaus. Ychydig iawn o gwynion yn ymwneud â'n gwasanaethau dwyieithog a dderbyniwyd gan y cyhoedd yn ystod y cyfnod hwn.

Gweinidogion Cymru

Ar ddechrau'r cyfnod clo, roedd hi'n fwy anodd cynnal ymchwiliadau cwynion. Roedd hyn am fod cryn dipyn o newidiadau wedi digwydd a hynny'n sydyn, roedd rhaid rhoi cyfle i swyddogion ymdopi gyda'r sefyllfa newydd a rhoi trefn ar y dulliau newydd o weithredu ... cawsom gyfnod o seibiant rhag gorfod cynnal ymchwiliadau gan Swyddfa Comisiynydd y Gymraeg. Wrth i amser fynd rhagddo, ac i swyddogion ddechrau gweithio yn ôl trefn y 'normal newydd' rydym yn medru delio gyda chwynion yn y dull arferol gan ddilyn y broses cwynion corfforaethol.

Awdurdod Lleol

- 2.10 Derbyniwyd cyfanswm o 117 o gwynion yn erbyn cyrff sy'n gweithredu safonau'r Gymraeg yn ystod y 12 mis rhwng Ebrill 2020 a Mawrth 2021 – dros draean yn llai o ran nifer na'r ddwy flynedd flaenorol. Roedd 24 ohonynt yn ymwneud â gwasanaethau yn gysylltiedig â Covid-19. (Derbyniwyd 11 o gwynion eraill yn ymwneud â materion yn gysylltiedig â Covid rhwng 1 Ebrill a 31 Gorffennaf 2021). Yn ystod cyfnod cychwynnol y pandemig, derbyniwyd llai o gwynion am gydymffurfiaeth sefydliadau cyhoeddus â'r safonau nag yn ystod yr un misoedd mewn blynyddoedd blaenorol. Roedd nifer y cwynion yn isel iawn ym misoedd Ebrill a Mai 2020 ond gwelwyd cynnydd wedi hynny hyd nes iddynt ddychwelyd i lefelau arferol erbyn mis Awst a Medi 2020.
- 2.11 Cysylltodd nifer o unigolion gyda'r Comisiynydd yn ystod y flwyddyn i dynnu sylw at yr hyn yr oeddent yn ei ystyried yn ddiffygion o ran darpariaeth gwasanaethau yn Gymraeg gan sefydliadau, ond mynegwyd ganddynt nad oeddent am gyflwyno cwyn. Roedd nifer o'r sylwadau yn ymwneud â gwasanaethau profi ac olrhain a rhaglen frechu Covid-19 ac wrth ddarparu gwybodaeth am eu profiadau cyfeiriodd pobl at yr amgylchiadau heriol yr oedd y sefydliadau yn gweithredu ynddynt fel rheswm dros beidio bod eisiau cyflwyno cwyn.

Oedi proses herio dyletswyddau

- 2.12 Roedd y Comisiynydd yn delio â nifer o geisiadau gan sefydliadau GIG Cymru i herio dyletswyddau dan adran 55 Mesur y Gymraeg ym mis Mawrth 2020. Penderfynwyd caniatáu rhagor o amser iddynt ymateb i'w sylwadau cychwynnol ar eu ceisiadau nag a ganiateir fel arfer – dyfarnwyd ar yr holl geisiadau yn derfynol erbyn Hydref 2020.

Addasu dulliau monitro: cynnal arolwg thematig ar effaith y pandemig

- 2.13 Bu'n rhaid i'r Comisiynydd ohirio cynnal ei weithgareddau monitro ac ymgysylltu arferol yn ystod 2020-21 oherwydd cyfyngiadau'r pandemig. Fel arfer bydd yn cynnal cyfres o arolygon siopwr cudd er mwyn rhoi ei hun yn esgidiau'r defnyddiwr a chasglu tystiolaeth am brofiadau o ddefnyddio gwasanaethau cyhoeddus yn uniongyrchol. Bydd yn ymweld â derbynfydd i brofi gwasanaethau rheng flaen, ynghyd â darpariaeth arwyddion a pheiriannau hunan wasanaeth. Bydd hefyd yn cynnal arolygon i brofi gwasanaethau eraill megis ffôn, gohebiaeth a gwefannau. Canfyddiadau'r arolygon hyn yw'r brif sail tystiolaeth ar gyfer ei adroddiad sicrwydd blynyddol fel arfer. Oherwydd cyfyngiadau'r pandemig bu'n rhaid gohirio gweithgaredd monitro hwn.
- 2.14 Yn hytrach, cafodd astudiaeth thematig Covid-19 ei chynnal yn Hydref 2020 i gasglu barn sefydliadau cyhoeddus ynghylch effaith y pandemig ar eu gallu i ddarparu gwasanaethau Cymraeg. Mae'r Comisiynydd hefyd wedi dibynnu ar wybodaeth o ffynonellau eraill fel sail tystiolaeth i'w adroddiad eleni.²
- 2.15 Mae'r Comisiynydd yn cydnabod nad oes modd dibynnu ar dystiolaeth yr arolwg thematig Covid-19 yn unig i adrodd ar effaith y pandemig ar ddarpariaeth gwasanaethau Cymraeg. Dewisol oedd ymateb i arolwg y Comisiynydd ac mae'n debygol mai'r sefydliadau sydd â'r adnoddau a'r awydd i ymateb oedd wedi gwneud hynny ac y gallai hynny roi gogwydd mwy cadarnhaol ar y canfyddiadau. Nid yw'r Comisiynydd felly'n awgrymu bod y canfyddiadau'n gynrychioladol o'r sefyllfa drwyddi draw.
- 2.16 Er mwyn ceisio cydbwysedd a chynnwys tystiolaeth gan ddefnyddwyr ynghylch eu profiadau hwy o ddefnyddio gwasanaethau cyhoeddus yn ystod y pandemig mae modd cyfeirio at dystiolaeth a gyflwynwyd i'r Comisiynydd gan aelodau o'r cyhoedd yn eu cwynion yn ystod y cyfnod rhwng Ebrill 2020 - Mawrth 2021, a chanfyddiadau'r Arolwg Omnibws Siaradwyr Cymraeg blynyddol.

Disgwyliadau'r cyhoedd: Arolwg Omnibws Siaradwyr Cymraeg

- 2.17 Yn flynyddol mae canfyddiadau Arolwg Omnibws Siaradwyr Cymraeg yn caniatáu i'r Comisiynydd weld os oes newidiadau dros amser yn agweddau'r cyhoedd tuag at wasanaethau Cymraeg sy'n cael eu darparu iddynt. Gall y canfyddiadau fod yn llinyn mesur o'r graddau y mae profiadau pobl sy'n defnyddio'r Gymraeg yn gwella wrth i'r gyfundrefn safonau wreiddio. Eleni fodd bynnag mae'n bosibl nad yw cymhariaeth â blynyddoedd blaenorol yn gwbl deg gan fod y pandemig wedi gorfodi newid methodoleg y gwaith ymchwil gyda'r newid o gyfweliadau wyneb yn wyneb i gyfweliadau ar-lein. Roedd y gwasanaethau yn cael eu cyflwyno mewn ffordd wahanol gan sefydliadau hefyd.
- 2.18 Ym mis Tachwedd 2020 dangosodd yr arolwg Omnibws:

² Mae rhagor o fanylion am fethodoleg arolwg thematig Covid-19 a'r ffynonellau tystiolaeth eraill yn atodiad 1

- Bod 35% o'r siaradwyr Cymraeg o'r farn fod cyfleoedd i ddefnyddio'r Gymraeg gyda sefydliadau cyhoeddus yn cynyddu a 45% o'r farn eu bod yn aros yr un peth – gostyngiad o 2% ers llynedd yn y rhai oedd yn cytuno fod cynnydd.
- 16% o'r siaradwyr Cymraeg oedd yn ffafrio defnyddio'r Gymraeg wrth ddelio â chyrff cyhoeddus, gostyngiad o ganfyddiadau'r ddwy flynedd flaenorol (33% a 32%).
- Roedd 82% o'r siaradwyr Cymraeg yn cytuno eu bod, fel arfer, yn gallu delio â sefydliadau cyhoeddus yn Gymraeg os ydynt yn dymuno gwneud hynny.
- Roedd 20% o siaradwyr Cymraeg yn nodi fod rhywun wedi eu rhwystro rhag siarad Cymraeg gyda rhywun arall oedd hefyd eisiau siarad Cymraeg - cynnydd o 5% i'r ganran a nododd eu bod wedi profi ymyrraeth y llynedd.

2.19 Dylid nodi fod yr arolwg wedi ei gynnal ym mis Tachwedd 2020 yn ystod cyfnod, pan nad oedd modd i'r cyhoedd ddefnyddio'r gwasanaethau cyhoeddus i'r un graddau neu yn yr un modd ac yr oeddent wedi ei arfer mewn blynyddoedd blaenorol. Mae tystiolaeth yn adran 3 yr adroddiad hwn yn cadarnhau nad oedd gwasanaethau bob amser yn cael eu darparu yn Gymraeg ar bob achlysur. Efallai felly nad yw'n syndod bod llai o siaradwyr Cymraeg wedi datgan eu bod yn ffafrio defnyddio'r Gymraeg gyda sefydliadau cyhoeddus.

2.20 Roedd 70% o'r siaradwyr Cymraeg a holwyd yn cytuno bod gwasanaethau Cymraeg sefydliadau cyhoeddus yn gwella – cynnydd o 6% dros ddwy flynedd.

2.21 Roedd 61% o'r siaradwyr Cymraeg yn cytuno eu bod yn teimlo bod ansawdd gwasanaethau cyhoeddus Cymraeg yr un mor dda â gwasanaethau Saesneg – mae hyn yn cynrychioli cynnydd o 14% dros ddwy flynedd.

2.22 Dywedodd 43% eu bod yn anghytuno fod sefydliadau yn ei gwneud hi'n glir sut mae cwyno os ydynt yn anfodlon â'u gwasanaethau Cymraeg.

Cynnal cyfarfodydd rhithwir yn ddwyieithog

2.23 Mae gan lawer o sefydliadau yng Nghymru ddyletswyddau statudol i ddarparu gwasanaethau Cymraeg – i'r cyhoedd ac i'w staff eu hunain. Mae'r dyletswyddau hyn yn cynnwys y gofyniad i alluogi pobl i ddefnyddio'r Gymraeg mewn cyfarfodydd o bob math, yn rhai cyhoeddus a phreifat. Gall y rhain fod yn gyfarfodydd o natur sensitif, er enghraifft cyfarfodydd ynghylch lles unigolyn, gwrandawriadau disgyblu ac ati. Yn aml gellir ystyried galluogi unigolyn i ddefnyddio ei ddewis iaith mewn sefyllfaoedd o'r fath fel rheidrwydd yn hytrach na dewis, ac yn rhan annatod o ddyletswydd sefydliadau i ofalu am unigolion.

2.24 Yn fuan ar gychwyn y cyfnod clo daeth yn amlwg bod newidiadau sylfaenol i batrymau gwaith a bywyd pobl yn sgil y cyfyngiadau yn achosi chwyldro yn y defnydd o dechnoleg, yn enwedig y technolegau hynny sy'n caniatáu i bobl gynnal cyfarfodydd o bell. Roedd

sefydliadau cyhoeddus erbyn hyn yn cael eu gorfodi i gynnal eu gwasanaethau trwy ddarpariaeth cyfarfodydd rhithwir ac erbyn mis Mai 2020 roedd y Comisiynydd wedi paratoi nodyn cyngor er mwyn rhoi arweiniad ymarferol ar sut i barhau i gynnig gwasanaethau dwyieithog o safon. Roedd y cyngor yn seiliedig yn bennaf ar brofiadau Senedd Cymru oedd wedi bod yn cynnal cyfarfodydd rhithwir dwyieithog yn llwyddiannus ers Ebrill 2020 a mewnbwn arbenigol Cymdeithas Cyfieithwyr Cymru a'r Consortiwm Astudiaethau Cyfieithu.

- 2.25 Amlygwyd i'r Comisiynydd gan rai sefydliadau cyhoeddus eu bod yn ffafrio defnyddio Microsoft Teams i gynnal cyfarfodydd rhithwir, tra bod eraill wedi mabwysiadu meddalwedd wahanol fel Zoom yn benodol oherwydd bod y feddalwedd honno'n galluogi cael sianel ychwanegol ar gyfer cyfieithu ar y pryd. Sylweddolwyd bod risg i sefydliad fethu â chydymffurfio â'i ddyletswyddau statudol os nad yw'r feddalwedd a ddefnyddir ganddo i gynnal cyfarfod yn galluogi pobl i ddefnyddio'r Gymraeg, heb sôn am yr effaith andwyol allai hynny gael ar les pobl.
- 2.26 O ganlyniad, penderfynodd y Comisiynydd ysgrifennu at Microsoft ym mis Tachwedd 2020 i gyfleu ei bryder gwirioneddol bod sefydliadau cyhoeddus oedd yn dewis parhau i ddefnyddio Microsoft Teams mewn perygl o fethu â chydymffurfio â'u dyletswyddau statudol ac yn esgeuluso darparu cyfleoedd i bobl ddefnyddio'r Gymraeg. Wrth gydnabod y buddsoddiad arloesol gan Microsoft i ddatblygu rhyngwynebau Cymraeg yn y gorffennol, roedd yn datgan ei obaith y byddai'r cwmni yn defnyddio'r un arloesedd i gefnogi'r defnydd o'r Gymraeg yn y cyd-destun hwn ar fyrder – yn enwedig gan fod cyfarfodydd rhithwir bellach yn rhan annatod o arferion gwaith dyddiol pobl.

Cynghori ar faterion moesol a moesegol Covid-19

- 2.27 Galwyd grŵp ynghyd gan Lywodraeth Cymru yn Ebrill 2020 i ddarparu cyngor annibynnol i wasanaethau iechyd ar faterion yn ymwneud ag ystyriaethau moesol, moesegol, diwylliannol a ffydd yn ystod pandemig Covid-19. Roedd Grŵp Cynghori ar Faterion Moesol a Moesegol COVID-19: Cymru yn darparu cyngor er mwyn helpu gwasanaethau iechyd i reoli materion oedd yn deillio o'r pandemig mewn modd teg a chyfiawn, gyda'r nod o sicrhau fod holl ddinasyddion Cymru yn cael gofal a pharch yn gyfartal.

Cyd-destun rhyngwladol

- 2.28 Gan fod pandemig yn rhyngwladol ei natur, gallwn ystyried effaith Covid-19 ar y Gymraeg yn y cyd-destun byd eang. Mae rhwydwaith Cymdeithas Ryngwladol y Comisiynwyr Iaith wedi galluogi'r Comisiynydd i ddysgu am yr heriau a gyflwynwyd gan y pandemig ac sy'n gyffredin i ieithoedd lleiafrifol ar draws y byd yn ogystal â rhannu gwybodaeth am ei effaith ar y Gymraeg hyd yn hyn.

2.29 Adroddwyd gan Gomisiynydd Ieithoedd Swyddogol Canada bod y pandemig wedi dangos ar un llaw gryfder a gwydnwch sefydliadau cyhoeddus y wlad tra ar y llaw arall, ei fod wedi amlygu beth sydd ddim yn gweithio: yn benodol, y rhwystrau mewnol sefydliadol.

Yn ystod cyfnodau o argyfwng, daw gallu cyfyngedig sefydliadau ffederal i ddarparu gwasanaethau i'r cyhoedd yn y ddwy iaith swyddogol i'r amlwg. Os yw sefydliad ffederal wedi tanamcangyfrif lefel y sgiliau iaith sydd eu hangen ar gyfer ei gyflogeion, er gwaethaf tasgau a dyletswyddau eu swyddi, yna yn ystod argyfwng, mae'n debygol na fydd y gweithwyr hynny'n gallu ymateb i'r cyhoedd gyda'r un sylw i fanylion ac ansawdd y gwasanaeth yn y ddwy iaith swyddogol. Mae'r un peth yn wir am reolwyr o ran cefnogi eu gweithwyr.

'Roedd pandemig COVID-19 yn gorfodi ein sefydliadau ffederal i ymateb yn brydlon ac yn bendant ... yn rhy aml, dim ond mewn un o'n dwy iaith swyddogol y cyhoeddwyd cyfathrebu diogelwch brys, a bu'n rhaid i Ganada aros am y cyfieithiad i'r iaith swyddogol arall. Roedd y sefyllfa hon yn amlygu diwylliant corfforaethol llawer o unedau gwaith mewn sefydliadau ffederal nad ydynt bob amser yn blaenoriaethu ieithoedd swyddogol nac yn parchu'r egwyddor o gydraddoldeb Saesneg a Ffrangeg.

Credaf yn gryf fod angen newidiadau o fewn y llywodraeth ffederal fel bod ieithoedd swyddogol, yn ystod argyfyngau, yn rhoi'r gorau i fod yn ôl-ystyriaeth ac yn dechrau bod yn rhan annatod o reoli argyfwng.

[Raymond Théberge, Comisiynydd Ieithoedd Swyddogol, Canada](#)

2.30 Cyhoeddwyd adroddiad ganddo ym mis Hydref 2020 [A Matter of Respect and Safety: The Impact of Emergency Situations on Official Languages](#) – astudiaeth ar effaith argyfyngau ar ieithoedd swyddogol. Canfyddiad allweddol yr adroddiad oedd bod un iaith swyddogol yn aml yn cymryd sedd gefn mewn sefyllfaoedd brys ac argymhellodd y dylai Llywodraeth Canada sefydlu gweithdrefnau mewnol ar gyfer cyfathrebu yn y ddwy iaith swyddogol, ac yna'n gwerthuso eu heffeithiolrwydd mewn amseroedd arferol ac ar adegau o argyfwng.

Mae'r cwynion y mae fy swyddfa wedi'u derbyn dros y blynyddoedd diwethaf, yr ymchwiliadau yr ydym wedi'u cynnal a'r adroddiad a ryddhawyd gennym ar sefyllfaoedd brys yn dangos yn glir natur reolaidd y broblem hon. Un o achosion sylfaenol y mater hwn yw'r asesiad amhriodol o ofynion iaith swyddi, sy'n golygu nad oes gan lawer o weision cyhoeddus y sgiliau ail iaith i allu ymateb i'r cyhoedd na goruchwyllo gweithwyr yn y naill iaith swyddogol na'r llall.

Yn fy marn i, mae'r broblem yn ymwneud â diffyg aeddfedrwydd penodol ar ran sefydliadau ffederal o ran ieithoedd swyddogol, sy'n cyfateb i ddau beth: diffyg prosesau a mecanweithiau sydd wedi'u diffinio'n glir wedi'u hintegreiddio i brosesau busnes sefydliadau ffederal; ac amgylchedd gwaith lle nad yw gweithwyr yn cael cyfle i siarad neu weithio yn yr iaith swyddogol nad yw'n brif-iaith, boed yr iaith honno yn brif iaith neu'n ail iaith swyddogol iddynt.

[Raymond Théberge, Comisiynydd Ieithoedd Swyddogol, Canada](#)

- 2.31 Yn ei adroddiad blynyddol Tuarascáil Bhliantúil 2020 mae Comisiynydd y Wyddeleg yn nodi bod y wladwriaeth wedi bod yn wynebu heriau enfawr o ran darparu ar gyfer y rhai sydd â'r angen mwyaf yn ystod y cyfnod pan oedd y byd yng nghanol argyfwng iechyd, cymdeithasol ac economaidd. Dywedodd fod profiad gwerthfawr yn cael ei ennill wrth i'r heriau hyn gael sylw a fydd o fudd i'r gwasanaeth cyhoeddus yn yr amseroedd sydd i ddod, ac fod yr amgylchiadau yn rhoi rhywfaint o ddealltwriaeth o'r graddau y mae deddfwriaeth hawliau wedi ei gwreiddio yng ngweinyddiaeth y wladwriaeth.

Roedd un o bob pump cwyn a dderbyniais eleni yn ymwneud â'r argyfwng iechyd; nid oedd gwybodaeth ar gael yn y Wyddeleg neu roedd oedi cyn ei ddarparu yn y Wyddeleg o'i gymharu â'r Saesneg. Un mater a oedd yn peri gofid i achwynwyr oedd bod cyrff cyhoeddus yn codi arwyddion uniaith Saesneg ynglŷn â COVID-19, fel pe na bai'r rheoliadau o dan y Ddeddf yn bodoli o gwbl ... Mae hyn yn fethiant sylweddol a gweledol o ddyletswydd statudol sylfaenol sydd wedi bod ar waith ers dros ddegawd.

Y teimlad cyffredinol ymhlith y rhai a gysylltodd â'm Swyddfa oedd bod yr iaith swyddogol gyntaf yn cael ei rhoi o'r neilltu neu fod yr iaith a siaradwyr yr iaith Wyddeleg yn cael eu gwthio i'r cyrion ar adegau, mewn cyfnod pan oedd angen dod â'r cyhoedd at ei gilydd at ddiben cyffredin.

[Rónán Ó Domhnaill, Comisiynydd y Wyddeleg](#)

2.32 Canfu ei ymchwiliadau yn ystod 2020-21 themâu cyffredin yn yr ymatebion a gafwyd gan gyrff cyhoeddus ynghylch eu dyletswyddau statudol – yr angen iddynt gymryd camau penodol ar frys a oedd yn golygu, oherwydd amgylchiadau eithriadol yr argyfwng iechyd, gwneud penderfyniadau i beidio â gweithredu dyletswyddau iaith statudol, neu i'w gohirio, neu i'w hanwybyddu gan y byddai'n oedi pa gamau bynnag oedd yn cael eu cymryd.

2.33 Mae Comisiynydd y Wyddeleg yn nodi na ddylai fod gwrthdaro rhwng y camau cenedlaethol difrifol sydd ar y gweill i ddelio â'r pandemig a chyfrifoldebau o ran hawliau ieithyddol. Sail dadleuon cyrff cyhoeddus, meddai, yw maint yr adnoddau sydd ar gael i gydymffurfio â dyletswyddau ieithyddol ac y gallai darparu gwasanaethau'n ddwyieithog arwain at oedi. Pe bai hynny'n wir, byddai'n creu sefyllfa lle byddai darparu gwasanaethau yn Wyddeleg yn dibynnu ar y sefyllfa benodol dan sylw a blaenoriaethau neu adnoddau'r corff cyhoeddus - gallai hyn arwain at sefyllfa lle mai'r mwyaf pwysig a brys yw'r gwasanaeth, y lleiaf o gyfle fyddai i'r cyhoedd eu derbyn yn Wyddeleg.

Ni ddylai fod gwrthdaro rhwng y camau cenedlaethol difrifol sydd ar y gweill ac ymrwymadau o ran hawliau iaith.

Rónán Ó Domhnaill, Comisiynydd y Wyddeleg

3 Effaith COVID-19 ar ddarpariaeth gwasanaethau Cymraeg

Cyd-destun

- 3.1 Soniwyd eisoes fod y Comisiynydd wedi cynnal arolwg yn Hydref 2020 i gasglu barn sefydliadau cyhoeddus ynghylch effaith pandemig Covid-19 ar eu darpariaeth Gymraeg. Mae'r adran hon o'r adroddiad yn crynhoi'r dystiolaeth a gyflwynwyd ynghylch yr effaith ar ddarpariaeth gwasanaethau – dewiswyd y dyfyniadau i adlewyrchu gwahanol safbwyntiau'r darparwyr.
- 3.2 Adroddwyd gan fwyafrif y sefydliadau a ymatebodd i'r arolwg na chafodd y pandemig fwy o effaith ar eu gwasanaethau Cymraeg rheng flaen megis derbynfa a ffôn – o'i gymharu a'u gwasanaethau cyfatebol Saesneg – a bod gwasanaethau Cymraeg yn parhau i gael eu cynnig fel yr oeddent cyn yr argyfwng. Nid yw hyn fodd bynnag yn golygu fod y sefydliadau yn cydymffurfio gyda'u dyletswyddau ond yn hytrach eu bod yn parhau i gynnig y gwasanaethau Cymraeg i'r un graddau ag yr oeddent cyn y pandemig.
- 3.3 Lle nodwyd gan sefydliadau yn eu hymateb i'r arolwg na fu effaith o gwbl ar y ddarpariaeth Gymraeg, nid yw hynny ychwaith yn golygu bod y ddarpariaeth Gymraeg yn ddigonol, nac yn cydymffurfio. Yn ogystal, oherwydd nad yw'r un dyletswyddau wedi eu gosod ar bob sefydliad a bod eithriadau i rai dyletswyddau mewn argyfwng mewn rhai achosion, nid yw cyfeiriadau at oedi neu ddiffygion gwasanaethau Cymraeg yn ystod y pandemig o reidrwydd yn golygu fod diffyg cydymffurfiaeth.
- 3.4 Ceir yn yr adran hon hefyd ychydig o'r dystiolaeth dderbyniwyd gan aelodau o'r cyhoedd wrth iddynt gyflwyno cwynion i'r Comisiynydd rhwng Ebrill 2020 a Mawrth 2021. Dewiswyd enghreifftiau o gwynion sy'n adlewyrchu profiadau amrywiol mewn achosion ble mae'r Comisiynydd wedi llwyddo i gwblhau'r broses ymchwilio a hysbysu'r sefydliadau o'i ddyfarniad a'r camau y mae'n gofyn iddynt eu cymryd i gywiro unrhyw ddiffygion.

Gwasanaethau rheng flaen

Derbynfa

- 3.5 Roedd nifer o sefydliadau cyhoeddus yn adrodd bod eu gwasanaethau derbynfa wedi dod i ben yn llwyr gan fod swyddfeydd ar gau (naill ai'n yn gyfan gwbl neu i ymwelwyr). Ble roedd gwasanaeth derbynfa wedi ailgychwyn neu barhau, mae awgrymiadau ei fod wedi ei addasu, e.e. yn digwydd ar sail apwyntiad yn unig, neu gyda llai o staff.

Roedd cau adeiladau a chyfyngu ar niferoedd staff yn ei gwneud yn anodd i gael / dyrannu staff â sgiliau Cymraeg. Cafodd nifer o weithwyr eu secondio hefyd i weithio yn adran Tracio, Olrhain a Diogelu, a ostyngodd nifer y siaradwyr Cymraeg.

[Awdurdod Lleol](#)

- 3.6 Nododd rhai sefydliadau fod addasiadau wedi golygu bod llai o staff Cymraeg ar gael, ond mewn sefydliadau eraill adroddwyd na chafodd capasiti gwasanaethau Cymraeg eu heffeithio.

Ffôn

- 3.7 Adroddwyd gan nifer o sefydliadau iddynt drosglwyddo'u gwasanaethau ffôn i gael eu darparu o gartrefi staff heb i hynny effeithio ar y ddarpariaeth Gymraeg. Ond roedd hefyd enghreifftiau o sefydliadau'n cael trafferth cyfeirio galwadau at siaradwyr Cymraeg, naill ai am resymau technegol neu oherwydd diffyg staff. Tra gwelodd rhai sefydliadau gynnydd cyffredinol yn y defnydd o wasanaethau ffôn, roedd eraill yn adrodd na chynyddodd y defnydd o'r gwasanaeth Cymraeg i'r un graddau â'r Saesneg.

Mae galwadau ffôn yn dal i gael eu hateb yn ddwyieithog felly nid oes unrhyw effaith ar y gwasanaeth ateb. Fodd bynnag, ni ellir trosglwyddo galwadau ffôn yn uniongyrchol gan fod staff yn gweithio gartref ... mae oedi posibl cyn siarad â phersonél allweddol sy'n siarad Cymraeg.

[Awdurdod Lleol](#)

- 3.8 Cyfeiriodd rhai sefydliadau yn benodol at ddatrysiadau technegol newydd oedd yn cyflwyno gwelliannau i drefniadau trosglwyddo galwadau ffôn gan alluogi darparu'r gwasanaeth Cymraeg tra roedd staff yn gweithio gartref.

Fe wnaethom gyflwyno system ffôn newydd a oedd yn galluogi preswylwyr i nodi dewis iaith - Cymraeg neu Saesneg - cyn dewis pa wasanaeth yr oeddent am siarad â chynghorydd yn ei gylch. Gyda'r mwyafrif helaeth o'r trigolion yn dymuno siarad yn Saesneg roedd hyn yn golygu, y rhan fwyaf o'r amser, bod ein siaradwr Cymraeg eisoes yn delio â siaradwr Saesneg ac nad oedd bob amser ar gael. Cafodd hyn ei adnabod fel mater o bryder a chafodd cyfleuster arbed neges llais ei hychwanegu, lle gallai siaradwr Cymraeg adael neges fyddai'n cael ei throsglwyddo i gynghorydd sy'n siarad Cymraeg i ddelio a'r mater fel blaenoriaeth.

[Awdurdod Lleol](#)

Bu angen cael datrysiad technegol ar frys ddiwedd mis Mawrth er mwyn galluogi staff ein Canolfan Gofal Cwsmer fedru ateb galwadau ar ein prif rif ffôn oddi gartref, gan ddefnyddio ffonau symudol. Roedd system debyg mewn lle yn barod ar gyfer argyfwng. Addaswyd y system yma er mwyn ymateb galwadau fel yr arfer. Nid oedd y datrysiad brys cyntaf a gyflwynwyd ddiwedd mis Mawrth yn cynnig dewis iaith i'r cwsmer tu hwnt i neges wedi ei recordio yn Gymraeg ond datryswyd hyn yn fuan iawn i sicrhau bod y system yn cynnig dewis iaith yn rhagweithiol i bob cwsmer fel yr arfer.

[Corff a noddur gan Lywodraeth Cymru](#)

- 3.9 Cyfeiriodd rhai sefydliadau eu bod wedi cyflwyno sgwrsio ar-lein fel modd o leihau cyswllt drwy'r dderbynfa a dros y ffôn, a'u bod wedi sicrhau bod staff Cymraeg ar gael.

Cyfarfodydd

- 3.10 Cyflwyno cyfarfodydd ar-lein oedd y datblygiad technegol amlycaf a gyflwynwyd gan sefydliadau yn ystod y pandemig. Er bod cyfeiriadau wedi eu gwneud at drafferthion o ran diffyg cyfieithu ar y pryd mewn rhai platfformau cyfarfod ar-lein, roedd yn ymddangos fod nifer wedi gallu goresgyn hyn trwy er enghraifft, ddefnyddio platfform sy'n caniatáu cyfieithu ar y pryd, defnyddio dwy system i gael dwy ffrwd sain neu sicrhau bod pawb yn y cyfarfod (mynychwyr a staff) yn siarad Cymraeg.

Rhaid oedd i ni adolygu elfen cyfieithu ar y pryd o'n gwaith ar fyrder i sicrhau bod yr hawl i siarad Cymraeg mewn gwrandawriad Llys yn cael ei gynnal wrth iddynt fynd yn rhithiol. Llwyddodd y tîm i sicrhau hyn trwy ddefnyddio cyfuniad o CVP (platfform cwmwl fideo) a galwad ffôn ar *BTMeetMe* ar gyfer y cyfieithu. Unwaith y cafodd y broses ei chymeradwyo sicrhawyd bod y cyfieithwyr yn cael cyfle i drïo'r system ac yn dilyn hynny cafodd cyfarwyddiadau cynhwysfawr eu llunio ar sut i'w ddefnyddio.

[Asiantaeth Llywodraeth y DU](#)

Mae unrhyw gyfarfodydd gydag unigolion wedi'u cynnal drwy ddulliau rhithiol oherwydd cyfyngiadau yn y gweithle ac yn ehangach. Mae'r effaith wedi bod yn debyg i'r effaith ar gyfarfodydd Saesneg o ran gweinyddu a chymorth i sicrhau trefniadau effeithiol. Cefnogir gallu cyfieithu drwy ein llwyfan cyfarfod a byddem yn ceisio darparu unrhyw wasanaethau iaith gofynnol yn yr un modd â phe bai'n gyfarfod wyneb yn wyneb.

[Comisiynydd Heddlu](#)

Mae meddalwedd ymgynghori fideo yn galluogi paru mwy o aelodau staff sy'n siarad Cymraeg â chleifion sy'n siarad Cymraeg - gallai hynny fod yn anoddach yn y lleoliadau clinigol blaenorol lle byddai angen i staff sy'n siarad Cymraeg deithio'n bell i gwrdd â chleifion.

[Bwrdd Iechyd](#)

Gosododd y Cyngor Microsoft Teams ar waith trwy'r sefydliad. Mae'n wybodaeth gadarn fod Llywodraeth Cymru yn datblygu gwaith er mwyn i Teams allu hwyluso defnyddio cyfieithu ar y pryd. Rydym yn chwilio'n gyson am welliannau parhaus a dysgu gwersi wrth i ni addasu i ffordd newydd o weithio a defnyddio technolegau newydd.

[Awdurdod Lleol](#)

Un datblygiad allweddol i ni fel sefydliad fu cyflwyno gwrandawiadau addasrwydd i ymarfer ar-lein, sydd wedi digwydd o bell, gan ddefnyddio Zoom, ers mis Medi 2020. Yn ystod y gwrandawiadau hyn, mae gwasanaeth cyfieithu ar y pryd ar gael, er mwyn sicrhau bod y rhai sy'n cymryd rhan yn gallu gwneud hynny yn eu dewis iaith (Cymraeg neu Saesneg).

[Corff a noddir gan Lywodraeth Cymru](#)

- 3.11 Fodd bynnag, cadarnhawyd gan nifer o sefydliadau iddynt gyflwyno cyfarfodydd fideo nad oedd yn galluogi defnyddio'r Gymraeg a bod gorfod symud i gynnal cyfarfodydd ar-lein wedi eu hatal rhag galluogi defnyddio'r Gymraeg. Nid oedd y dystiolaeth ymhob achos yn egluro beth oedd y rhesymau dros beidio â defnyddio plattform sy'n galluogi cyfieithu ar y pryd - awgrymodd rhai bod pryderon diogelwch yn ffactor.

Roedd y datrysiad ddewiswyd gan ein sefydliad ar gyfer cynnal cyfarfodydd rhithwir *Webex* yn atal defnydd o'r Gymraeg, gan nad oes cyfieithu ar y pryd ar gael arno. Oherwydd hyn, nid oedd rhai cyfarfodydd rhanbarthol a fyddai fel arfer wedi cynnig cyfieithu ar y pryd yn cynnig y gwasanaeth pan gynhaliwyd y cyfarfodydd.

[Awdurdod Lleol](#)

Oherwydd fod staff yn gweithio gartref yn ystod y pandemig roedd yn golygu bod cyfarfodydd wyneb yn wyneb naill ai'n cael eu canslo neu'n cael eu cynnal drwy MS Teams sydd ddim yn cefnogi cyfieithu ar y pryd.

[Awdurdod Lleol](#)

Cwyn ynghylch gwe-ddarlledu cyfarfod

Nid oes modd gwyllo cyfarfod o Gabinet fy nghyngor lleol ar ei wefan Gymraeg, yn wahanol i fersiwn Saesneg y wefan lle mae'n bosib gwyllo'r cyfarfod yn ddiraffferth.

Aelod o'r cyhoedd, Tachwedd 2020

Cyflwynwyd cwyn gan aelod o'r cyhoedd am wasanaeth gwe-ddarlledu ei gyngor lleol. Penderfynodd y Comisiynydd ymchwilio i'r gŵyn oherwydd ei fod o'r farn bod ffrydio cyfarfodydd yn wasanaeth oedd yn cael ei ddarparu gan awdurdodau lleol ers peth amser bellach. Roedd yr achos hefyd yn codi cwestiynau am ddealltwriaeth y darparwr trydydd parti o'r gofynion ar y cyngor.

Adroddwyd bod y cwmni oedd yn darparu'r gwasanaeth ar ran y cyngor wedi profi heriau technegol wrth ddefnyddio meddalwedd diogel a phriodol, a darparu cyfarpar i alluogi cyfarfod i gael ei recordio a'i uwch-lwytho o bell i'r rhyngwyd. Roedd y cyngor yn cydnabod ei fod yn ymwybodol nad oedd yn bosib gwyllo'r cyfarfod ar fersiwn Gymraeg y wefan gwe-ddarlledu, er ei fod ar gael ar fersiwn Saesneg y wefan. Erbyn i'r Comisiynydd gwblhau'r ymchwiliad roedd y cyngor wedi addasu'r broses o archifo recordiadau cyfarfodydd i sicrhau bod modd gwyllo'r cyfarfod ar y wefan gwe-ddarlledu Gymraeg a Saesneg.

Mae'r ymchwiliad wedi amlygu bod angen sicrhau bod addasiadau i wasanaeth yn cael eu cynllunio mewn ffordd sy'n cymryd gofynion safonau'r Gymraeg i ystyriaeth ac y dylid diwygio cynlluniau ar gyfer ymateb i argyfwng i sicrhau fod ystyriaeth yn cael ei roi i effaith penderfyniadau ar y ddarpariaeth Gymraeg. Amlygwyd hefyd yr angen i sefydliadau sy'n defnyddio trydydd parti i ddarparu gwasanaethau gwe-ddarlledu sicrhau fod y darparwyr yn eglur ynghylch unrhyw ofynion dan safonau'r Gymraeg.

Deunyddiau a thestun ysgrifenedig

Gohebiaeth

- 3.12 Nododd mwyafrif y sefydliadau oedd wedi ymateb i'r arolwg nad oedd y pandemig wedi effeithio ar wasanaeth gohebiaeth Gymraeg, gyda rhai'n manylu fod y prosesau arferol ar waith. Cyfeiriodd rhai at enghreifftiau lle anfonwyd gohebiaeth yn Saesneg yn unig, neu at oedi o ran darparu fersiwn yn Gymraeg.

Danfonwyd pob gohebiaeth newydd i fyfyrwyr yn Gymraeg a Saesneg. Pan gyflwynwyd cofrestrriad ar-lein, anfonwyd yr holl negeseuon awtomatig o'r System Wybodaeth ganolog yn Gymraeg ac yn Saesneg.

[Coleg Addysg Bellach/Uwch](#)

Mae pob gohebiaeth yn cael ei thrin yn yr un ffordd â chyn y pandemig, heb unrhyw wahaniaeth rhwng y Gymraeg a'r Saesneg.

[Comisiynydd Heddlu](#)

Ar achlysuron prin iawn mae negeseuon wedi cael eu hanfon yn Saesneg yn unig gyda'r Gymraeg yn dilyn yn fuan wedyn, er enghraifft pan mae'n ofynnol i ni ddarparu ymatebion brys i'n carfan myfyrwyr yn dilyn cyhoeddiadau ynghylch y cyfnod clo a chan Weinidogion. Mae hyn o ganlyniad i bwysau ychwanegol ar ein darparwyr cyfieithu arferol sydd wedi arwain at rywfaint o oedi.

[Coleg Addysg Bellach/Uwch](#)

Mae'r Tîm Cyfieithu wedi bod yn parhau i ddarparu gwasanaeth cyfieithu llawn o adref. Anfonwyd neges i Uwch Reolwyr ar ddechrau'r cyfnod clo i roi gwybod nad oedd effaith ar y gwasanaeth cyfieithu. Roedd y tîm cyfieithu yn blaenoriaethu unrhyw lythyrau, datganiadau i'r wasg, swydd ddisgrifiadau oedd yn ymwneud yn benodol â Covid-19.

[Bwrdd Iechyd](#)

3.13 Nododd rhai sefydliadau nad oedd gwasanaeth ymateb i ohebiaeth ar gael yn Gymraeg o gwbl yn ystod y cyfnod.

Roedd gohebiaeth papur, trwy'r post ac e-byst yn cael eu trin yn y ffordd arferol yn ystod ac wedi'r cyfnod clo. Fodd bynnag, ar adegau, oherwydd y llif o ohebiaeth electroneg a phwysau gwaith aruthrol ar swyddogion yn ystod y cyfnod hwn, roedd yr amser ymateb i rywfaint o ohebiaeth yn arafach na'r arferol. Fodd bynnag, roedd y sefyllfa'r un fath mewn perthynas â gohebiaeth yn y ddwy iaith - nid oedd unrhyw oediad ychwanegol wrth ymateb i ohebiaeth Gymraeg.

[Awdurdod Parc Cenedlaethol](#)

Ystyriwyd bod gohebiaeth yn argyfwng ac nid oedd yn ofynnol i'r staff gyfieithu. Roedd sicrhau cyfathrebu gan y staff yn golygu nad oedd cyfieithu bob amser yn bosibl a bod nifer y cyfathrebu tyfu'n ddyddiol. Yr ydym yn dychwelyd yn araf i amserlen gyfathrebu reolaidd.

[Sefydliad GIG Cymru](#)

Roedd y gwasanaeth e-bost Cymraeg wedi ei gau rhwng 20 Mawrth 2020 a 6 Awst 2020. Roedd cwsmeriaid yn gallu cysylltu gyda ni'n Gymraeg ar ein Cyfryngau Cymdeithasol. Roedd yr holl wasanaethau ar-lein yn gweithio'n dda ac roeddwn yn annog cwsmeriaid i'w defnyddio nhw pan yn bosibl (maent yn parhau y ffordd fwyaf haws a chyflym i drafod gyda ni).

[Asiantaeth Llywodraeth y DU](#)

Cwyn ynghylch ateb gohebiaeth

Rwyf wedi anfon e-byst yn Gymraeg at fy nghyngor lleol ynghylch taliadau debyd uniongyrchol treth y cyngor – dim ond yn Saesneg mae'r Cyngor wedi ymateb.

Aelod o'r cyhoedd, Mai 2020

Cyflwynwyd cwyn gan aelod o'r cyhoedd yn honni iddo dderbyn gohebiaeth Saesneg gan ei gyngor lleol ar ddau achlysur mewn ymateb i ohebiaeth e-bost anfonwyd ato yn Gymraeg. Penderfynodd y Comisiynydd ymchwilio i'r gŵyn oherwydd bod awgrym fod y methiant yn arfer systemig yn hytrach na chamgymeriad untro.

Cadarnhaodd yr ymchwiliad bod yr ohebiaeth wedi ei anfon at yr achwynydd gan aelod staff yn ystod pandemig Covid-19 tra roedd staff y Cyngor i gyd yn ynysig ac yn gweithio o adref. Roedd y Cyngor eisoes wedi llunio canllaw eglur at ddefnydd ei staff sy'n egluro'r camau i'w cymryd wrth ymateb i ohebiaeth yn Gymraeg. Roedd yn cydnabod iddo ymateb yn Saesneg i ohebiaeth a dderbyniodd yn Gymraeg oherwydd bod aelod staff wedi cynnig ymateb cyflym.

[Mae'r ymchwiliad wedi amlygu pwysigrwydd codi ymwybyddiaeth staff ynghylch eu cyfrifoldeb i weithredu unrhyw ganllawiau neu weithdrefnau sydd wedi eu mabwysiadu. Mae'n dangos bod angen gosod trefniadau parhad busnes yn eu lle i sicrhau bod sefydliad yn ystyried effaith unrhyw amgylchiadau ar y Gymraeg yn ystod cyfnodau heriol.](#)

Dogfennau a deunyddiau

- 3.14 Yn y mwyafrif o achosion nodwyd gan sefydliadau na effeithiodd y pandemig ar eu gallu i ddarparu deunyddiau yn Gymraeg – cyfeiriodd nifer at bwysigrwydd gwasanaethau cyfieithu, a oedd dan bwysau ychwanegol, i alluogi hynny. Roedd mwyafrif y sefydliadau yn manylu bod y trefniadau arferol yn parhau mewn lle. Nodwyd gan rai bod ychydig o achosion lle cafodd datganiad neu ddeunyddiau brys ynghylch y pandemig eu cyhoeddi

Cyhoeddwyd dogfennau a deunyddiau brys eraill yn Saesneg yn unig, e.e. y wybodaeth/gohebiaeth sy'n cynnwys gwybodaeth iechyd a diogelwch a gyhoeddwyd ar anterth yr argyfwng. Gwnaed y penderfyniad yng ngoleuni nifer o amgylchiadau: i sicrhau bod gwybodaeth berthnasol am iechyd a diogelwch ar gael mewn modd amserol; cafodd nifer fawr o staff eu hadleoli dros dro i helpu gydag ymateb y Cyngor i'r achosion gan gyfyngu ar gapasiti'r Gymraeg; yn ogystal â'r ffyrdd newydd o weithio i staff ar adeg mor dyngedfennol. Lle nad oedd fersiynau o ddogfennau Cymraeg a Saesneg ar wahân, roedd modd cynhyrchu/cyhoeddi fersiynau Cymraeg a Saesneg ar wahân ac ati.

[Awdurdod Lleol](#)

yn Saesneg yn unig, neu fod oedi wrth gyhoeddi'r fersiwn Gymraeg, yn sgil anallu i gael cyfieithiad yn ddigon cyflym a'r sefyllfa'n newid ar fyr rybudd.

Ar ddechrau'r cyfnod clo anfonwyd llythyr at bob preswlydd yn Saesneg yn unig yn rhoi gwybod iddynt am y Cynllun Ymateb Cyfaill Cymunedol a oedd yn cael ei sefydlu i helpu pobl fregus yn y sir. Gwnaed hyn oherwydd brys y llythyr a chael pobl i ymuno â'r gwasanaeth.

[Awdurdod Lleol](#)

Mae ein system gyfieithu yn gweithio'n effeithiol o bell felly nid oes unrhyw effaith iaith ar ddogfennau. Dim ond pan ddigwyddodd achos Covid dros benwythnos ac roedd angen i ni gael gwybodaeth i rieni ar frys ar ein gwefan ar nos Sul y digwyddodd hynny yn Saesneg yn unig ond cafodd hyn ei gywiro ben bore Llun gan ein tîm cyfieithu (nid yw'r tîm yn gweithio ar benwythnosau).

[Coleg Addysg Bellach/Uwch](#)

Cwyn ynghylch anfon gohebiaeth

Cefais llythyr a thaflen gan fy nghyngor lleol trwy fy mlwch llythyr. Roedd yn cynnwys gwybodaeth yn uniaith Saesneg am y pandemig Covid-19.

Aelod o'r cyhoedd, Ebrill 2020

Cyflwynwyd cwyn gan aelod o'r cyhoedd yn honni iddo dderbyn dogfen uniaith Saesneg gan ei gyngor lleol gyda gwybodaeth ynghylch pandemig Covid-19. Penderfynodd y Comisiynydd ymchwilio oherwydd ei bod yn ymddangos fod penderfyniad strategol wedi ei wneud gan y Cyngor i beidio gohebu yn Gymraeg.

Cadarnhaodd yr ymchwiliad nad oedd gan y Cyngor unrhyw siaradwyr Cymraeg yn rhan o'i Dîm Cyfathrebu ar y pryd ac roedd o'r farn y byddai oedi'n anochel pe bai'n anfon gohebiaeth yn Gymraeg. Roedd y Cyngor yn cydnabod ei fod wedi anfon yr ohebiaeth at yr unigolyn yn Saesneg wedi iddo wneud penderfyniad ar sail iechyd a diogelwch a diffyg adnoddau yn ystod y cyfnod heriol. Dyfarnodd y Comisiynydd bod y Cyngor wedi methu cydymffurfio oherwydd ei fod wedi gwneud penderfyniad pwrpasol i anwybyddu gofynion y safon wrth anfon yr ohebiaeth am wasanaeth newydd i gefnogi preswylwyr bregus yn ystod y pandemig; bod amser wedi ei dreulio yn penderfynu ar y cynnwys a'r dyluniad a barn y Comisiynydd oedd y dylai'r Cyngor fod wedi gwneud pob ymdrech i sicrhau bod amser hefyd i greu fersiynau Cymraeg. Nodwyd ei fod yn disgwyl gweld ymdrech gan y Cyngor i gynnal ei wasanaethau Cymraeg bob amser.

Mae'r ymchwiliad wedi amlygu pwysigrwydd diwygio cynlluniau a strategaethau ar gyfer ymateb i argyfwng i sicrhau fod ystyriaeth yn cael ei roi i effaith penderfyniadau ar y Gymraeg. Amlygwyd pwysigrwydd pennu proses ar gyfer blaenoriaethu mathau penodol o wybodaeth lle bo capasiti'r gwasanaeth cyfieithu wedi ei effeithio. Dangoswyd bod angen ystyried sut i sicrhau fod deunyddiau brys yn cael eu cyhoeddi yn Gymraeg ar yr un pryd a'r angen o bosibl i ystyried capasiti gwasanaethau cyfieithu arferol, trefniadau cyfieithu testun ar frys neu gapasiti sgiliau Cymraeg y gweithlu yn fwy cyffredinol.

Gwefannau a gwasanaethau ar-lein

- 3.15 Adroddwyd gan y mwyafrif o sefydliadau na effeithiodd y pandemig ar eu gallu i ddarparu tudalennau gwe a gwasanaethau ar-lein yn Gymraeg. Nododd rhai bod ambell i dudalen neu wasanaeth wedi cael eu cyhoeddi yn Saesneg yn unig, neu fod oedi wrth gyhoeddi'r fersiwn Cymraeg, yn sgil anallu i gael cyfieithiad yn ddigon cyflym neu wneud gwaith datblygu ochr yn ochr.
- 3.16 Cyfeiriodd nifer o sefydliadau at wybodaeth a gwasanaethau ar-lein newydd a gyflwynwyd - rhai ohonynt yn gynnar iawn yn ystod y pandemig naill ai'r un pryd neu'n fuan ar ôl y gwasanaeth Saesneg. Roedd hyn yn cynnwys gwasanaethau ar-lein proffil uchel a oedd yn effeithio ar nifer fawr o bobl ac a ddatblygwyd ar frys mewn ymateb i'r pandemig.

Roedd yn rhaid i ni ddatblygu nifer o ffurflenni ar-lein ar fyr rybudd. Roedd y rhain yn cynnwys ffurflen gais am grant busnes, ffurflen archebu gofal plant, ffurflen archebu ar gyfer ein Canolfannau Gwastraff ac Ailgylchu, ffurflen archebu clicio a chasglu ar gyfer Llyfrgelloedd a ffurflenni archebu gweithgareddau'r Ganolfan Hamdden. Er mwyn cynhyrchu'r rhain o fewn yr amserlenni gofynnol, cynhyrchwyd nifer yn Saesneg yn unig i ddechrau. Mae'r rhai sy'n dal i gael eu defnyddio, fel ffurflen archebu'r Ganolfan Gwastraff ac Ailgylchu a'r ffurflen archebu clicio a chasglu ar gyfer Llyfrgelloedd, bellach ar gael yn Gymraeg. Nid yw ffurflenni eraill yn cael eu defnyddio mwyach.

[Awdurdod I.leol](#)

Ar ddechrau'r argyfwng roedd rhai negeseuon brys yn cael eu cyhoeddi ar y wefan yn Saesneg yn gyntaf gyda'r Gymraeg yn dilyn unwaith i'r neges gael ei gyfieithu, weithiau awr neu ddwy yn ddiweddarach. Roedd yr e-bost a anfonwyd ar Fawrth 17 - Gwaith rheoleiddio Comisiynydd y Gymraeg yn ystod Covid-19 - yn awgrymu bod hynny'n dderbyniol. Unwaith i'r broses gael ei mireinio, roedd y negeseuon yn cael eu cyhoeddi ar yr un pryd. Wrth i fwy o'n gwasanaethau gael eu cynnig yn ddigidol sylweddolwyd hefyd nad oedd digon o gapasiti yn ein hadran gyfieithu a wnaeth arwain at benderfyniad i benodi cyfieithydd ychwanegol.

[Coleg Addysg Bellach /Iiwch](#)

Adran Gwaith a Phensiynau Llywodraeth y DU: cynnig darpariaeth gwasanaethau ar-lein newydd ar fyr rybudd

Cyhoeddwyd gwasanaethau newydd ar-lein gan Adran Gwaith a Phensiynau Llywodraeth y DU yn ystod misoedd cyntaf y pandemig yn 2020. Roedd y datblygiadau eisoes ar y gweill fel rhan o ymrwymiad yr Adran i wella lefelau boddhad cwsmeriaid ond cyflymwyd y rhaglen waith ar gychwyn y pandemig.

Cafodd y system sy'n galluogi gwneud ceisiadau am Gredyd Pensiwn ar-lein ei hadeiladu mewn cwta 4 wythnos i alluogi'r gwasanaeth Credyd Pensiwn fynd yn fyw ar-lein ym mis Mai 2020. Nodwyd gan yr Adran nad oedd yn bosibl lansio'r gwasanaeth Cymraeg yr un pryd o ystyried yr amserlenni heriol ond cafodd ei lansio yn fuan wedi hynny ddiwedd Mai 2020 ar ôl cyfnod o'i brofi.

Oherwydd y pandemig roedd gwasanaethau eraill yn canolbwyntio eu sylw ar weithredu gwasanaethau ar-lein, gan gynnwys 'Gwneud cais am NS ESA ar-lein', 'Gwneud cais am NINO' ac 'Ad-dalu Fy Nyled'. Gweithiodd Uned Gymraeg yr Adran Gwaith a Phensiynau yn agos â'r timau prosiect perthnasol i sicrhau bod fersiynau Cymraeg o'r gwasanaethau hyn ar gael hefyd.

Mae Covid-19 wedi cael effaith enfawr ar lawer o'r farchnad lafur, wrth i rai sectorau leihau mewn maint ac i eraill gynyddu'n gyflym. Er mwyn helpu ceiswyr gwaith i ddod o hyd i waith mewn sectorau newydd a chyflogwyr i gael hyd i'r gweithwyr sydd ar gael, lansiwyd dwy wefan allanol newydd gan yr Adran hefyd: help swyddi a helpu cyflogwyr. Mae'r gwefannau hyn yn cynnig gwybodaeth am y farchnad lafur i bobl sy'n chwilio am waith nawr a chynghor i gyflogwyr er mwyn eu helpu i'w recriwtio. Gwnaeth Uned y Gymraeg weithio â'r Tîm Cyfathrebu Strategol i sicrhau bod fersiynau Cymraeg o'r gwefannau hyn, yn ogystal â'r holl asedau, trydariadau, a phhecynnau cymorth, ar gael ac i ddiweddariadau gael eu gwneud yn brydlon.

Ychwanegwyd gwefan ategol newydd i GOV.UK i helpu pobl i ddod o hyd i ragor o wybodaeth am Covid-19 a hawlio budd-daliadau. Mae 'Beth yw Credyd Cynhwysol?' yn helpu defnyddwyr i ddeall beth gallai eu cefnogi os ydynt ar incwm isel neu'n ddi-waith. Eto gweithiodd Uned y Gymraeg â'r tîm oedd yn gyfrifol am y wefan hon i sicrhau bod fersiwn Cymraeg ar gael hefyd.

Yn ddiweddarach o ganlyniad i Covid, cyflwynwyd cynllun *Kickstart* i helpu pobl rhwng 16-24 oed i ennill sgiliau i'w helpu i gael swyddi yn y dyfodol. Cefnogwyd y tîm oedd yn gyfrifol am y prosiect gan Uned y Gymraeg i sicrhau bod yr holl gynhyrchion, cyfarwyddyd, gwybodaeth ayyb, ar gael ar wefan GOV.UK a bod y porth i gyflogwyr/Porth *Kickstart* i wneud cais am y grant, i greu lleoliadau gwaith, ar gael yn y Gymraeg hefyd.

Adroddwyd bod y Gwasanaeth Arian a Phensiynau (MaPS), sy'n un o'r cyrff cyhoeddus anadrannol y mae Uned y Gymraeg yr Adran Gwaith a Phensiynau yn eu cefnogi hefyd wedi cyflwyno gwefan newydd o'r enw HelpwrArian, ac o ganlyniad cafwyd swm aruthrol

o destun i'w gyfieithu yn ystod y flwyddyn, gyda newidiadau rheolaidd i gynnwys cyfredol a chynnwys newydd am Covid ar eu gwefan.

Mae arfer yn amlygu bod modd ymateb ar frys a chyflwyno gwasanaethau newydd ar-lein yn Gymraeg a bod hynny'n gallu llwyddo wrth ystyried y Gymraeg o'r cychwyn wrth roi prosiectau ar waith. Mae'n dangos hefyd bod sefydliad sydd wedi sefydlu prosesau hunan reoleiddio cadarn ac sy'n darparu'r adnoddau angenrheidiol, megis Uned y Gymraeg yr Adran Gwaith a Phensiynau, yn gallu goresgyn anawsterau - roedd eu darpariaeth Gymraeg yn ddigon gwydn i beidio cael ei effeithio'n andwyol ac roeddent yn llwyddo i barhau i gydymffurfio â'u dyletswyddau yn ystod y cyfnod heriol.

Cwyn ynghylch cyhoeddi gwybodaeth ar wefan

Mae'r Cyngor lleol wedi cyhoeddi nifer o dudalennau yn cynnwys gwybodaeth ynglŷn â'r pandemig COVID-19 yn Saesneg yn unig ar ei wefan.

Aelod o'r cyhoedd, Mehefin 2020

Cyflwynwyd cwyn gan aelod o'r cyhoedd yn honni nad oedd gwybodaeth am Covid-19 ar gael yn Gymraeg ar nifer o dudalennau a dogfennau gwefan ei gyngor lleol. Penderfynodd y Comisiynydd ymchwilio i'r gŵyn oherwydd nad oedd y cyngor wedi darparu unrhyw sylwadau am amgylchiadau'r gŵyn a bod archwiliad yn cadarnhau fod y sefydliad wedi parhau i ddiweddarau'r wefan mor ddiweddar ag Awst 2020. Roedd yn cyflwyno amheuaeth bod y gŵyn yn symptom o arfer systemig a bod penderfyniad bwriadus wedi ei gymryd i ddangos, ac i barhau i ddangos, gwybodaeth yn Saesneg ar fersiwn Gymraeg y wefan.

Roedd y cyngor yn cydnabod bod y cyfnod wedi bod yn un heriol wrth iddo ail-neilltuo cyfrifoldebau i'w staff o ganlyniad i'r pandemig, a bod dyletswydd arno i rannu gwybodaeth â'r cyhoedd cyn gynted â phosib. Nodwyd ei bod yn ymddangos bod y cyngor wedi cael ei lethu gan y sefyllfa a'i bod yn glir bod yr uned gyfieithu ynghlwm â'r gwaith o baratoi gwybodaeth ar gyfer y wefan ar frys, ond nad oedd capasiti digonol i gyfieithu popeth oherwydd maint y dasg. Nodwyd fod uwch reolaeth y cyngor wedi casglu ei bod yn bwysicach bwrw ymlaen i osod gwybodaeth yn Saesneg ar y wefan Gymraeg yn hytrach na disgwyl i'w gyfieithu.

Mae'r ymchwiliad wedi amlygu pwysigrwydd sicrhau fod ystyriaeth yn cael ei roi i effaith penderfyniadau ar y Gymraeg a diwygio cynlluniau a strategaethau ymateb i argyfwng. Mae'n dangos y dylid rhoi ystyriaeth benodol i ddigonolrwydd trefniadau cyfieithu i

sicrhau eu bod yn medru dygymod mewn cyfnodau pan fo llwyth gwaith yn uwch na'r arfer. Amlygwyd bwysigrwydd pennu proses ar gyfer blaenoriaethu mathau penodol o wybodaeth lle bo capasiti'r gwasanaeth cyfieithu wedi ei effeithio, fel mewn sefyllfa o bandemig. Pwysleisia'r ymchwiliad hefyd werth cynnal archwiliadau rheolaidd o wasanaeth er mwyn hunan reoleiddio a phrofi cydymffurfedd, a bod mewn sefyllfa i ragweld a delio yn well gydag unrhyw anawsterau sy'n codi oherwydd y pandemig.

Darpariaeth newydd

3.17 Nododd rhai sefydliadau eu bod wedi cynyddu eu darpariaeth ar-lein yn ystod y cyfnod clo, gan gynnwys ffurflenni cais ac apiau, a bod y ddarpariaeth newydd ar gael yn Gymraeg. Mewn rhai amgylchiadau cafodd y gwasanaethau Gymraeg eu darparu ar ôl y gwasanaeth Saesneg. Roeddent yn amrywio o wasanaethau ar-lein proffil uchel a oedd yn effeithio ar nifer fawr o unigolion i dechnoleg sgwrsio byw nad oedd yn cael ei defnyddio o'r blaen.

Mae llawer o wasanaethau a chynnwys wedi'u symud ar-lein dros y pandemig, ac felly mae cynnydd wedi bod yn y galw am ddeunydd ar-lein. Mae mwy o fideos wedi'u cynhyrchu, gyda phwyslais ar recordio fersiynau Gymraeg a Saesneg yn hytrach nag is-deitlo. Mae'r pandemig wedi symud ambell broject yn ddigidol, megis project sy'n trawsgrifio deunydd archif Gymraeg. Caiff dogfennau eu sganio'n awtomatig, ac unrhyw gamgymeriadau eu cywiro, a bydd y project yn gyfrifol am gynyddu faint o ddeunydd Gymraeg sydd i'w gael ar y we.

Corff a noddir gan Lywodraeth Cymru

Cyflwynwyd gwasanaeth sgwrsio ar-lein newydd yn ystod y pandemig ac mae hwn ar gael naill ai yn Saesneg neu yn Gymraeg. Mae'r tîm sy'n gweithio ar y gwasanaeth sgwrsio yn cynnwys aelodau staff sy'n siarad Gymraeg, ac ymatebir i ymholiadau Gymraeg yn Gymraeg.

Coleg Addysg Bellach/Uwch

Gwasanaeth Llysoedd a Thriwilysoedd Ei Mawrhydi: cynnal gwrandawiaidau rhithiol gyda darpariaeth cyfieithu ar y pryd angen gosod rhywle perthnasol yng nghorff yr adran

Er mwyn sicrhau bod yr hawl i siarad Gymraeg mewn gwrandawiad Llys yn cael ei gynnal wrth iddynt gael eu cynnal yn rhithiol, bu'n rhaid i'r Gwasanaeth adolygu ei drefniadau i gyfieithu ar y pryd o'i waith. Trwy gydweithio gyda'r Farnwriaeth Gymraeg llwyddwyd i sicrhau hynny a defnyddio cyfuniad o CVP (platform cwmwl fideo) a galwad ffôn ar *BTMeetMe* ar gyfer y cyfieithu. Ar ôl cymeradwyo'r broses cafodd y cyfieithwyr gyfle i arfer gyda'r system a lluniwyd cyfarwyddiadau cynhwysfawr sut i'w defnyddio.

Yn ddiweddarach gwnaed gwelliannau pellach er mwyn gwella profiad y defnyddiwr fel bod yr angen am linell BT ar wahân yn cael ei ddileu. Roedd hyn yn golygu defnyddio senario fideo dwy ystafell, yn debyg i sut mae cyfieithu ar y pryd yn gweithio ar Zoom.

Mae'r arfer yn amlygu bod y sefydliad wedi llwyddo i gyflwyno gwasanaethau ar-lein yn Gymraeg ar frys gan ddefnyddio technoleg oedd yn newydd sbon iddynt ar y pryd. Mae'n dangos hefyd bwysigrwydd cael proses hunan reoleiddio cadarn sy'n gallu rhagweld a delio gydag anawsterau sy'n codi, gan ganiatáu i drefniadau parhad busnes gael eu cyflwyno heb oedi a chaniatáu i'r Gwasanaeth barhau i gydymffurfio â'i ddyletswyddau.

- 3.18 Nododd rhai sefydliadau fodd bynnag fod gwasanaethau ar-lein newydd wedi eu cyflwyno ond fod rhwystrau wedi bod i wneud y rhain ar gael yn Gymraeg.

Mae gwasanaethau ar-lein wedi bod ar gael yn y Gymraeg ond cafwyd peth anhawster ar y dechrau i hyrwyddo a chael mynediad at blatfform cyfrwng Cymraeg a osodwyd ar wefan y Brifysgol ar gyfer y diwrnodau clirio a'r diwrnodau agored. Llwyddwyd i ddatrys y broblem gan gynyddu niferoedd a oedd yn ymweld â'r fersiwn Gymraeg.

Prifysgol

Bu'n rhaid symud yr holl weithgaredd recriwtio myfyrwyr ar-lein. Bu i staff ei chael hi'n heriol sicrhau fod presenoldeb y Gymraeg yn amlwg mewn, er enghraifft, dyddiadur agored rhithiol. Roedd y system a ddefnyddid yn Saesneg.

Prifysgol

Mae un feddygfa dan reolaeth y Bwrdd Iechyd yn adrodd eu bod yn defnyddio AccuRx i gyfathrebu gyda chleifion drwy linc fideo. Mae llawer o opsiynau gyda'r feddalwedd yma i fedru anfon gwybodaeth i gleifion yn syth drwy'r system yma o ran darparu cyngor gyda'u cyflwr iechyd, ond nid yw rhain ar gael yn y Gymraeg.

Bwrdd Iechyd

Llywodraeth Cymru ac Adran Iechyd a Gwasanaethau Cymdeithasol Llywodraeth y DU: Ap Profi ac Orlhain NHS COVID-19

Cyhoeddwyd Ap Profi ac Orlhain NHS Covid-19 ar frys ym mis Mai 2020 at ddefnydd y cyhoedd yng Nghymru a hynny yn sgil trafodaethau rhwng Llywodraeth Cymru a Llywodraeth y DU. Ar y pryd roedd y ddau Lywodraeth yn y broses o gytuno memorandwm dealltwriaeth ynghylch eu ffordd o weithio ac roedd darparu gwasanaethau yn Gymraeg wedi ei gynnwys fel elfen hanfodol ohono.

Pan lansiwyd yr Ap roedd modd i unigolion ei gyrchu a'i ddefnyddio yn Gymraeg yn gwbl ddi-rwystr o'r cychwyn os oedd y Gymraeg wedi'i gosod yn iaith ddiofyn eu dyfais.

Derbyniodd y Comisiynydd nifer o gwynion ynghylch yr Ap gan unigolion nad oedd yn ymwybodol o'r angen i osod y Gymraeg fel iaith ddiofyn eu dyfais neu oedd â dyfeisiadau oedd yn rhy hen i'r Ap weithredu arnynt – roeddent o ganlyniad wedi cymryd yn ganiataol nad oedd y gwasanaeth ar gael yn Gymraeg.

Roedd yn ymddangos nad oedd Llywodraeth y DU na Llywodraeth Cymru wedi llwyddo i godi ymwybyddiaeth y cyhoedd yn ddigonol cyn lansio'r Ap i egluro'r cyfyngiadau a rheoli disgwyliadau, a phwysleisio y byddai'r gwasanaeth ond ar gael yn llawn yn Gymraeg os oedd gosodiadau'r ddyfais yn caniatáu hynny ymlaen llaw.

Roedd hefyd yn aneglur ar y pryd pwy oedd a chyfrifoldeb am y ddarpariaeth i'r cyhoedd yng Nghymru gan mai'r Adran Iechyd a Gofal Cymdeithasol Llywodraeth y DU oedd cyhoeddwr yr Ap ond bod Llywodraeth Cymru'n gweithio gyda'r adran ar y trefniadau yng Nghymru. Ym mis Tachwedd cadarnhawyd gan Lywodraeth Cymru y byddent hwy'n derbyn cyfrifoldeb am wasanaethau Profi Olrhain Diogelu.

Mae Ap Profi ac Olrhain NHS Covid-19 yn enghraifft o wasanaeth Cymraeg proffil uchel sydd ar gael i ddinasyddion Cymru. Mae'n amlygu sut gall cydweithio rhwng y Llywodraethau gael effaith gadarnhaol o ran y Gymraeg a sut gall dyletswyddau statudol safonau'r Gymraeg Gweinidogion Cymru ddylanwad ar ddarpariaeth gwasanaethau sy'n cael eu cyflenwi ar eu rhan gan Lywodraeth y DU.

Cyfryngau cymdeithasol

3.19 Yn y mwyafrif o achosion, nododd sefydliadau na effeithiodd y pandemig ar eu gallu i ddarparu negeseuon cyfryngau cymdeithasol yn Gymraeg, gyda rhai sefydliadau'n cyfeirio at bwysigrwydd gwasanaethau cyfieithu hyblyg, neu argaeledd siaradwyr Cymraeg. Nododd rhai sefydliadau i rai negeseuon gael eu cyhoeddi yn Saesneg yn unig,

Parhaodd yr holl ohebiaeth cyfryngau cymdeithasol i fod yn Gymraeg a Saesneg trwy gydol y cyfnod clo. Penododd y coleg Swyddog Cyfryngau Cymdeithasol a Marchnata Digidol newydd yn ystod y cyfnod hwn. Mae'r ymgeisydd llwyddiannus yn siaradwr Cymraeg rhugl a lwyddodd i barhau i ddarparu negeseuon ar draws y Cyfryngau Cymdeithasol yn Gymraeg.

Coleg Addysg Bellach/Uwch

Mae llawer o'r negeseuon ar ein cyfryngau cymdeithasol wedi'u hysgrifennu'n ddwyieithog gan swyddogion o fewn y tîm marchnata - mae pob un ohonynt wedi parhau i weithio'n llawn amser o adref trwy'r pandemig. Lle bo angen, mae'r tîm cyfieithu wrth law i ddarparu cefnogaeth.

Coleg Addysg Bellach/Uwch

neu fod oedi wrth gyhoeddi'r fersiwn Cymraeg, yn sgil anallu i gael cyfieithiad yn ddigon cyflym. Cyfeiriodd nifer o sefydliadau at fwy o ddefnydd o'r cyfryngau cymdeithasol ar gyfer ymgysylltu â defnyddwyr yn ystod y pandemig.

Er ein bod yn parhau i gyhoeddi negeseuon yn Gymraeg a Saesneg mae'r pandemig wedi effeithio ar ein gallu i wneud cyfweiliadau wyneb yn wyneb a chlipiau fideo ar y safle... mae adegau lle bu'n rhaid cyhoeddi rhai negeseuon yn Saesneg yn unig (gan fod y rhain allan o oriau busnes craidd lle nad oes unrhyw gyfieithiad Cymraeg yn bosibl ac yn ymwneud â sefyllfaoedd brys). Yna, caiff y cynnwys hwn ei ddiweddarau gyda chynnwys Cymraeg cyfatebol fel y bo'n briodol. O ran negeseuon brys ar-lein, rydym yn lliniaru'r sefyllfa drwy sicrhau bod ein hystorfa o negeseuon rheolaidd wedi ac yn parhau i gael ei datblygu yn y ddwy iaith.

[Awdurdod Heddlu](#)

3.20 Dywedodd rhai sefydliadau fod negeseuon cyfryngau cymdeithasol ar gael yn Gymraeg fel arfer ond fod rhai sefyllfaoedd lle na ddigwyddodd hyn fel y dylai.

3.21 Nodwyd gan rai sefydliadau nad oedd mwyafrif eu cyfathrebiadau ynghylch Covid-19 ar gael yn Gymraeg.

Cyhoeddwyd y rhan fwyaf o'n negeseuon ar y cyfryngau cymdeithasol yn Saesneg yn unig, yn bennaf oherwydd yr angen i'r wybodaeth gael ei rhannu ar frys a dehongliad yr ohebiaeth anfonwyd gan y Comisiynydd.

[Awdurdod Lleol](#)

Roedd cyfathrebu ar gyfryngau cymdeithasol yn Saesneg yn unig yn [y Ganolfan]. Roedd y rhain yn benodol i Covid yn ymwneud â swyddi gwybodaeth i gleifion a fideos yn rhoi cyngor. Mae'r rhan fwyaf o'r fideos hyn bellach wedi'u is-deitlo ac maent ar gael ar-lein.

[Sefydliad GIG Cymru](#)

Gwnaed pob ymdrech i ddarparu pob cyhoeddiad yn Gymraeg ar y pryd, ond oherwydd brys y sefyllfa, roedd yn rhaid cyhoeddi rhai negeseuon tra bod y cyfieithiad ar y gweill, gyda'r Gymraeg yn cael ei hychwanegu cyn gynted â phosibl ar ôl hyn. Nid yw hyn yn wir mwyach.

[Awdurdod Lleol](#)

Cafwyd digwyddiad lle y cyhoeddwyd gwybodaeth frys cyn i'r cyfieithiad fod ar gael. Roedd hyn oherwydd faint o wybodaeth yr oedd angen ei rhaedru i'r cyhoedd a'r graddfeydd amser byr i sicrhau bod y wybodaeth ddiweddaraf yn cael ei darparu.

[Awdurdod Lleol](#)

3.22 Nododd rhai sefydliadau fod pwysau ychwanegol ar y gwasanaeth cyfieithu wedi arwain at drafferthion i gyhoeddi a nododd nifer eu bod wedi defnyddio mwy ar gyfryngau cymdeithasol i ymgysylltu â'r cyhoedd yn ystod y cyfnod.

Gwasanaethau cyfieithu

3.23 Nododd mwyafrif o sefydliadau i'w gwasanaethau cyfieithu barhau fel arfer yn ystod y pandemig, gan alluogi darparu testun yn Gymraeg. Mae'n glir o ymatebion nifer o sefydliadau fod yr angen i gyfieithu symiau mawr o destun ar frys wedi rhoi pwysau mawr ar wasanaethau cyfieithu, ond nad oedd hynny bob amser wedi cael effaith ar y ddarpariaeth i ddefnyddwyr.

3.24 Arweiniodd y pwysau ychwanegol at rai sefydliadau'n datblygu eu trefniadau cyfieithu, er enghraifft drwy benodi staff ychwanegol neu wella prosesau, a chyfeiriodd Llywodraeth Cymru'n benodol at addasu ffyrdd o weithio a defnyddio datrysiadau technegol i weithio'n fwy effeithlon.

3.25 Nododd nifer o sefydliadau iddynt weld cynnydd yn y llwyth gwaith cyfieithu.

Rydym yn dibynnu ar ein cyfieithwyr sydd wedi'u contractio'n allanol i allu darparu cyfieithiad amserol ar gyfer datganiadau'r cyfryngau a diweddariadau eraill sy'n cael eu rhyddhau drwy'r Adran Gyfathrebu a'r Cyfryngau. Mae'r pandemig wedi creu heriau i'n darparwr/darparwyr mewn perthynas â delio â cheisiadau ar fyr rybudd - ac o ganlyniad mae rhai o'n diweddariadau wedi bod yn Saesneg yn unig gyda'r Gymraeg yn dilyn ychydig amser yn ddiweddarach cyn gynted ag y darperir y cyfieithiad. Mae natur y pandemig sy'n esblygu'n gyflym hefyd wedi gofyn am lawer o gyngor/canllawiau/rheolau sy'n newid sy'n aml yn cael eu cyhoeddi heb fawr ddim rhybudd. Rydym wedi ceisio sicrhau bod y wybodaeth hon yn cael ei chyhoeddi yn y Gymraeg a'r Saesneg ond mae hyn wedi bod yn heriol ar adegau.

Awdurdod Heddlu

Rydym yn gyfrifol am ddarparu gwasanaethau cyfieithu ysgrifenedig i Gynghorau Conwy, Sir Ddinbych, Wrecsam a Sir y Fflint a Chymdeithas Llywodraeth Leol Cymru. Bu cyfnod eithaf tawel o rai o'r siroedd am gyfnod byr ym mis Mehefin, ond ni wnaeth hynny bara mwy nag ychydig wythnosau. Ar y cyfan, yr unig wahaniaeth a welsom gyda'r gwasanaeth cyfieithu ysgrifenedig, yw ein bod yn brysurach nac erioed yn ystod y rhan fwyaf o'r pandemig.

Awdurdod Lleol

Cafwyd digwyddiad lle y cyhoeddwyd gwybodaeth frys cyn i'r cyfieithiad fod ar gael. Roedd hyn oherwydd faint o wybodaeth yr oedd angen ei rhaedru i'r cyhoedd a'r graddfeydd amser byr i sicrhau bod y wybodaeth ddiweddaraf yn cael ei darparu.

Awdurdod Lleol

Defnydd o wasanaethau Cymraeg

- 3.26 Nid oedd patrwm cyson wedi ei adrodd o ran effaith y pandemig ar faint y defnydd o wasanaethau Cymraeg – rhai sefydliadau yn nodi fod cynnydd a nifer unai fod yr effaith ar y defnydd o wasanaethau Cymraeg yn debyg i'r effaith ar y defnydd o wasanaethau

Fe wnaethom lansio ymgyrch ddwyieithog ym mis Mawrth 2020, oedd yn rhoi cyngor i bobl ar sut i gadw mewn cysylltiad yn y cartref yn ystod pandemig y Coronafeirws. Roedd gennym hefyd ymgyrch hysbysebu ddwyieithog dros gyfnod o ddeg wythnos ar gyfryngau cymdeithasol ac ar orsafoedd radio masnachol lleol yng Nghymru. Dangosodd astudiaeth gan ein hasiantaeth allanol bod mwy o ymgysylltiad â'r cynnwys Cymraeg na'r cynnwys Saesneg ar gyfryngau cymdeithasol drwy gydol yr ymgyrch yng Nghymru, gyda chyfradd clicio drwedd uchel o 0.15%. Llwyddodd ein fideo gyhoeddwyd ym Mehefin 2020 i ddenu dros 800 o wylwyr ar ein cyfrif Twitter Cymraeg sydd â 305 o ddilynwyr - ffigur calonogol iawn o gymharu gyda'r fersiwn Saesneg cafodd tua 1700 o wylwyr dros yr un cyfnod er bod gan y cyfrif 50.5k o ddilynwyr.

[Corff a noddur gan Lywodraeth y DU](#)

Arweiniodd cau'r Coleg at lawer llai o ymholiadau nag arfer. Er ei bod yn ymddangos bod yr effeithiau yr un peth ag ar gyfer y Saesneg, nid yw maint yr effaith ar y Gymraeg yn hysbys yn union. Ni dderbyniwyd unrhyw gwynion ynghylch darpariaeth gwasanaeth Cymraeg y Coleg ac mae'r nifer sy'n ddefnyddio yn gyffredinol yn parhau i fod yn isel.

[Coleg Addysg Bellach/Uwch](#)

Pan oedd y pandemig ar ei anterth, gwelwyd cynnydd sylweddol yn nifer y bobl a oedd eisiau cyngor ac arweiniad gan ein timau gwasanaethau myfyrwyr a gwasanaethau cwsmeriaid, a wnaeth yn ei dro, roi llawer o bwysau ar ein llinellau ffôn a blychau e-bost. Roedd effaith hynny, fodd bynnag, yr un fath i'r gwasanaeth Cymraeg a'r gwasanaeth Saesneg.

[Coleg Addysg Bellach/Uwch](#)

O ganol Mawrth hyd ddiwedd Ebrill cafodd yr Adran dros 1.8 miliwn o geisiadau ledled y DU (55,000 fyddem yn ei ddisgwyl mewn wythnos arferol). Cynyddodd nifer y rhai oedd wedi dewis defnyddio'r Gymraeg o ychydig dan 1,000 cyn Covid i dros 3,000. Gwelodd ein timau teleffoni dwf anferth mewn ymholiadau a cheisiadau newydd yn Gymraeg a Saesneg. Roedd angen rhoi ein cynlluniau cadarn parhad busnes ar waith er mwyn galluogi'r Adran i wneud hyn.

[Adran o Lywodraeth y DU](#)

Saesneg neu nad oedd unrhyw effaith o gwbl.

- 3.27 Roedd ymatebion rhai sefydliadau'n awgrymu nad ydynt yn rhoi ystyriaeth fel mater o drefn i faint o ddefnydd a wneir o wasanaethau Cymraeg.

Cyllid a Thollau Ei Mawrhydi (CThEM) yn cynnig gwasanaethau Cymraeg cynhwysfawr ar-lein ar frys

Cyflwynwyd nifer fawr o wasanaethau ar-lein newydd ar frys mawr gan Gyllid a Thollau Ei Mawrhydi yn ystod cyfnod y pandemig, gan adeiladu ar y gwasanaethau dwyieithog llwyddiannus y mae CThEM eisoes yn eu cynnig. Roeddent yn cynnwys:

- y Cynllun Cadw Swyddi yn sgil Coronafeirws (CJRS)/y cynllun ffyrlo (i gyflogwyr)
- y Cynllun Cymhorthdal Incwm Hunangyflogaeth (SEISS) (i'r hunangyflogedig)
- y Cynllun Ad-dalu Tâl Salwch Statudol (i gyflogwyr)
- y Cynllun TAW Ohiriedig (i fusnesau)
- Bwyta Allan i Helpu Allan (i fusnesau lletygarwch)

Adroddwyd gan y corff fod ei adnabyddiaeth dda o'i gwsmeriaid a'u harferion cyn y pandemig, o ran eu defnydd o'r Gymraeg wrth ddelio â CThEM, yn greiddiol i'w lwyddiant o ran blaenoriaethu gwaith cyfieithu er mwyn datblygu a darparu gwasanaethau yn Gymraeg ar frys.

Darparwyd canllawiau cynhwysfawr ar y we yn Gymraeg a chymorth dros y ffôn ar y llinell Gymraeg yr oedd cwsmeriaid Cymraeg wedi arfer ei defnyddio.

Cadarnhaodd Pennaeth Gwasanaethau Cymraeg CThEM: 'Roeddem yn gwybod fod gennym o leiaf 5,000 o gwsmeriaid y cynllun i'r hunangyflogedig a fyddai'n dymuno defnyddio'r gwasanaeth ar-lein yn Gymraeg, gan eu bod nhw wedi arfer cyflwyno a darparu ffeiliau i ni yn Gymraeg ar lein – felly penderfynwyd datblygu'r gwasanaeth hwn yn gyntaf, ac aeth yn fyw ar yr un pryd â'r gwasanaeth ar-lein yn Saesneg.

Roeddem yn gwybod hefyd fod gennym tua 320 o gyflogwyr sy'n defnyddio ein dewis iaith Gymraeg ac sy'n tueddu i gysylltu â ni dros y ffôn neu drwy e-bost. Oherwydd bod y gwasanaeth hawlio ar-lein drwy'r Cynllun Cadw Swyddi wedi ei sefydlu mewn nifer digynsail o wythnosau, doedd dim modd ei gyfieithu ar unwaith, felly gwnaethom sicrhau y gallai cyflogwyr ein ffonio a gwneud yr hawliad yn Gymraeg dros y ffôn yn lle ar-lein. Roedd y canllawiau oedd ar gael yn Gymraeg ar y we yn ei gwneud yn glir bod modd i gwsmeriaid ddefnyddio'r opsiwn ffôn i wneud eu hawliadau ffyrlo, ac anfonom e-byst yn esbonio'r sefyllfa a'r cymorth a oedd ar gael yn Gymraeg ac yn Saesneg.'

Roedd Swyddog Iaith Gymraeg y corff yn gweithio'n rhagweithiol i sicrhau ei bod yn cysylltu gyda staff allweddol a oedd yn gyfrifol am ddatblygu a darparu'r gwasanaethau o'r cychwyn. Drwy gyswllt dyddiol ac wythnosol rheolaidd, sicrhaodd fod deunyddiau Cymraeg yn cael eu darparu ar yr un pryd ag unrhyw fersiynau Saesneg. Roedd cadw cyswllt rheolaidd yn sicrhau fod yr angen i wasanaethau Cymraeg fod ar gael ar yr un pryd â'r gwasanaethau Saesneg yn cael ei fodloni. Gwnaed yn glir nad oedd unrhyw

resymau dros fethu goresgyn anawsterau, ac fe'i gwnaed yn hawdd i'r datblygwyr gael hyd i adnoddau ac atebion.

Rhwng mis Ebrill 2020 a mis Mawrth 2021 gwnaeth Cyllid a Thollau Ei Mawrhydi:

- dderbyn dros 20,000 o alwadau yn Gymraeg
- dderbyn dros 1,200 o e-byst yn Gymraeg
- brosesu ac ymateb i dros 5,300 o lythyrau a ffurflenni yn Gymraeg
- gyfieithu dros 2.4 miliwn o eiriau i'r Gymraeg
- gofrestru bron i 1 miliwn o ymweliadau â thudalennau eu gwasanaethau Cymraeg ar-lein - dwbl ymweliadau'r flwyddyn flaenorol
- ddarparu hysbysebion y talwyd amdanynt, a gwneud 1.24 miliwn o argraffiadau
- bostio negeseuon allweddol ar y cyfryngau cymdeithasol i dros 400,000 o ddilynwyr
- anfon e-byst bob pythefnos ynghylch yr holl gymorth sydd ar gael i gyflogwyr ac asiantau

Llwyddwyd i ddarparu'r holl wasanaethau yn Gymraeg a Saesneg mewn cyfnod o wythnosau, o'i gymharu â chwe mis neu fwy sydd eu hangen fel arfer. Adroddwyd gan lefarydd ar ran gwasanaeth Cymraeg CThEM:

'Yn allweddol i'r holl ddarpariaeth hon fu cael swyddog Cymraeg penodedig ac adnoddau Cymraeg pwrpasol i oruchwylio a gweithio gydag eraill ym meysydd gwahanol y busnes i ddarparu'r gwasanaeth hwn, er gwaethaf heriau o ran cyfyngiadau amser. Gall y swyddog hwyluso pethau a lleddfau unrhyw broblemau gan ei bod yn adnabod y sylfaen cwsmeriaid Cymraeg - mae'n arbenigwraig yn hynny o beth. Mae'n gwybod sut y gellir cyflwyno'r gwahanol elfennau o'r gwasanaethau Cymraeg yn brydlon. Mae'n gweithio'n gyflym gydag eraill i ddatrys unrhyw atalfeydd neu broblemau. Mae angen i'r person hwn fod yn gadarn, yn wybodus ac yn ffynnu ar waith i ddelio ag anawsterau. Rhaid i'r unigolyn allu gweld drwy broblemau, a gweithio'n agos ac yn gydweithredol gyda llawer o randdeiliaid i gydlynu'r gwaith o ddarparu'r gwasanaeth.'

Mae'r arfer hon yn amlygu sut y gwnaeth CThEM lwyddo i ymateb ar frys a chyflwyno gwasanaethau ar-lein newydd yn Gymraeg yn ystod y pandemig trwy ystyried yr iaith o'r cychwyn cyntaf, yn ogystal â chynnal gwasanaethau Cymraeg a oedd yn bodoli eisoes. Mae'n dangos hefyd fod corff sydd â phrosesau hunanreoleiddio cadarn, a swyddog penodedig yn gyfrifol am wasanaethau Cymraeg sy'n gallu dylanwadu'n effeithiol ar draws y sefydliad, wedi hwyluso goresgyn anawsterau er mwyn cynnal cydymffurfedd yn ystod cyfnod heriol.

4 Effaith COVID-19 ar drefniadau mewnol sefydliadau

- 4.1 Yn ogystal â gwahodd sefydliadau cyhoeddus i ddarparu gwybodaeth am effaith y pandemig ar eu gwasanaethau Cymraeg, roedd arolwg y Comisiynydd yn gofyn iddynt hefyd am sylwadau ar yr effaith ar eu trefniadau mewnol i oruchwylio'u cydymffurfedd gyda'u dyletswyddau statudol. Fe'i holwyd am yr adnoddau oedd ar gael iddynt i ymgymryd â'r gwaith yn ogystal â'r effaith ar ddefnydd mewnol o'r Gymraeg ac mae'r dystiolaeth ansoddol dderbyniwyd o gymorth wrth ystyried digonolrwydd prosesau hunan reoleiddio sefydliadau a'u gallu i ddelio gydag anawsterau oedd yn codi yn ystod cyfnod heriol y pandemig.

Goruchwylio cydymffurfiaeth

Trefniadau llywodraethiant

- 4.2 Adroddwyd gan sefydliadau eu bod wedi sicrhau bod y ddarpariaeth Gymraeg yn cael ei hystyried fel rhan o drefniadau cyffredinol y sefydliad ar gyfer parhad busnes yn ystod y pandemig. Nododd nifer o sefydliadau fod eu cynllun parhad busnes corfforaethol yn cynnwys neu wedi ystyried y ddarpariaeth Gymraeg. Roedd rhai wedi mabwysiadu cynllun parhad busnes penodol ar gyfer y Gymraeg.

Mae cydymffurfiaeth barhaus y Cyngor â safonau'r Gymraeg wedi parhau i fod yn rhan annatod o unrhyw ystyriaeth ym mhob un o gynlluniau parhad busnes a chynlluniau wrth gefn y Cyngor.

Corff a noddir gan Lywodraeth Cymru

Roedd cynlluniau chwarterol ymateb Covid yn destun asesiad effaith cydraddoldeb sy'n cynnwys rhoi ystyriaeth i'r Gymraeg ... maent yn cael eu cymeradwyo gan y Pwyllgor Gweithredol a'r Bwrdd.

Bwrdd Iechyd

Roedd y Gymraeg yn rhan o'r prosesau llywodraethu yn ystod y pandemig, ac mae'n parhau i gael ei hystyried fel rhan o'n prosesau drwy ein gwaith asesu effaith. Gwnaethpwyd rhai newidiadau ymarferol, er enghraifft adolygu'n prosesau cyfieithu er mwyn mynd i'r afael â'r galw sylweddol mewn rhai meysydd.

Prifysgol

Roeddem wedi trefnu gyda'n cyfieithwyr bod rheolwyr yr asiantaeth ar gael tu allan i oriau gwaith os oedd angen gwaith cyfieithu a phrawf ddarllen brys.

Corff a noddir gan Lywodraeth y DU

- 4.3 Roedd y mwyafrif o'r sefydliadau a ymatebodd i'r arolwg yn nodi nad oeddent wedi mabwysiadu unrhyw drefniadau llywodraethiant arbennig i sicrhau bod y ddarpariaeth Gymraeg yn cael ei hystyried yn ystod y pandemig. Nodwyd gan rai ohonynt fod hynny oherwydd eu bod yn hyderus yn y trefniadau oedd eisoes mewn lle a'u bod wedi parhau i'w gweithredu.

Adnodd swyddog sydd â chyfrifoldeb am y Gymraeg

- 4.4 Nodwyd gan y mwyafrif o'r sefydliadau a ymatebodd i'r arolwg nad oedd unrhyw effaith ar yr adnoddau oedd ar gael o ddydd i ddydd i barhau gyda'r gwaith yn ymwneud â'r Gymraeg. Roedd rhai wedi nodi fod effaith ar ddulliau gwaith, neu fod y gwaith yn fwy cymhleth a thrwm nag arfer. Er hyn roedd nifer o'r sefydliadau yn adrodd eu bod wedi symud eu swyddogion iaith i rolau eraill am gyfnod.

Ni wnaethom weithredu unrhyw drefniant arbennig yn ystod y pandemig, roedd wir yn fusnes yn ôl yr arfer, gyda'r gofynion ar gyfer y Gymraeg yn cael eu hystyried fel roeddynt cyn Covid. Darparwyd cefnogaeth i holl rannau'r busnes i sicrhau eu bod yn gallu cydymffurfio'n llawn â'n Cynllun Cymraeg, gyda'r tîm yn gweithio'n agos â'n cydweithwyr mewn cyfarwyddiaethau eraill.

[Adran Llywodraeth DU](#)

Gan fod y Gymraeg eisoes wedi ei sefydlu fel iaith weinyddol a darparu gwasanaethau, a bod gennym ganran mor uchel o staff yn gallu'r Gymraeg nid oedd parhad y ddarpariaeth Gymraeg yn bryder. Ni chafodd y swyddogion iaith eu symud o'u swyddi felly roedd eu cefnogaeth yn parhau.

[Awdurdod Lleol](#)

Nid yw'r Cyngor wedi gweithredu trefniadau arbennig i sicrhau ystyriaeth o'r Gymraeg. Yn hytrach rydym wedi bod yn gweithredu y trefniadau sydd eisoes yn eu lle megis rhestrau gwirio caffael, asesiadau effaith, prif-ffrydio'r Gymraeg wrth ddatblygu polisiau a gwasanaethau, a sicrhau argaeledd staff Cymraeg trwy recriwtio ac hyfforddiant.

[Awdurdod Lleol](#)

Cafodd swyddogion y Gymraeg o fewn gwasanaethau eu dargyfeirio i waith Covid-19 i gefnogi ysgolion, y rhai mwyaf agored i niwed a TTP.

Awdurdod Lleol

Cafodd y swyddog ei adleoli am bron i bedwar mis ar lefel weithredol i Wasanaeth Diogel ac Iach y Cyngor.

Awdurdod Lleol

Cafodd yr arweinydd proffesiynol ar gyfer y Gymraeg ei adleoli i gefnogi gwasanaethau hanfodol o fis Mawrth tan fis Medi.

Awdurdod Lleol

Cymerwyd cyfrifoldebau ychwanegol i ymateb i bandemig Covid-19 ac felly nid oedd yr un capasiti ar gael i weithio ar faterion yn ymwneud â'r Gymraeg.

Awdurdod Lleol

Goruchwylio a chynllunio

- 4.5 Roedd rhai sefydliadau wedi ailedrych ar eu cynlluniau gweithredol arferol ar gyfer y Gymraeg a'u haddasu ar gyfer gweithredu yn ystod y cyfnod.

Cafodd Cynllun Gweithredu'r Gymraeg ei ddiweddarau ym mis Ebrill yn sgil y pandemig, a'i olygu eto ym mis Gorffennaf. Roedd hyn yn adlewyrchu'r ffaith bod natur llawer o'n darpariaeth wedi newid i fod yn ddigidol.

Corff a noddir gan Lywodraeth Cymru

- 4.6 Adroddwyd gan rai sefydliadau eu bod wedi cyflwyno trefniadau gwirio cydymffurfiaeth ychwanegol ac eraill wedi parhau â threfniadau oedd eisoes mewn lle megis:

- adolygu prosesau gofal cwsmer er mwyn sicrhau cydymffurfiaeth.
- sicrhau bod y ffordd roeddent yn trefnu eu gweithlu'n sicrhau parhad y ddarpariaeth Gymraeg.
- cyfathrebu â staff ynghylch yr angen i barhau i gydymffurfio yn ystod y pandemig.
- sicrhau bod y gwasanaeth cyfieithu ar gael yn ystod y cyfnod, gan gynnwys y tu allan i oriau arferol.
- trefniadau i sicrhau bod unrhyw wasanaethau newydd oedd yn cael eu cyflwyno ar gael yn Gymraeg.

- 4.7 Nododd mwyafrif o sefydliadau nad oedd effaith ar oruchwylio cydymffurfiaeth, ond roedd nifer yn cydnabod fod y dasg o oruchwylio'n anoddach nag arfer, yn bennaf oherwydd nad oedd modd trafod â staff yn yr un ffordd, na gwirio darpariaeth ar safleoedd.

Cynhaliwyd cyfarfod arbennig o Weithgor Gweithredu'r Gymraeg yr Heddlu er mwyn sicrhau bod y gwaith o ddarparu gwasanaethau'n ddwyieithog yn parhau i dderbyn sylw. Fel arall roedd yn 'fusnes fel arfer' o ran gwasanaethau yn Gymraeg gyda'r disgwyliad fod dewis iaith yn cael ei ddarparu fel arfer.

[Awdurdod Heddlu](#)

Roedd ein Swyddog Cydymffurfio yn cynnal archwiliad ad-hoc o'r cyfryngau cymdeithasol i sicrhau bod y Gymraeg yn parhau'n amlwg.

[Awdurdod Lleol](#)

Gwnaethom gynnal ymarferiad 'siopwr cudd' er mwyn sicrhau nad oedd yna unrhyw amharu ar ansawdd ein gwasanaethau Cymraeg yn cynnwys ymateb i ohebiaeth, ymdrin â ffurflenni a gwasanaethau ffôn. Cawsom lefel sicrwydd uchel i'r gwasanaethau a brofwyd.

[Corff a noddir gan Lywodraeth Cymru](#)

Roedd modd cynnal mwyafrif y broses fonitro a'r hap wirio o bell. Addaswyd yr amserlen hap wirio i ganolbwyntio ar elfennau ar-lein yn ystod y cyfnod cyfyngiadau dwys ac yna'n hap wirio elfennau mwy gweledol a chorfforol pan laciwyd y rheoliadau.

[Coleg Addysg Bellach/Uwch](#)

Mae'n fwy anodd goruchwylio cydymffurfiaeth, gan fod pob Swyddog yn gweithio o gartref. Mae gostyngiad sylweddol yn y gwasanaethau wyneb yn wyneb. Fodd bynnag yn ystod y cyfnod rydym wedi atgoffa Swyddogion o'u dyletswyddau, drwy gyhoeddi Canllaw Safonau: 'Yr hyn sydd angen i mi ei wneud' ac wedi rhannu hwn drwy'r Bwletin Newyddion Corfforaethol. Hefyd wedi cynnal dwy sesiwn ymwybyddiaeth iaith ar lein. Byddwn yn mynd ati cyn diwedd y flwyddyn i holi pob gwasanaeth hunanasesu eu hunain gyferbyn â gofynion y Safonau.

[Awdurdod Lleol](#)

- 4.8 Nodwyd gan rai sefydliadau eu bod wedi rhoi trefniadau ychwanegol ar waith, neu fod gwaith goruchwylio'n digwydd yn fwy effeithiol erbyn yr Hydref nag oedd cyn hynny.

Cafodd trefniadau goruchwylio cydymffurfiaeth ei effeithio dros y cyfnod. Oherwydd bod y tîm Cymraeg yn gweithio o adref, nid oedd yn bosib ymweld â safleoedd ac ysbytai'r Bwrdd Iechyd sydd yn rhan fawr o'r gwaith goruchwylio. Mae tîm y Gymraeg yn cynnal arolygon siopwr cudd bob chwarter sy'n cynnwys ymweld â 3 ysbyty cymuned, 3 meddygfa dan reolaeth y bwrdd iechyd a 3 adran o fewn yr ysbytai llym. Yn amlwg nid yw wedi bod yn bosibl gwneud yr arolygon yma. Hefyd, fel y nodwyd uchod, cafodd 4 aelod o'r tîm eu hadleoli i ddarparu cefnogaeth mewn adran arall o'r Bwrdd Iechyd. Oherwydd bod nifer fawr o staff eraill y gwasanaeth iechyd yn yr un sefyllfa, yn gweithio o adref ac wedi'u hadleoli neu ail hyfforddi i wneud dyletswyddau eraill, roedd yn cymryd hirach i dderbyn ymateb i negeseuon e-bost.

Bwrdd Iechyd

Rhodddwyd ateb negyddol am fod cadw golwg ar gydymffurfiaeth mewn sefydliad mawr a chymhleth yn anodd mewn cyfnod o newid mawr pan mae pawb ar wasgar. Dyw gweithio o bell ddim yn ei gwneud hi'n amhosib goruchwylio cydymffurfiaeth ond wrth i bethau sefydlogi i batrwm fwy cyson, mae angen meddwl sut mae sicrhau fod y lefel angenrheidiol o oruchwyliaeth yn cael ei gynnal.

Prifysgol

Cyllid a Thollau Ei Mawrhydi: rhagweld anawsterau a rhoi trefniadau parhad busnes yn eu lle er mwyn cynnal cydymffurfiaeth yn ystod y pandemig

'Roedd Cyllid a Thollau Ei Mawrhydi (CThEM) wedi cynllunio yn drylwyr ymlaen llaw a chychwyn paratoi cynlluniau adfer busnes ar gyfer y tîm cyfieithu bythefnos cyn cyhoeddi'r cyfyngiadau clo. Roedd gan bob un o'r tîm hwnnw yr offer i gyflawni a chynnal busnes fel sy'n arferol o'u cartref, a threialwyd unrhyw ddulliau gweithio newydd. Roedd pob un o'r tîm yn gweithio'n llwyddiannus ac yn gyfan gwbl o gartref o ddiwrnod cyntaf y cyfnod clo.

Roedd y tîm sy'n darparu cymorth i gwsmeriaid Cymraeg yn rhan o'r treial cychwynnol i gael pawb i weithio gartref yn ddiogel. Roedd hyn yn sicrhau nad oedd ein gwasanaethau Cymraeg yn cael eu heffeithio na'u cyfyngu gan fynediad cyfyngedig i'r swyddfa. Gwnaethom gynnal y gwasanaeth cwsmeriaid ar gyfer ein cwsmeriaid Cymraeg o'r diwrnod cyntaf a thrwy gydol y pandemig.

Gwnaethom adnabod un bwlch, sef ein gallu i roi ad-daliadau â llaw lle'r oedd angen argraffu arbenigol ar gyfer sieciau, ac roedd angen bod yn y swyddfa i wneud hyn. Gwnaethom weithio'n gyflym gyda chydweithwyr cyllid i lunio proses newydd a chyswllt cwsmeriaid a oedd yn eu harwain tuag at opsiwn digidol ar gyfer ad-daliadau'n uniongyrchol i gyfrifon cwsmeriaid.'

Mae'r arfer hon yn amlygu pwysigrwydd gosod trefniadau parhad busnes cadarn yn eu lle ar gyfer gwasanaethau Cymraeg. Mae hyn er mwyn sicrhau bod effaith unrhyw amgylchiadau ar y Gymraeg yn cael eu hystyried ac y cymerir camau i sicrhau bod cydymffurfiaeth yn cael ei gynnal yn ystod cyfnodau heriol.

- 4.9 Derbyniodd y Comisiynydd nifer o ymholiadau gan sefydliadau'n nodi na fyddent yn debygol o allu cyhoeddi adroddiad blynyddol safonau'r Gymraeg erbyn y diwrnod gofynnol ond nid oedd yr un ohonynt yn nodi na fyddent yn gallu cyhoeddi o gwbl. O gymharu â chanlyniadau 2018-19, gwelwyd dirywiad ym mherfformiad pob un o'r setiau o reoliadau eleni o ran cyhoeddi adroddiad blynyddol safonau'r Gymraeg. Mae tystiolaeth o arolwg y safonau atodol gan swyddogion y Comisiynydd yn ystod Hydref 2020 yn cadarnhau mai 71% o'r sefydliadau cymwys oedd wedi llwyddo i gyhoeddi adroddiad blynyddol ar amser, yn Gymraeg, oedd yn delio â'r modd yr oeddent wedi cydymffurfio yn ystod 2019-20.

Delio â chwynion

- 4.10 Prin oedd y sylwadau dderbyniwyd gan sefydliadau fel rhan o arolwg y Comisiynydd ynghylch effaith y pandemig ar drefniadau'r sefydliadau i ymdrin â chwynion. Nid oedd unrhyw sylw yn awgrymu bod sefydliadau'n derbyn nifer sylweddol o gwynion am eu darpariaeth nac yn cael anhawster delio â hwy.
- 4.11 Nododd mwyafrif y sefydliadau unai eu bod wedi parhau i ddelio â chwynion yn y modd arferol ac na fu unrhyw effaith o gwbl ar eu trefniadau neu na dderbyniwyd cwynion perthnasol yn ystod y cyfnod. Nododd rhai sefydliadau fod rhywfaint o effaith yn sgil newid trefniadau gwaith.

Cododd gweithio gartref nifer o faterion o ran cysylltu â staff yn fewnol. Roedd nifer o weithwyr hefyd wedi'u secondio i feysydd busnes eraill sy'n darparu gwasanaethau rheng flaen. Roedd dyletswyddau ychwanegol, materion TG ac amryw alw cystadleuol ar staff yn golygu bod yr ymatebion [i gwynion] yn llai prydlon. Roedd staff yn gweithio gartref yn golygu ei bod yn anoddach cael sgwrs / dal i fyny, rhywbeth a fyddai wedi digwydd yn y swyddfa.

Awdurdod Lleol

Penderfyniadau polisi a hybu'r Gymraeg

- 4.12 Er bod rhai sefydliadau wedi addasu eu trefniadau ar gyfer penderfyniadau polisi'n gyffredinol, ni adroddwyd fod y pandemig wedi effeithio'n andwyol ar eu dyletswydd i ystyried effaith penderfyniadau polisi ar y Gymraeg gan y mwyafrif. Cyfeiriodd rhai sefydliadau at welliannau yn ystod y cyfnod i brosesau ystyried effaith penderfyniadau ar y Gymraeg ac roedd nifer yn cadarnhau eu bod yn ystyried y Gymraeg o fewn proses asesiad effaith cydraddoldeb arferol y sefydliad.

4.13 Nododd mwyafrif y sefydliadau na fu newid, gyda rhai'n manylu ynghylch y prosesau wnaeth barhau yn yr un ffordd.

Mae effaith penderfyniadau polisi ar y Gymraeg yn parhau i gael ei weinyddu trwy ddefnyddio prosesau ac adnoddau presennol y Cyngor. Nid oes gweithdrefnau newydd wedi eu sefydlu o ganlyniad i'r pandemig Covid.

[Awdurdod Lleol](#)

Mae asesiad effaith cydraddoldeb mewn lle sy'n cynnwys yr effaith y gall y penderfyniad polisi ei gael ar y Gymraeg. Mae staff wedi parhau i wneud yr asesiadau yma ar gyfer unrhyw benderfyniad polisi neu brosiect. Hyd yn hyn nid oes unrhyw asesiad wedi amlygu bod y gwaith a fwriedir yn cael effaith negyddol ar yr iaith Gymraeg.

[Corff a noddir gan Lywodraeth Cymru](#)

Mae gennym drefniadau ar waith i sicrhau bod unrhyw brosiectau busnes neu geisiadau am newid yn ystyried a oes effaith ar y gwasanaeth Cymraeg. Mae'r broses hon wedi parhau yn ystod cyfnod y pandemig ac mae ein gweithgareddau i archwilio sut gallwn barhau i wella'r gwasanaeth Cymraeg wedi parhau drwy gydol cyfnod.

[Adran Llywodraeth y DU](#)

Trefniadau wedi eu heffeithio

4.14 Nododd rhai sefydliadau fod y pandemig wedi gwneud iddynt addasu eu trefniadau i ystyried penderfyniadau polisi'n gyffredinol, gan gael yr un effaith ar y Gymraeg ag ar faterion eraill.

Yn ystod cyfnod y pandemig, o ganlyniad i ba mor gyflym yr oedd penderfyniadau'n cael eu gwneud, nid oedd polisiau/deddfwriaeth newydd a luniwyd bob amser yn caniatáu cynnal asesiadau llawn, integredig. Fodd bynnag, rhannwyd llif cyson o gyfathrebu gyda'r staff yn eu hatgoffa o'u dyletswyddau statudol i ystyried effeithiau gwneud penderfyniadau a rhoddwyd canllawiau newydd iddynt ar gymryd camau cymesur a rhesymol i sicrhau bod unrhyw benderfyniadau'n ystyried effeithiau ar y Gymraeg.

[Llywodraeth Cymru](#)

Ni wnaethpwyd unrhyw benderfyniadau polisi a gohiriwyd cyhoeddi Adroddiad Blynyddol yr Iaith Gymraeg yn sgil COVID19 gan fod pwyllgorau wedi eu hatal.

[Awdurdod Lleol](#)

Mae'r sefydliad wedi'i roi yn ffurfiol i fodd ymateb i argyfwng, sy'n golygu bod trefniadau newydd wedi'u rhoi ar waith i wneud penderfyniadau i ddelio â'r pwysau i ymateb yn gyflym i amgylchiadau sy'n newid. Mae hyn efallai'n golygu nad yw'r llwybr tystiolaeth i gefnogi penderfyniadau mor gadarn ag y byddai fel arfer.

Awdurdod Lleol

Polisi cyfredol y Cyngor yw defnyddio offeryn asesu effaith integredig er mwyn ystyried effaith penderfyniadau polisi ar y Gymraeg. Yn ystod y cyfnod clo, mae yna lai o benderfyniadau polisi wedi cael eu cyflwyno yn y Cabinet, hyn oherwydd bod rhaid i wasanaethau arallgyfeirio er mwyn medru delio a cheisio rheoli'r pandemig cyfredol.

Awdurdod Lleol

Datblygiadau i drefniadau asesu effaith

4.15 Nododd rhai sefydliadau eu bod wedi datblygu eu prosesau ar gyfer ystyried effaith penderfyniadau polisi yn ystod y cyfnod.

Bu'n rhaid addasu nifer o bolisiau oherwydd cofid sydd wedi rhoi cyfle pellach i ail edrych ar effaith penderfyniadau polisi ar y Gymraeg. Cyflwynwyd proses newydd gorfforaethol o ran cymeradwyo polisiau sy'n rhoi cyfle i ddefnyddio'r cyngor diweddarar' o'r Ddogfen Arfer Dda ar Lunio Polisi.

Coleg Addysg Bellach/Uwch

Yn ystod y pandemig, mae'r broses o asesu effaith polisi wedi'i ddiweddarau ac erbyn hyn mae swyddog y Gymraeg yn gweld yr holl benderfyniadau er mwyn rhoi sylwadau arnynt.

Awdurdod Lleol

Rydym yn ystyried goblygiadau cydraddoldeb ac amrywiaeth unrhyw bolisi neu fenter newydd fel mater o drefn, ac nid ydym yn credu bod unrhyw benderfyniadau polisi a wnaed yn ystod y cyfnod hwn yn effeithio'n negyddol ar gyfleoedd i ddefnyddio'r Gymraeg. O ganlyniad i ymgynghoriad diweddar Comisiynydd y Gymraeg ar Safonau'r Gymraeg, penderfynwyd ystyried a ellid gwneud ein Hasesiad o'r Effaith ar Gydraddoldeb yn fwy eglur er mwyn tynnu sylw'n benodol at a fyddai'r polisi newydd yn effeithio ar gyfleoedd i bobl ddefnyddio'r Gymraeg ac ar drin y Gymraeg yn llai ffafriol na'r Saesneg.

Cyngor Rheoleiddio Proffesiwn Iechyd

Bu cyfnod dros fis Ebrill a Mai lle nad oedd cyfarfodydd democrataidd y Cyngor yn cael eu cynnal, felly dirprwywyd y cyfrifoldeb penderfyniadau i'r Prif Weithredwr. Sefydlwyd Pwyllgorau Aur ac Arian er mwyn arwain ar y penderfyniadau hynny.

Mae'r cyfnod yma wedi ein caniatáu i gwblhau'r gwaith o ddatblygu Asesiad Effaith Integredig, gyda chwestiynau penodol o ran effaith penderfyniadau ar y Gymraeg. Mae dolen yn y canllawiau i Benaethiaid Gwasanaeth a Rheolwyr i ddogfen Comisiynydd y Gymraeg 'Safonau Llundio Polisi: Creu cyfleoedd i ddefnyddio'r Gymraeg a pheidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg'

[Awdurdod Lleol](#)

4.16 Nododd un bwrdd iechyd fod y pandemig wedi atal darn o waith i wella'r ystyriaeth i'r Gymraeg mewn penderfyniadau polisi ar draws sefydliadau iechyd.

4.17 Nododd rhai sefydliadau arall fod y pandemig wedi eu cymhell i roi ystyriaeth well i'r Gymraeg mewn penderfyniadau.

Roedd sawl adran yn adrodd bod y pandemig wedi rhoi cyfle iddynt edrych ar feysydd o'r newydd. Roedd yr ailagor yn enghraifft o hyn, wrth i weithdrefnau sydd yn eu lle ers degawdau o gwmpas orfod cael eu haddasu yn sylweddol, gyda'r Gymraeg yn ystyriaeth ganolog y tro hwn.

[Corff a noddir gan Lywodraeth Cymru](#)

Mae'r diddordeb cynyddol yn yr anfantais a grëwyd gan Covid-19 yn arwain at awydd i ymestyn y ddarpariaeth o wasanaethau drwy'r ddwy iaith – megis enghraifft Zendesk a ddefnyddir fel arloesedd gweithredol i wella effaith penderfyniad polisi.

[Corff a noddir gan Lywodraeth Cymru](#)

Mae gwaith wedi'i ohirio ar lunio proses Asesiad o'r Effaith ar Gydraddoldeb yn genedlaethol i Gymru, gan gynnwys asesiad o'r effaith ar y Gymraeg. Mae angen hyn er mwyn gwella'r asesiadau o effaith penderfyniadau polisi ar y Gymraeg.

[Bwrdd Iechyd](#)

Recriwtio gweithlu gyda sgiliau Cymraeg

4.18 Nododd y mwyafrif o sefydliadau na welwyd effaith ar eu gwaith o asesu'r angen am sgiliau Cymraeg wrth recriwtio. Mewn rhai achosion, nododd sefydliadau eu bod wedi cyflwyno gwelliannau i'w prosesau asesu yn ystod y cyfnod. Nodwyd gan 59 sefydliad

arall na fu newid ac roedd 3 sefydliad yn cadarnhau nad oeddent wedi cynnal asesiadau o'r angen am sgiliau Cymraeg wrth recriwtio yn ystod y cyfnod.

Gwaith ar y prosiect Dynodiadau Iaith wedi gallu cario ymlaen yn ystod y cyfnod clo a system newydd wedi ei sefydlu er mwyn monitro a nifer o gamau cadarnhaol wedi eu cymryd o fewn y cyfnod.

[Awdurdod Lleol](#)

Ni gynhaliwyd asesiadau iaith oherwydd argyfwng y sefyllfa. Roedd angen staff ychwanegol gyda sgiliau ac nid oedd iaith yn ffactor yn hyn.

[Sefydliad GIG Cymru](#)

Ar gyfer y swyddi newydd a gwag a ystyriwyd yn ystod y cyfnod clo, dilynwyd gweithdrefnau Adnoddau Dynol arferol o ran ystyried sgiliau Cymraeg.

[Awdurdod Lleol](#)

4.19 Nododd rhai sefydliadau, gan gynnwys 3 bwrdd iechyd, eu bod wedi datblygu eu trefniadau recriwtio yn ystod y cyfnod.

Mae'r gyfradd recriwtio wedi arafu tipyn yn ystod y cyfnod clo. Er hynny, rydym wedi cynnal ymgyrchoedd penodol i recriwtio i sectorau penodol e.e gofalwyr a glanhawyr. Mae'r swyddi hynny i gyd wedi'u gosod ar lefel 3 o ran sgiliau Cymraeg wrth hysbysebu. O ran y 521 o swyddi sydd wedi'u hysbysebu ers mis Ebrill 2020 tan ddechrau Hydref, roedd 394 o'r ymgeiswyr llywyddiannus yn dal sgiliau uwch yn y Gymraeg na'r lefel yr hysbysebwyd y swydd. Mae hyn yn awgrymu i ni fod ymateb cadarnhaol wedi bod i'r swyddi gan siaradwyr Cymraeg yn y gymuned leol.

[Awdurdod Lleol](#)

Ni welwyd effaith gan fod trefniadau cadarn wedi eu rhoi mewn lle i sicrhau bod staff allweddol o fewn y timau Adnoddau Dynol yn gallu gweithio o bell – gan sicrhau bod trefniadau arferol yn cael eu dilyn.

[Corff a noddir gan Lywodraeth Cymru](#)

Cyflwynwyd canllawiau gweithdrefnol newydd ym mis Ebrill 2020 i fodloni gofynion y Safonau Iaith Gymraeg felly bu effaith gadarnhaol trwy gydol y pandemig Covid.

[Bwrdd Iechyd](#)

Rydym ni'n ymwybodol bob amser o'r angen i recriwtio siaradwyr Cymraeg ac nid yw hynny wedi bod yn wahanol yn ystod pandemig COVID. Oherwydd yr angen i recriwtio 13,500 o weithwyr ar draws y DU i gefnogi'r cynnydd mewn ceisiadau am fudd-daliadau, rydym eto wedi gwneud ymgyrchoedd swyddi gwag penodol ar gyfer anogwyr gwaith dwyieithog (Cymraeg/Saesneg). Mae dull y recriwtio wedi newid, oherwydd y nifer cynyddol o staff sydd eu hangen. Lansiodd meicrowefan ar gyfer anogwyr gwaith i gefnogi'r ymgyrchoedd recriwtio, oedd yn darparu'r holl wybodaeth oedd ei hangen ar ymgeiswyr iddynt gael ystyried gwneud cais am y swyddi, gan gynnwys rolau a chyfrifoldebau swydd anogwr gwaith, gwybodaeth gefndirol ar yr Adran gwaith a phensiynau, cwestiynau cyffredin, rhestr o swyddi gwag yn ôl rhanbarth, y broses ymgeisio. Cydweithiodd ein Uned y Gymraeg gyda staff yn y timau Pobl a Gallu a SSCL i gynhyrchu fersiwn Cymraeg o'r wefan hon.

[Adran Llywodraeth y DU](#)

- 4.20 Fodd bynnag roedd y corff sy'n gyfrifol am brosesau recriwtio'r sector iechyd yn genedlaethol yn adrodd fod y pandemig wedi achosi oedi i brosiect strategol yn ymwneud â recriwtio oherwydd bod galw mawr wedi bod ac yn parhau i fod ar greu swyddi i ymateb i'r argyfwng ac mae hynny wedi rhoi pwysau anferthol ar eu timau Gweithlu a Datblygu.

Rydym yn cydnabod bod angen i ni ail-gydio yn y gwaith strategol trwy adolygu ac ail-greu Strategaeth Sgiliau Dwyieithog i'r sefydliad, creu porth gwybodaeth ar dudalennau mewnwyd Gweithlu a Datblygu Sefydliad a datblygu modiwl hyfforddiant penodol i reolwyr recriwtio unai ar lein neu mewn dosbarth iddynt fod yn ymwybodol o'r hyn y disgwylir wrth i ni asesu sgiliau Cymraeg ar gyfer swyddi gwag.

[Sefydliad GIG Cymru](#)

Datblygu sgiliau Cymraeg

- 4.21 Adroddwyd mai cymysg oedd effaith y pandemig ar ddarpariaeth dysgu Cymraeg sefydliadau. Os oedd gwersi wedi parhau o gwbl, roedd hynny gan amlaf ar-lein, weithiau ar ôl cyfnod o oedi. Roedd darpariaeth rhai sefydliadau (yn enwedig rhai gyda niferoedd llai o ddysgwyr) wedi dod i ben.
- 4.22 Er bod rhai cyfeiriadau at drafferthion, nododd nifer o sefydliadau fod y gwersi ar-lein wedi gweithio'n dda. Nododd nifer o sefydliadau iddynt weld cynnydd yn y staff oedd yn manteisio ar y ddarpariaeth, gyda sawl awgrym fod dysgu ar-lein yn siwtio mwy o bobl yn well; roedd rhai sefydliadau ar y llaw arall, wedi gweld gostyngiad yn eu niferoedd.
- 4.23 Adroddwyd gan nifer o sefydliadau eu bod wedi sefydlu darpariaeth newydd neu ychwanegol ar gyfer dysgu Cymraeg, er enghraifft *Say Something in Welsh*, yn ystod y cyfnod, a bod yr ymateb yn gadarnhaol.

Y Ganolfan Dysgu Cymraeg Genedlaethol: arloesi i gynnig rhagor o gyfleoedd i ddatblygu sgiliau Cymraeg y gweithlu

Mae'r Ganolfan Dysgu Cymraeg Genedlaethol wedi ymateb i her amgylchiadau'r pandemig a galluogi dysgwyr i barhau i ddatblygu sgiliau Cymraeg yn eu gweithleoedd. Ym mis Mawrth 2020, wrth i'r dysgu wyneb i wyneb ddirwyn i ben, addaswyd darpariaeth rhaglen Cymraeg Gwaith y Ganolfan, rhaglen sy'n cryfhau sgiliau Cymraeg yn y gweithle, mewn ymateb i leihad sylweddol yn y cyllid a'r sefyllfa iechyd cyhoeddus.

Ym mis Hydref 2020 cyhoeddwyd cwrs Dysgu Cymraeg hunan-astudio ar-lein am y tro cyntaf, yn cynnig i ddysgwyr ddilyn lefel gyfan ar amser cyfleus i'r unigolyn. Roedd y cwrs cyntaf hwn ar lefel Mynediad, y nod yw parhau i ddatblygu cwrs tebyg ar y lefelau eraill dros y flwyddyn i ddod.

Roedd y datblygiad yn ymateb i'r galw cynyddol am ddulliau hyblyg o ddysgu ac mae'r pwyslais o'r cychwyn cyntaf un wedi bod ar ddefnyddio'r Gymraeg yn y gweithle. Er bod y cwrs yn un hunan-astudio, mae tiwtor yn cefnogi, gan gynnig cyngor a chymorth ac mae sesiynau sgwrsio a holi ac ateb rhithiol hefyd yn cael eu cynnal.

Erbyn diwedd Mawrth 2021 roedd dros 800 o unigolion o dros 60 o gyflogwyr, wedi cofrestru i ddilyn y cwrs newydd – y mwyafrif yn sefydliadau'r sector gyhoeddus.

Adroddwyd gan y Ganolfan fod mwy o gyflogwyr nac erioed wedi ymgysylltu â nhw yn ystod 2020-21. Mae'r cwrs wedi apelio yn fawr yn enwedig i gyflogwyr megis y byrddau iechyd, oedd yn ei chael yn anodd yn y gorffennol i ddilyn strwythur arferol o fynychu gwersi wythnosol yn y gweithle. Mae'r gallu i ddilyn cwrs ar amser sy'n gyfleus i'r dysgwr yn golygu bod y cwrs yn boblogaidd i bobl sy'n gweithio shift – carfan anodd ei chyrraedd yn draddodiadol, o ran darparu cyrsiau.

Erbyn Mawrth 2021 roedd cyllideb Cymraeg Gwaith wedi ei adfer i'r lefel blaenorol ac mae modd eto i'r Ganolfan Dysgu Cymraeg Genedlaethol gynnig amrywiaeth eang o gyrsiau i gyflogwyr, gan barhau i arloesi a chynnig ystod o ddulliau dysgu wrth i gynllun Cymraeg Gwaith ddatblygu.

Defnydd mewnol o'r Gymraeg

Sgyrsiau anffurfiol

- 4.24 Roedd gwahaniaeth barn o ran effaith y pandemig ar gyfleoedd i gynnal sgyrsiau anffurfiol ac ar ddarpariaeth i ddatblygu sgiliau Cymraeg - nifer yn adrodd fod symud i weithio o adref wedi lleihau cyfleoedd i staff siarad Cymraeg â'i gilydd mewn sefyllfaoedd anffurfiol yn y swyddfa, a bod hyn wedi effeithio'n arbennig ar staff oedd yn manteisio ar gyfleoedd o'r fath er mwyn gwella'u hyder.

4.25 Nododd nifer o sefydliadau fod patrymau blaenorol wedi parhau mewn sgysiau a chyfarfodydd ar-lein. Nododd nifer o sefydliadau eu bod wedi mynd ati i drefnu cyfleoedd newydd ar-lein i staff ddefnyddio'r Gymraeg yn anffurfiol neu'n gymdeithasol.

Cyfarfodydd mewnol

4.26 Nododd y mwyafrif o sefydliadau nad oedd effaith ar iaith cyfarfodydd mewnol, neu fod y patrymau blaenorol wedi parhau. (Ar y cyfan, ein canfyddiad cyn cyfnod y pandemig oedd mai Saesneg oedd iaith mwyafrif helaeth cyfarfodydd mewnol yn y mwyafrif o sefydliadau).

4.27 Nododd rhai sefydliadau fod diffyg gallu cyfieithu ar y pryd ar blatfformau fel Teams yn rhwystr i ddefnyddio'r Gymraeg mewn cyfarfodydd mewnol hefyd. Nododd ambell sefydliad eu bod wedi mynd ati i sicrhau bod staff yn gallu cymryd rhan mewn cyfarfodydd mewnol drwy gyfrwng y Gymraeg.

Drafftio a gwaith ysgrifenedig

4.28 Nododd y mwyafrif o sefydliadau na chafod cyfnod y pandemig effaith ar arferion y gweithlu o ran iaith drafftio testun. Cyfeiriodd rhai sefydliadau at y cymorth a'r gefnogaeth sydd ar gael i staff ddrafftio yn Gymraeg, gan gynnwys mentora a phrawf ddarllen, a nododd rhai bod yr amgylchiadau wedi arwain at gynnydd mewn drafftio Cymraeg gan eu staff hwy, yn rhannol oherwydd y pwysau ar wasanaethau cyfieithu.

Atodiad 1: Sail tystiolaeth

1. Er bod casglu tystiolaeth ynghylch effaith Covid-19 ar ddarpariaeth gwasanaethau Cymraeg yn fwy heriol yn ystod 2020-21 oherwydd amgylchiadau'r pandemig mae'r Comisiynydd wedi medru dibynnu ar wybodaeth o'r ffynonellau canlynol:

- tystiolaeth am brofiadau aelodau'r cyhoedd gyflwynodd gwynion i'r Comisiynydd
- canfyddiadau'r Arolwg Omnibws Siaradwyr Cymraeg blynyddol
- canfyddiadau arolwg thematig Covid-19 a gynhaliwyd ym mis Medi 2020 i gasglu tystiolaeth gan sefydliadau am effaith y pandemig
- trafodaethau cyson yn ystod y flwyddyn rhwng swyddogion y Comisiynydd â'r sefydliadau cyhoeddus sydd dan ddyletswydd statudol i ddarparu gwasanaethau i bobl yng Nghymru wrth ddelio ag ymholiadau neu faterion yn ymwneud â'u cydymffurfiaeth
- arolwg a gynhaliwyd i wirio cydymffurfiaeth sefydliadau â'r safonau atodol.

Arolwg Omnibws Siaradwyr Cymraeg

2. Ers sawl blwyddyn mae'r Comisiynydd yn comisiynu cwmni Beaufort Research i ymgymryd â gwaith i gasglu gwybodaeth am agweddau pobl sy'n siarad Cymraeg at y gwasanaethau a ddarperir gan sefydliadau cyhoeddus a'u profiad o'u defnyddio. Oherwydd y pandemig roedd methodoleg cynnal yr arolwg ychydig y wahanol yn ystod 2020-21 i'r fethodoleg mewn blynyddoedd blaenorol.
3. Roedd y sampl wedi ei gynllunio fel arfer i fod yn gynrychioliadol o siaradwyr Cymraeg 16 oed a throsodd yng Nghymru trwy edrych ar gyfran sy'n medru siarad Cymraeg oddi fewn i'r 22 Awdurdod Lleol yng Nghymru. Fe wnaeth pandemig iechyd cyhoeddus COVID-19 atal yr arolwg rhag cael ei gynnal yn ei ddull arferol o gyfweld wyneb yn wyneb mewn pwyntiau sampl ledled Cymru ac yn lle hynny, cynhaliwyd cyfweiliadau ar-lein gan ddefnyddio platfform cyfnewid panel ar-lein. Ffurfiwyd yr arolwg ar-lein ar gyfer cwblhau ar gyfrifiadur personol / llechen a ffôn clyfar a chynigiwyd fersiynau Cymraeg a Saesneg i bob ymatebydd. Gofynnir cwestiwn agoriadol (A ydych chi'n siarad Cymraeg?) i sicrhau fod yr ymatebydd yn siarad Cymraeg ac felly'n gymwys i'w gyfweld. Gwnaethpwyd y gwaith maes ar gyfer yr arolwg yn ystod Tachwedd i Ragfyr 2020. Cwblhawyd a dadansoddwyd cyfanswm o 424 cyfweliad.

Astudiaeth thematig effaith pandemig Covid-19

4. Gwahoddwyd 224 o sefydliadau cyhoeddus sy'n gweithredu safonau'r Gymraeg neu gynlluniau iaith Gymraeg i gymryd rhan mewn arolwg gan y Comisiynydd ym mis Medi 2020 ynghylch effaith y pandemig ar eu:
- Gwasanaethau Cymraeg
 - Trefniadau cydymffurfio
 - Defnydd mewnol o'r Gymraeg.

-
5. Nodwyd nad bwriad yr arolwg oedd galluogi'r Comisiynydd i ddod i farn ar gydymffurfiaeth sefydliadau ond yn hytrach i:
 - Ddysgu beth oedd effaith y pandemig ar brofiadau defnyddwyr a staff
 - Deall pa mor gadarn a gwreiddiedig yw trefniadau sefydliadau ar gyfer cydymffurfio ac ystyried y Gymraeg
 - Adnabod rhwystrau i barhad y ddarpariaeth Gymraeg, ar lefel sefydliad unigol neu'n systemig
 - Canfod enghreifftiau o arloesi ac arferion da y mae sefydliadau wedi eu gweithredu er mwyn diogelu'r ddarpariaeth Gymraeg.

 6. Atebodd 121 (54%) o sefydliadau yr holiadur – 90 ohonynt (sef 75%) yn gweithredu dyletswyddau safonau'r Gymraeg a'r gweddill yn gweithredu cynlluniau iaith Gymraeg. Ceir copi o'r holiadur yn Atodiad 2 a rhestr o'r sefydliadau a gyfrannodd yn Atodiad 3.

 7. Derbyniwyd dystiolaeth gan amrywiaeth eang o sefydliadau o bob un o'r sectorau sy'n gweithredu'r gwahanol reoliadau safonau'r Gymraeg (rhifau 1 i 7). Mae'r dystiolaeth felly'n rhoi darlun o effaith y pandemig ar ddarpariaeth gwasanaethau Cymraeg ar draws y sbectrwm o sefydliadau cyhoeddus.

Atodiad 2: Cwestiynau arolwg effaith Covid-19 ar ddarpariaeth Gymraeg sefydliadau

Gwasanaethau Cymraeg

1. Effaith ar wasanaethau Cymraeg penodol

Rhowch eich barn ar effaith yr argyfwng ar y gwasanaethau Cymraeg a nodir, a'r rhesymau dros yr effaith. Wrth ystyried a oedd unrhyw effaith yn ffafriol neu'n anffafriol o gymharu â'r Saesneg, gallwch ystyried:

- Oedd y gwasanaeth ar gael o gwbl / yn llai aml?
- Oedd y gwasanaeth ar gael yr un mor gyflym ag arfer ynteu oedd yna oedi?
- Oedd y gwasanaeth yr un mor gywir / o ansawdd mor uchel ag arfer?
- Oedd y gwasanaeth yr un mor amlwg a hygyrch, ac yn cael ei hyrwyddo cystal ag arfer?

I ba raddau y gwnaeth yr argyfwng effeithio ar y gwasanaethau?

Beth oedd y rhesymau dros yr effaith?

Gwasanaethau: Derbynfa, Ffôn, Gohebiaeth, Cyfarfodydd gydag unigolion, Cyfarfodydd gyda nifer o bersonau / agored i'r cyhoedd, Dogfennau a deunyddiau eraill, gan gynnwys datganiadau i'r wasg, Gwefannau a gwasanaethau ar-lein, Cyfryngau cymdeithasol.

Dewis ateb: Effaith ffafriol o gymharu â'r gwasanaeth Saesneg; Dim effaith o gwbl; Effaith debyg i'r effaith ar y gwasanaeth Saesneg; Effaith anffafriol o gymharu â'r gwasanaeth Saesneg; Ddim yn berthnasol; Ddim yn gwybod

2. Effaith ar y defnydd o wasanaethau Cymraeg gan y cyhoedd

I ba raddau y gwnaeth yr argyfwng effeithio ar y defnydd o wasanaethau Cymraeg gan y cyhoedd?

Dewis ateb: Effaith ffafriol o gymharu â'r gwasanaeth Saesneg; Dim effaith o gwbl; Effaith debyg i'r effaith ar y gwasanaeth Saesneg; Effaith anffafriol o gymharu â'r gwasanaeth Saesneg; Ddim yn berthnasol; Ddim yn gwybod

Rhowch fanylion yr effaith, gan gynnwys enghreifftiau penodol os yn bosib. Beth oedd y rhesymau dros yr effaith?

3. Datrysiadau technegol

Ydych chi wedi datblygu neu ddefnyddio unrhyw ddatrysiadau technegol newydd yn sgil y cyfnod clo, ar gyfer hwyluso cyswllt y sefydliad â'r cyhoedd?

Dewis ateb: Do, Naddo

Sut mae'r datrysiadau hyn wedi effeithio ar y gallu i ddefnyddio'r Gymraeg?

Dewis ateb: Hwyluso defnyddio'r Gymraeg; Dim effaith; Rhwystro defnyddio'r Gymraeg
Beth oedd y rhesymau dros yr effaith?

Trefniadau cydymffurfio

4. Datblygiadau o ran llywodraethiant a'r Gymraeg

Wnaethoch chi roi trefniadau arbennig mewn lle yn ystod yr argyfwng er mwyn sicrhau bod y Gymraeg yn cael ei hystyried a'r ddarpariaeth Gymraeg yn parhau, er enghraifft drwy gynllun parhad busnes / amrywio cyfrifoldebau / newid gweithdrefnau?

Dewis ateb: Do, Naddo

5. Effaith ar drefniadau ac adnoddau cydymffurfio

Rhowch eich barn ar effaith yr argyfwng ar y trefniadau a'r adnoddau a nodir, a'r rhesymau dros yr effaith. Wrth ystyried yr effaith, ac a oedd yn gadarnhaol ynteu'n negyddol, gallwch ystyried:

- Oedd yr un lefel o adnodd ar gael ag arfer?
- Oedd yr un lefel o arbenigedd ar gael?
- Oedd y gwaith yn digwydd yr un mor brydlon ag arfer ynteu oedd yna oedi?
- Oedd y gwaith yr un mor gywir / o ansawdd mor uchel ag arfer?

I ba raddau wnaeth yr argyfwng effeithio ar y trefniadau a'r adnoddau hyn? Beth oedd y rhesymau dros yr effaith?

Trefniadau a'r adnoddau: Swyddogion y Gymraeg; Goruchwylio cydymffurfiaeth; Delio â chwynion; Gwasanaethau cyfieithu; Ystyried effaith penderfyniadau polisi ar y Gymraeg; Asesu'r angen am sgiliau Cymraeg ar gyfer swyddi gwag a newydd.

Dewis ateb: Effaith gadarnhaol; Dim effaith / Newidiadau gydag effaith niwtral; Effaith negyddol; Ddim yn berthnasol; Ddim yn gwybod

Defnydd mewnol o'r Gymraeg

6. Effaith ar ddefnydd mewnol o'r Gymraeg

I ba raddau wnaeth yr argyfwng effeithio ar y defnydd o'r Gymraeg gan staff y sefydliad yn y sefyllfaoedd hyn?

Sefyllfaoedd: Sgyrsiau anffurfiol; Cyfarfodydd mewnol; Drafftio a gwaith ysgrifenedig, e.e. dogfennau, ffurflenni a gohebiaeth; Datblygu sgiliau Cymraeg, e.e. gwersi Cymraeg

Dewisiadau ateb: Effaith gadarnhaol; Dim effaith / Newidiadau gydag effaith niwtral;

Effaith negyddol; Ddim yn berthnasol; Ddim yn gwybod

Rhowch fanylion yr effaith, gan gynnwys enghreifftiau penodol os yn bosib. Beth oedd y rhesymau dros yr effaith?

Arall

7. Datblygiadau ac effeithiau eraill

Oes yna unrhyw ddatblygiadau neu effeithiau eraill rydych wedi eu gweld yn sgil yr argyfwng?

Atodiad 3: Sefydliadau cyhoeddus a gyfrannodd i arolwg thematig Covid-19

ACAS	Comisiwn Penodiadau Barnwrol
Adran Addysg	Comisiwn y Gyfraith
Adran Gwaith a Phensiynau	Comisiynydd Heddlu a Throseddu De Cymru
Amgueddfa Cymru	Comisiynydd Heddlu a Throseddu Dyfed-Powys
APC Eryri	Comisiynydd Heddlu a Throseddu Gwent
Arolygiaeth Prawf EM	Comisiynydd Pobl Hyn Cymru
Asiantaeth Cyngor Cyfreithiol	Cronfa Gymunedol y Loteri
Asiantaeth Iechyd Anifeiliaid a Phlanhigion	Cwmni Hyfforddiant Cambrian
Asiantaeth Sicrwydd Ansawdd Addysg Uwch	Cyfoeth Naturiol Cymru
Asiantaeth y Swyddfa Brisio	Cyllid a Thollau EM
BBC	Cyllid Myfyrwyr Cymru
BIA Powys	Cyngor Bro Morgannwg
BIP Aneurin Bevan	Cyngor Caerdydd
BIP Bae Abertawe	Cyngor Cyllido Addysg Uwch Cymru
BIP Betsi Cadwaladr	Cyngor Defnyddwyr Dwr
BIP Caerdydd a'r Fro	Cyngor Dinas Casnewydd
BIP Cwm Taf Morgannwg	Cyngor Gwynedd
BIP Hywel Dda	Cyngor Llyfrau Cymru
Bwrdd Parôl	Cyngor Meddygol Cyffredinol
Canolfan Mileniwm Cymru	Cyngor Nyrsio a Bydwreigiaeth
CBS Blaenau Gwent	Cyngor Osteopatheg Cyffredinol
CBS Caerffili	Cyngor Proffesiynau Iechyd a Gofal
CBS Conwy	Cyngor Prydeinig
CBS Pen-y-bont ar Ogwr	Cyngor Sir Ceredigion
CBS Rhondda Cynon Taf	Cyngor Sir Ddinbych
CBS Torfaen	Cyngor Sir Fynwy
Chwaraeon Cymru	Cyngor Sir Penfro
CIC Hywel Dda	Cyngor Sir y Fflint
CIC Powys	Cyngor Sir Ynys Môn
Coleg Caerdydd a'r Fro	Cyngor y Gweithlu Addysg
Coleg Cambria	Cynilion a Buddsoddiadau Cenedlaethol
Coleg Gwent	Data Cymru
Coleg Merthyr Tudful	DVLA
Coleg Pen-y-bont	Dwr Cymru
Coleg Sir Benfro	Estyn
Coleg Sir Gar a Coleg Ceredigion	Gardd Fotaneg
Coleg y Cymoedd	Grwp Colegau CNPT
Comisiwn Brenhinol Henebion Cymru	Grwp Cynefin
Comisiwn Cydraddoldeb a Hawliau Dynol	

Grwp Llandrillo Menai
Gwasanaeth Gwybodeg
Gwasanaeth Llysoedd a Thribiwnlysoedd
EM
Gwasanaeth Tân ac Achub De Cymru
Gwasanaeth Tân ac Achub Gogledd Cymru
Hafren Dyfrdwy
Heddlu De Cymru
Heddlu Gogledd Cymru
Heddlu Gwent
Heddlu Trafnidiaeth Prydeinig
Swyddfa Comisiynydd Gwybodaeth
Iechyd Cyhoeddus Cymru
Llyfrgell Genedlaethol
Llywodraeth Cymru
Ofcom
Opera Cenedlaethol Cymru
Partneriaeth Cydwasanaethau GIG Cymru
PCYDDS
Prifysgol Abertawe
Prifysgol Bangor
Prifysgol De Cymru
Prifysgol Glyndwr
S4C
Sefydliad Dysgu a Gwaith
Swyddfa Annibynnol Ymddygiad yr Heddlu
Swyddfa Ysgrifennydd Gwladol Cymru
Swyddfa Ystadegau Gwladol
Swyddfa'r Cabinet
Swyddfa'r Gwarcheidwad Cyhoeddus
Tŷ'r Cwmnïau
WCVA
Ymddiriedolaeth Garbon
Ymddiriedolaeth GIG Gwasanaeth
Ambiwllans Cymru
Ymddiriedolaeth GIG Prifysgol Felindre

Atodiad 4: Geirfa

Defnyddir yr eirfa ganlynol yn yr adroddiad i gyfeirio at nifer neu gyfran y sefydliadau oedd wedi rhoi tystiolaeth ar effaith pandemig Covid-19 ar eu darpariaeth Gymraeg, fel rhan o arolwg y Comisiynydd:

rhai = rhwng 1 a 12 sefydliad (hyd at 10%)

nifer = rhwng 13-60 sefydliad (10-50%)

mwyafrif = rhwng 61-80 sefydliad (50-70%)

llawer = 81 sefydliad neu fwy (dros 70%)



Comisiynydd y
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Welsh Language
Commissioner

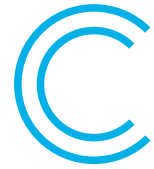
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Stepping Forward

The Welsh Language

Commissioner's assurance report

2020-21



Comisiynydd y
Gymraeg
Welsh Language
Commissioner



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The Commissioner's Foreword

It has been a year like no other - as the Covid-19 pandemic forced us all to live our day-to-day lives in different ways, public sector bodies in Wales have also had to adapt quickly to a 'new normal'. A 'normal' where meetings and appointments were held virtually; a 'normal' where it did not matter where staff answering the telephone were geographically located; a 'normal' where reception services could not be provided as usual and a 'normal' where instructions and messages were regularly and urgently published to an entire population on social media.

The pandemic has certainly presented many challenges and continues to do so, but it has also provided opportunities for our public organisations to deliver services in different and innovative ways. A few organisations embraced the opportunity to secure Welsh language provision, while others failed to take the opportunity to ensure that new arrangements maintained and promoted the provision of services to Welsh speakers.

Usually, in my annual assurance report, I express an opinion on how public organisations have taken action to comply with their statutory language duties. The emphasis this year however is different as I'm keen to recognise how difficult the period has been, particularly for those working in the health sector and within other key public sector organisations across Wales.

As such, the purpose of this report is to summarise what we have learnt to date about the impact of the pandemic on public organisations' Welsh language provision and Welsh speakers' experiences of services – not only the barriers that have had a detrimental impact but also the effective practices identified. Its main value being that it highlights the lessons to be learnt so that organisations can take action to strengthen future provision and increase the use of the Welsh language.

The Covid-19 pandemic will undoubtedly change the way public services are delivered in Wales from now on and some organisations will need to adapt in response to the messages in this report, as others have already done. They must act to ensure, not only that they provide the public services that Welsh speakers are entitled to, but that they also take seriously their responsibility for their promotion to encourage the citizens of Wales to use them.



Aled Roberts
Welsh Language Commissioner
September 2021

1 Report summary: main findings

This section provides a summary of the Commissioner's findings on the impact of the Covid-19 pandemic on public sector organisations' use of the Welsh language during 2020-2021.

Guidance is provided following the challenging time of the pandemic, to give public organisations an opportunity this year to learn from the findings and to take action to strengthen provision and increase the use of the Welsh language to the future - it is their responsibility to ensure that they comply with their duties.

Organisations have taken advantage of opportunities to innovate and strengthen Welsh language services provision

- A few organisations were able to innovate and respond urgently early in the pandemic, introducing new online services in Welsh. It demonstrates that organisations can consider the Welsh language from the outset when implementing projects.
- As meetings became virtual some organisations found technical solutions to enable continued use of the Welsh language. Others however, reported that they could not adapt and were unable to provide a service in Welsh or enable staff to use the language when working.

The Commissioner produced urgent guidance: Holding bilingual video meetings to provide practical advice to organisations on how bilingual services can be offered virtually. Simultaneous translation provision is still lacking in some online meeting platforms and as such, organisations need to put in place alternative arrangements to enable use of the Welsh language.

- Although there has been great pressure on organisations' translation services during the pandemic with the requirement for them to publish important and lengthy material as a matter of urgency; it appears that many succeeded. Developments to the arrangements of a few organisations, which include technical solutions, demonstrate the efforts made to adapt and be more flexible to ensure that the Welsh and English languages continue to be used side by side.

The Commissioner has an advice note: Bilingual drafting, [translation](#) and face-to-face use of the Welsh language which provides guidance to organisations on how to make innovative, effective and responsible use of translation services of all kinds to facilitate the offer of bilingual services of the highest quality. This report also provides examples of organisations that have established arrangements for the urgent translation of text and processes for prioritising specific types of information where the capacity of the translation service has been affected, as in a situation of pandemic.

Barriers highlighted the already emerging gap between organisations that comply well and those that do not have adequate arrangements in place

- Organisations with robust self-regulation processes were able to anticipate and deal better with difficulties that arose during the pandemic. They were most likely to have Welsh-medium provision that was resilient enough not to be adversely affected. They put business continuity arrangements, or specific supervision arrangements in place to continue to comply with their duties during the challenging period.

Organisations that failed to continue operating need to take a look at the arrangements of those who succeeded. The Commissioner has an advice note: [Overseeing compliance](#) that provides guidance on putting accountability, performance management and verification arrangements in place to ensure that an organisation is meeting its duties.

- Urgent decisions were made by some organisations without regard to the Welsh language. As a result, in a few situations a Welsh language service wasn't available as it used to be.

Organisations need to amend their emergency response plans and strategies to ensure that consideration is given to the impact of decisions on Welsh language provision, they need to have robust business continuity arrangements in place that include continuing to promote use of the Welsh language.

- Although the translation services of some organisations coped well during the pandemic emergency statements and materials about the pandemic were published in English only or published in Welsh later than English.

Organisations need to ensure that their translation services are resilient enough to allow them to publish important information in Welsh; this could require the development of translation services, the adaptation of arrangements or an increase in the Welsh language skills capacity of the workforce more generally.

- The move to virtual meetings demonstrated the reliance of organisations on the provision of online communication platforms of large multinational companies in order to comply with the standards and use two languages.

The Welsh Government already operates strategically with the relevant companies. This is an essential step in order to enable organisations to hold virtual meetings in two languages and to ensure that employees' use of the Welsh language is not restricted as part of new working arrangements.

The importance of promotion activity was highlighted, to increase use of the Welsh language

- The Welsh language standards place a duty on organisations not only to provide Welsh language services but also to promote those services, to ensure that people are aware of them and use them. As more public services are delivered digitally because of the pandemic, it needs to be recognised that a cohort of users assume, on the basis of experience, that services will not be available – it is essential to inform them that the services are available to ensure increased use of the Welsh language.

Organisations need to ensure that Welsh language services provided are effectively promoted and resources allocated to enable this.

- New practices were adopted as new patterns of working were introduced during the pandemic – for example, staff who did not previously draft Welsh language text were encouraged to do so rather than rely on translation services, as there was a need to move quickly to share key messages.

It is an important time for organisations to consider what interventions they can plan and deliver as an integral part of the introduction of new ways of working, to increase the use of the Welsh language in the workplace.

- A few organisations took advantage of the new online provision of the National Centre for Learning Welsh 'Working Welsh' programme to provide opportunities for staff to develop their Welsh language skills. The potential for higher numbers to take advantage of the new provision has become apparent as the investment in terms of time and travel costs is reduced and more flexibility in terms of study time.

Those organisations who found it difficult to maintain provision during the pandemic need to consider what adaptations they can plan and deliver to provide opportunities for their staff to develop their Welsh language skills.

- Organisations will face new and different policy decisions because of the pandemic, and it is essential that the impact on the Welsh language is fully considered.¹

During 2021-22 organisations subject to Regulations No. 1 should consider the impact of Covid-19 on the Welsh language when reviewing and adapting their promotion strategies for the next 5 years – impacts such as the changes to working practices on the housing market in some counties and the opportunities arising from the Government's intention to establish community hubs.

¹ in line with the requirements of the policy making standards

2 Context: regulation during the pandemic

- 2.1 During March 2020 when organisations across the public sector in Wales were putting plans in place to deal with the exceptional circumstances resulting from the Covid-19 pandemic, the Commissioner had a responsibility to consider its impact on his ability to exercise his functions under the Welsh Language Measure. Welsh language standards and Welsh language schemes remained in place and safeguarded important rights – he wanted to see opportunities to use the Welsh language maintained despite the challenges of the pandemic.
- 2.2 The Commissioner stated in his assurance report for 2019-20, Closing the Gap, that he saw a risk of a significant gap developing between organisations that have made considerable progress since the introduction of the Welsh language standards that are complying well with their statutory duties, and those that didn't have adequate arrangements in place to ensure compliance. It became clear that there was a risk that the pandemic could intensify the trend particularly as a few organisations, where concerns already existed about non-compliance, were relocating staff with responsibility for the Welsh language to other departments to undertake work related to the pandemic.

Adapting regulatory methods

- 2.3 To assist efforts to prevent the spread of the virus, the Commissioner wanted to avoid putting additional pressure on public sector bodies. He realised that the priority over the challenging period to come, for health sector organisations in particular, would be to manage the task of preventing the spread of Covid-19 and to deal with the increasing pressure of caring for a significant number of patients. He anticipated that the employees of some organisations would need to work under intense circumstances, and he did not want them to have to deal with additional stress whilst the demands on them were at their peak. Organisations in other sectors would also be likely to have to change their usual arrangements, with fewer staff available and many working from home. The Commissioner anticipated that they too might not be able to always follow normal processes, and that there would be significant constraints on time and resources. However, he considered the responsibility of organisations to share information and advice to the citizens of Wales continues an important service.
- 2.4 The Commissioner contacted public sector organisations at the end of March 2020 to share information on how he intended to adapt his regulatory approach under the circumstances. He emphasised that he still had a duty to regulate and asked organisations to continue to do their best to use the Welsh language when engaging with the public as far as possible. He urged organisations to put adequate translation arrangements in place as part of their preparations to communicate with the public and advised that it would be for the organisations to make decisions about how to use the Welsh language when sharing emergency information, depending on the circumstances and any crisis situations during the pandemic.

Applicability of Welsh language standard duties in a pandemic

- 2.5 Organisations were notified in March 2020 that exceptions had been included in the Welsh language standards regulations that take account of emergency situations that may be relevant to the current pandemic. For example, regulations No. 2, 5 and 7 allow consideration to be given to excluding the requirements of a body to supply a service when an emergency occurs and the service provided by it is necessary for the purpose of preventing, controlling, or mitigating an aspect of that emergency, and that there is an urgent need for the service. Therefore, in circumstances where the relevant conditions are met, there would be no requirement for some organisations to comply with some of the Welsh language standards.
- 2.6 Several requests were received from organisations for clarity about the applicability of their duties – investigations into complaints received by the Commissioner from the public subsequently highlighted that there was still a lack of understanding in the case of a few organisations that led to deliberate and unintentional decisions not to comply with the standards. This in turn had a detrimental effect on the provision of Welsh language services to the public.

Postponing the complaints handling process and statutory investigations

- 2.7 Between April and July 2020 all statutory investigations relating to health boards and NHS trusts in Wales were postponed. Some investigations into organisations in other sectors were also delayed – county councils and Welsh Ministers were informed by the Commissioner that he was willing to delay investigation processes if an organisation informed him that it was unable to respond to provide information within the usual timescale.
- 2.8 The Commissioner contacted complainants to invite them to comment on his intention to amend the agreed timetable for the statutory investigations he had already begun. Complainants were assured that where the Commissioner decided to delay an investigation, he would recommence the process once he considered it was appropriate to do so.
- 2.9 It was also decided to defer making decisions whether to investigate new complaints received between April 2020 and July 2020, including all complaints received relating to health boards and NHS trusts in Wales. The complaints process was re-commenced in August as the Commissioner believed that the additional pressures of the Covid-19 pandemic had reduced sufficiently.

At the start of lockdown, it was more difficult to conduct complaints investigations. This was because quite a few changes had suddenly taken place, officers had to be given the opportunity to cope with the new situation and sort out the new approaches ... we had a period of respite from having to carry out investigations by the Office of the Welsh Language Commissioner. As time goes on, and officers start to work in the order of the 'new normal' we are able to deal with complaints in the usual way following the corporate complaints process.

Local authority

The discretion shown by the Commissioner in dealing with complaints during the period March to August significantly helped to free up officers' time to work to ensure continuity of bilingual services during the challenging circumstances caused by the pandemic. A great number of officers were moved to vital roles at the start of the pandemic (this policy was reintroduced in early October), making it difficult to respond to ongoing investigations. Very few complaints relating to our bilingual services were received by the public during this period.

Welsh Ministers

- 2.10 A total of 117 complaints were received about organisations that operate Welsh language standards duties in the 12 months between April 2020 and March 2021 – over a third less in number than the previous two years. 24 complaints related to services linked to Covid-19. (A further 11 complaints relating to Covid were received between 1 April and 31 July 2021). During the initial period of the pandemic, fewer complaints were received about public organisations' compliance with the standards than during the same months in previous years. The number of complaints was very low in April and May 2020 but increased subsequently until they returned to usual levels by August and September 2020.
- 2.11 Some individuals contacted the Commissioner during the year to highlight what they considered to be shortcomings in the provision of Welsh language services but expressed that they did not wish to make a complaint. Many of the concerns related to 'test and trace' services and the Covid-19 vaccination programme and in providing information about their experiences people noted the challenging circumstances in which the organisations were operating as a reason for not wanting to make a formal complaint.

Delaying the process of challenging duties

- 2.12 The Commissioner was dealing with several requests from NHS Wales organisations to challenge duties under section 55 of the Welsh Language Measure in March 2020. It was decided to allow them more time to respond to the initial comments on their applications than is usually allowed – all applications were finally determined upon by October 2020.

Adapting monitoring methods: conducting a thematic survey on the impact of the pandemic

- 2.13 The Commissioner had to postpone his usual monitoring and engagement activities during 2020-2021 due to the limitations of the pandemic. He usually conducts a series of mystery shopper surveys to put himself in the user's shoes and to gather direct evidence about the experience of using public services. The Commissioner usually visits reception areas to test front line services, signage provision and self-service points. He also usually conducts surveys to test other services such as telephone, correspondence, and websites. The findings of these surveys are usually the main evidence base for his annual assurance report. Due to restrictions caused by the pandemic this monitoring activity had to be postponed.
- 2.14 Instead, a Covid-19 thematic study was undertaken in Autumn 2020 to gather the views of public organisations on the impact of the pandemic on their ability to provide Welsh language services. The Commissioner has also relied on information from other sources as an evidence base for his report this year.²
- 2.15 The Commissioner recognises that it is not possible to rely solely on the evidence of the Covid-19 thematic survey to report on the impact of the pandemic on the provision of Welsh language services. Responding to the Commissioner's survey was optional and it is likely that the organisations with the resources and eagerness to respond to the survey had done so and that this could have put a more positive bias on its findings. The Commissioner is therefore not suggesting that the findings are representative of the situation across the board.
- 2.16 To try and achieve balance and to include evidence from users about their experiences of using public services during the pandemic it is possible to refer to evidence presented to the Commissioner from members of the public in their complaints during the period April 2020 – March 2021, and the findings of the annual Welsh Speakers Omnibus Survey.

Public expectations: Welsh Speakers Omnibus Survey

- 2.17 The findings of the Welsh Speakers Omnibus Survey annually allow the Commissioner to note if there are changes over time in public attitudes towards Welsh language services provided to them. The findings can be a measure of the extent to which the experiences of people who use Welsh language services have improved as the standards system embeds. This year however, comparison with previous years may not be entirely fair as the pandemic has forced a change in the methodology of the research with a shift from face-to-face interviews to online interviews. The services were also delivered in a different way by organisations.

² Further details on the Covid-19 thematic survey methodology and other evidence sources are in appendix 1

2.18 In November 2020, the Omnibus survey showed:

- That 35% of Welsh speakers believed that opportunities to use the Welsh language with public organisations were increasing and 45% felt that they remained the same – a 2% decrease from last year in those who agreed that there was an increase.
- 16% of Welsh speakers preferred to use the Welsh language when dealing with public bodies, a decrease from the findings of the previous two years (33% and 32%).
- 82% of Welsh speakers agreed that they are usually able to deal with public organisations in Welsh if they wish to do so.
- 20% of Welsh speakers noted that someone had prevented them from speaking Welsh with someone else who also wanted to speak Welsh – a 5% increase in the percentage who reported experiencing interference last year.

2.19 It should be noted that the survey was carried out in November 2020 during a period when the public were unable to use public services to the same extent or in the same way as they had in previous years. Evidence in section 3 of this report confirms that services were not always provided in Welsh on all occasions. It is therefore perhaps not surprising that fewer Welsh speakers stated that they favour using Welsh with public organisations.

2.20 70% of Welsh speakers surveyed agreed that the Welsh language services of public organisations were improving – an increase of 6% over two years.

2.21 61% of Welsh speakers agreed that they felt that the quality of Welsh-language public services was as good as English language services – this represents an increase of 14% over two years.

2.22 43% said that they disagreed that organisations make it clear how to complain if they are dissatisfied with their Welsh language services.

Holding virtual meetings bilingually

2.23 Many organisations in Wales have statutory duties to provide Welsh language services – both to the public and to their own staff. These duties include the requirement to enable people to use the Welsh language at meetings of all kinds, both public and private. These may be meetings of a sensitive nature, for example meetings about an individual's welfare, disciplinary hearings etc. Enabling an individual to use their preferred language in such situations can often be seen as a necessity rather than a choice, and an integral part of organisations' duty of care to individuals.

2.24 Shortly after the start of lockdown it became clear that fundamental changes to people's lives and working patterns because of the restrictions were causing a revolution in the use of technology, particularly those technologies that allow people to hold meetings

remotely. Public organisations were now being forced to maintain services through the provision of virtual meetings and by May 2020 the Commissioner had prepared advice to provide practical guidance on how to continue to offer quality bilingual services. The advice was based primarily on the experiences of the Senedd which had been successfully holding virtual bilingual meetings since April 2020 and the expert input of the Association of Welsh Translators and Interpreters and the Translation Studies Consortium.

- 2.25 It was highlighted to the Commissioner by some public organisations that they favoured the use of Microsoft Teams to hold virtual meetings, whilst others adopted different software such as Zoom as the software enabled an additional channel for simultaneous translation. It became apparent that there was a risk of an organisation failing to comply with its statutory duties if the software it used to hold meetings did not enable people to use the Welsh language, let alone the detrimental impact that this could have on people's wellbeing.
- 2.26 As a result, the Commissioner decided to write to Microsoft in November 2020 to convey his real concern that public organisations that chose to continue to use Microsoft Teams were in danger of failing to comply with their statutory duties and neglected to provide opportunities for people to the Welsh language. In recognising the innovative investment in the past by Microsoft to develop Welsh-language interfaces, he expressed his hope that the company would use the same innovation to support the use of the Welsh language in this context as a matter of urgency – particularly as virtual meetings are now an integral part of people's daily working practices.

Advising on the moral and ethical issues of Covid-19

- 2.27 A group was brought together by the Welsh Government in April 2020 to provide independent advice to the health service on issues relating to the moral, ethical, cultural and faith matters during the Covid-19 pandemic. The COVID-19: Wales Moral and Ethical Issues Advisory Group provided advice to help the health service manage issues arising from the pandemic in a fair and equitable manner, with the aim of ensuring that all citizens of Wales receive care and respect equally.

International context

- 2.28 As a pandemic is international in its nature, the impact of Covid-19 on the Welsh language can be considered in a worldwide context. The International Association of Language Commissioners network has enabled the Commissioner to learn about the common challenges the pandemic presented to minority languages across the world and to share information about its impact on the Welsh language to date.

2.29 The Commissioner of Official Languages of Canada reported that the pandemic had illustrated on the one hand the strength and resilience of federal institutions while, on the other hand, has shed a harsh light on what isn't working: specifically, internal structural barriers.

During times of crisis, the limited capacity of federal institutions to provide services to the public in both official languages becomes apparent. If a federal institution has underestimated the level of language skills required for its employees, despite the tasks and duties of their positions, then during an emergency situation, those employees will likely be unable to respond to the public with the same attention to detail and quality of service in both official languages. The same is true for managers when it comes to supporting their employees.

The COVID-19 pandemic forced our federal institutions to react promptly and decisively ... too often, urgent safety communications were issued in only one of our two official languages, and Canadians had to wait for the translation into the other official language. This situation exposed the corporate culture of many work units in federal institutions that do not always prioritize official languages or respect the principle of equality of English and French.

I firmly believe that changes are needed within the federal government so that during emergencies, official languages stop being an afterthought and start being an integral part of crisis management.

Raymond Th  berge, Commissioner of Official Languages, Canada

2.30 A report was published by him in October 2020 [A Matter of Respect and Safety: The Impact of Emergency Situations on Official Languages](#) – a study on the impact of emergencies on official languages. The report's key finding was that one official language often takes a back seat in emergency situations and therefore recommended that the Government of Canada should implement internal procedures and work tools for communications in both official languages, and then evaluate their effectiveness in normal times and in times of crisis.

The complaints my office has received over the past few years, the investigations we have conducted and the report we released on emergency situations clearly show the recurrent nature of this problem. One of the root causes of this issue is the improper assessment of the language requirements of positions, which means that many public servants lack the second language skills to be able to respond to the public or supervise employees in either official language.

In my opinion, the problem relates to a certain lack of maturity on the part of federal institutions when it comes to official languages, which translates into two things: a lack of clearly defined processes and mechanisms integrated into the business processes of federal institutions; and a work environment where employees rarely have the opportunity to speak or work in the non-predominant official language, be it their first or second official language.

Raymond Théberge, Commissioner of Official Languages, Canada

- 2.31 In his Tuarascáil Bhliantúil Annual Report 2020 the Irish Language Commissioner notes that the state has been facing huge challenges providing for those who needed it most during a time when the world was in the grip of a health, social and economic crisis. He added that valuable experience is being gained as these challenges are addressed which will be of benefit to the public service in the times ahead and that circumstances such as these provide some insight as to how securely rights legislation is embedded in the state administration.

One in five complaints I received this year related to the health crisis; information wasn't available in Irish or there was a delay in providing it in Irish compared to English. One such issue which upset complainants was public bodies erecting English-only signs regarding COVID-19, as if the regulations under the Act simply didn't exist ... This is a substantial and visual failing of a basic statutory obligation which has been in place for over ten years.

The general feeling amongst those who contacted my Office was that the first official language was being brushed aside or that the language and Irish language speakers were being marginalised on occasion, at a time when bringing the public together in common purpose was required.

Rónán Ó Domhnaill, Irish Language Commissioner

- 2.32 His investigations during 2020-21 found common themes in the responses from public bodies about their statutory obligations – the need to take a particular action urgently that, due to the extremely rare circumstances of the health emergency, led to decisions being taken to not give effect to statutory language obligations, to defer them, or to ignore them as it would delay whatever action was being undertaken.
- 2.33 The Irish Language Commissioner noted that there should not be any conflict between the serious national actions underway to deal with the pandemic and the responsibilities regarding language rights. He says that the basis of the argument by public bodies is the resource needed to comply with linguistic duties, and that providing services bilingually could lead to delay. If the argument was valid, it would create a situation where service provision in Irish would depend on the particular situation in question and the priorities or resources of the public body - this could lead to a situation where the more important and urgent the service is, the less chance would be for the public to receive them in Irish.

There should not be a conflict between the grave national actions underway and obligations regarding language rights.

Rónán Ó Domhnaill, Irish Language Commissioner

3 The effect of COVID-19 on the provision of Welsh language services

Context

- 3.1 As already mentioned, the Commissioner conducted a survey in Autumn 2020 to gather the views of public organisations on the impact of the Covid-19 pandemic on their Welsh language provision. This section of the report summarises the evidence received about the impact on service provision – quotations were selected to reflect organisations' different views.
- 3.2 The majority of organisations responding to the survey reported that the pandemic had no greater impact on their front-line Welsh language services such as reception and telephone services – in comparison with the English-language equivalent – and that Welsh services continued to be offered in the same way they were before the crisis. This however does not mean that the organisations were complying with their duties, simply that they continued to offer the Welsh services to the same extent as before the pandemic.
- 3.3 Where it was noted by organisations in their response to the survey that there had been no impact whatsoever on Welsh language service provision, this does not mean that Welsh language provision was adequate, or compliant. In addition, because the same duties have not been placed on all organisations and as there are exceptions to some duties in an emergency in some cases, references to delays or shortcomings in Welsh language services during the pandemic do not necessarily mean that there was failure to comply.
- 3.4 This section also contains some evidence received from members of the public when they presented complaints to the Commissioner between April 2020 and March 2021. They have been selected to reflect different experiences where the Commissioner has successfully completed the investigation process and informed the organisations of his determination and the steps he is imposing to correct any failures.

Front line services

Reception

- 3.5 Some organisations reported that their reception services had ceased completely as offices were closed (either wholly or to visitors). Where a reception service had restarted or continued, there were suggestions that they had been adapted, e.g. taking place on an appointment-only basis, or with fewer staff.

Closing buildings and restricting staff numbers made it difficult to obtain / allocate staff with Welsh skills. Many employees were seconded to work in the Tracking, Tracking and Safeguarding section, which reduced the number of Welsh speakers.

Local Authority

- 3.6 A few organisations noted that adaptations had meant that fewer Welsh-speaking staff were available, but in other organisations it was reported that the capacity of Welsh language services was not affected.

Telephone

- 3.7 Some organisations reported that they transferred telephone services to the homes of staff without it affecting Welsh language service delivery. However, there were also examples of organisations who had difficulty transferring calls to Welsh speakers, either due to technical reasons or due to a lack of staff. Whilst a few organisations saw a comparable increase in the use of telephone services, others reported that the Welsh services did not increase at the same rate as their English equivalents.

Telephone calls are still answered bilingually so there is no impact on the answering service. However, telephone calls cannot be transferred directly as staff work from home ... there are potential delays in speaking to key Welsh speaking personnel.

Local Authority

- 3.8 A few organisations referred specifically to new technical solutions that enabled improvements to telephone call transfer arrangements so that a Welsh language telephone service could be provided as staff worked from home.

We introduced a new telephone system that enabled residents to identify a language choice - English or Welsh - before choosing which service they wanted to talk to an adviser about. With the vast majority of residents wishing to speak in English this meant that, most of the time, our Welsh speaker was already dealing with an English speaker and was not always available. This was identified as a matter of concern and a voicemail saving facility was added, where a Welsh speaker could leave a message which would be transferred to a Welsh-speaking councillor to deal with the issue as a priority.

Local Authority

A technical solution was urgently needed at the end of March to enable our Customer Care Centre staff to answer calls on our main telephone number from home, using mobile phones. A similar system was in place already for emergencies. This system has been adapted to respond to calls as normal. The first emergency solution introduced at the end of March did not offer the customer a language choice beyond a recorded message in Welsh, but this was resolved very soon to ensure that the system offered a proactive language choice to all customers as usual.

Welsh Government sponsored body

- 3.9 A few organisations referred to the introduction of online chat as a means of reducing contact through reception and telephone, and had made Welsh speaking staff available.

Meetings

- 3.10 Introducing online meetings was the most prominent technical development introduced by organisations during the pandemic. Although references were made to difficulties in terms of lack of simultaneous translation in some online meeting platforms, it appeared that some had been able to overcome them by for example, using a platform that does allow simultaneous translation, using two systems to have two audio streams or ensuring that everyone that the meeting (attendees and staff) spoke Welsh.

We had to urgently review the simultaneous translation element of our work to ensure that the right to speak Welsh at a Court hearing was maintained as they became virtual. The team achieved this by using a combination of CVP (video cloud platform) and a *BTMeetMe* call for the translation. Once the process was approved it was ensured that the translators had the opportunity to try the system and subsequently comprehensive instructions were drawn up on how to use it.

UK Government Agency

Any meetings with individuals have been held by virtual means due to workplace and wider restrictions. The impact has been similar to the impact on English language meetings in terms of administration and support to ensure effective arrangements. Translation ability is supported through our meeting platform, and we would seek to provide any required language services in the same way as if it were a face-to-face meeting.

Police Commissioner

Video consultation software enables more Welsh speaking staff to be matched with Welsh speaking patients – this could be more difficult in the previous clinical settings where Welsh speaking staff would need to travel long distances to meet patients.

Health Board

A key development for us as an organisation has been the introduction of online fitness to practice hearings, which have taken place remotely, using Zoom, since September 2020. During these hearings, a simultaneous translation service is available, to ensure that participants can do so in the language of their choice (English or Welsh).

Welsh Government sponsored body

The Council installed Microsoft Teams throughout the organisation. It is positive that the Welsh Government is developing work so that Teams can facilitate the use of simultaneous translation. We are constantly looking for continuous improvements and learning lessons as we adapt to a new way of working and using new technologies.

Local Authority

3.11 However, some organisations confirmed that they had introduced video meetings that did not enable the use of the Welsh language, and that having to move to conduct online meetings had restricted their ability to enable the use of the Welsh language. The evidence did not always explain what the reasons were for not using a platform that allows for simultaneous translation – a few indicated that concerns over safety was a factor.

Our organisation's preferred solution for virtual meetings *Webex* prevented the use of Welsh, as simultaneous translation is not currently available. Some regional meetings which would usually have offered simultaneous translation did not offer this when meetings were held virtually.

Local Authority

As staff were working from home during the pandemic, it meant that face to face meetings were either cancelled or carried out via MS Teams which does not support simultaneous translation.

Local Authority

Complaint about webcasting a meeting

It is not possible to watch a meeting of my local council's Cabinet on its Welsh language website, unlike the English version of the website where it is possible to watch the meeting smoothly.

Member of the public, November 2020

A member of the public complained about their local council's webcasting service. The Commissioner decided to investigate the complaint because he considered that streaming meetings has been a service that local authorities have provided for some time. The case also raised questions about the third-party provider's understanding of the requirements on the council.

It was reported that the company providing the service on behalf of the council had experienced technical challenges in using secure and appropriate software and providing equipment to enable a meeting to be recorded and uploaded remotely to the internet. The council acknowledged that it was aware that it was not possible to watch the meeting on the Welsh version of the webcasting website, although it was available on the English version of the website. By the time the Commissioner completed the investigation the council had modified the process of archiving meeting recordings to ensure that the meeting could be watched on the Welsh and English webcasting website.

The investigation has highlighted the need to ensure that service adaptations are planned in a way that takes account of the requirements of the Welsh language standards and that plans for responding to an emergency should be amended to ensure that consideration is given to the impact of decisions on Welsh language provision. The need for organisations using third parties to provide webcasting services was also highlighted to ensure that providers were clear about any requirements under Welsh language standards.

Written materials and text

Correspondence

- 3.12 The majority of organisations responding to the survey noted that Welsh correspondence had not been affected by the pandemic, with some detailing that normal processes were in place. A few referred to English only correspondence being sent, or that there were delays in sending a Welsh version.

All new correspondence was sent to students in Welsh and English. When registration was introduced online, all automatic messages from the central Information System were sent in both English and Welsh.

Further/Higher Education College

All correspondence is treated in the same way as before the pandemic, with no difference between Welsh and English.

Police
Commissioner

On very rare occasions messages have been sent in English only with Welsh following shortly afterwards, for example when we are required to provide urgent responses to our student cohort following lockdown announcements by Ministers. This is due to additional pressure on our usual translation providers which has led to some delays.

Further/Higher Education College

The Translation Team has been continuing to provide a full translation service from home. A message was sent to Senior Management at the start of the lockdown to inform that there was no impact on the translation service. The translation team prioritised any letters, press releases, job descriptions specifically related to Covid-19.

Health Board

3.13 A few organisations noted that responding to correspondence in Welsh was a service not available at all during the period.

Correspondence was considered to be an emergency and staff were not required to translate. Ensuring communication from staff meant that translation was not always possible and that the number of communications grew daily. We are slowly returning to a regular communication schedule.

[NHS Wales organisation](#)

The Welsh e-mail service had been closed between 20 March and 6 August 2020. Customers were able to contact us in Welsh on our social media. All online services worked well, and I encouraged customers to use them when possible (they continue to be the easiest and quickest way to discuss with us).

[UK Government Agency](#)

Paper correspondence, post and emails were handled in the usual way during and after lockdown. However, at times, due to the flow of electronic correspondence and tremendous work pressure on officers during this period, the response time for some correspondence was slower than normal. However, the situation was the same in relation to correspondence in both languages – there was no additional delay in responding to Welsh correspondence.

[National Park Authority](#)

Complaint about responding to correspondence

I have sent e-mails in Welsh to my local council regarding council tax direct debit payments – the Council has only responded in English.

Member of the public, May 2020

A complaint was presented by a member of the public alleging that he had received English correspondence from his local council on two occasions in response to e-mail correspondence sent to him in Welsh. The Commissioner decided to investigate the complaint because there was a suggestion that the failure was a systemic practice rather than a one-off error.

The investigation confirmed that the correspondence had been sent to the complainant by a member of staff during the Covid-19 pandemic while all Council staff were isolating and working from home. The Council had already produced a clear guide for staff which explained the steps to be taken to respond to Welsh language correspondence. It acknowledged that it had responded in English to correspondence received in Welsh because a member of staff offered a quick response.

The investigation has highlighted the importance of raising staff awareness of their responsibility to implement any guidance or procedures that have been adopted. It shows that business continuity arrangements need to be put in place to ensure that an organisation considers the impact of circumstances on the Welsh language during challenging times.

Documents and materials

3.14 In the majority of cases, organisations noted that the pandemic did not affect their ability to produce materials in Welsh – some referred to the importance of translation services,

Other emergency documents and materials were published in English only, e.g. the information/correspondence containing health and safety information published at the height of the crisis. The decision was made in the light of a number of circumstances: to ensure that relevant health and safety information is available in a timely manner; a large number of staff were temporarily redeployed to help with the Council's response to the outbreak and therefore limited the Welsh language capacity; as well as the new ways of working for staff at such a critical time. Where there were no separate versions of Welsh and English documents, it was possible to produce/publish separate Welsh and English versions etc.

Local Authority

that were under additional pressures, to achieving what was required. The majority of organisations explained that their usual arrangements had remained in place. Some noted that there were some cases where urgent statements or materials regarding the

At the start of lockdown, a letter was sent to all residents in English only informing them of the Community Friend Response Scheme which was being established to help vulnerable people in the county. This was due to the urgency of the letter and people joining the service.

Local Authority

Our translation system works effectively remotely so there is no language impact on documents. An English only document happened when a Covid outbreak occurred over a weekend and we needed to get information to parents urgently on our website on a Sunday evening, but this was corrected first thing on the Monday by our translation team (the team does not work on weekends).

Further/Higher Education College

pandemic were published in English only, or that there was a delay before a Welsh version was produced, due to difficulties translating the material quickly enough, as the situation was changing quickly or at short notice.

Complaint about sending correspondence

I received a letter and a leaflet by my local council through my letterbox. This included information in English only about the Covid-19 pandemic.

A member of the public, April 2020

A complaint was made by a member of the public claiming that they had received an English only document from the local council with information regarding the Covid-19 pandemic. The Commissioner decided to investigate as it appeared that a strategic decision had been made by the Council not to correspond in Welsh.

The investigation confirmed that the Council did not have any Welsh speakers in its Communications Team at the time and considered that delays would be inevitable if it sent correspondence in Welsh. The council acknowledged that they had sent the correspondence to the individual in English after making a decision on health and safety grounds and a lack of resources during a challenging period. The Commissioner ruled that the Council had failed to comply because it had made an intentional decision to ignore the requirements of the standard when sending the correspondence about a new

service to support vulnerable residents during the pandemic; time had been spent deciding on the content and design and it was the Commissioner's opinion that the Council should have made every effort to ensure that there was also time to create Welsh versions. It was noted that he expected to see an effort by the Council to maintain its Welsh language services at all times.

The investigation has highlighted the importance of revising emergency response plans and strategies to ensure that consideration is given to the impact of decisions on the Welsh language. The importance of establishing a process for prioritising specific types of information where the capacity of the translation service has been affected was highlighted. It has been shown that consideration needs to be given to how to ensure that emergency materials are published at the same time in Welsh and there may be a need to consider the capacity of the normal translation service, the arrangements for urgent text translation or the Welsh language skills capacity of the workforce more generally.

Websites and online services

3.15 It was reported by the majority of organisations that the pandemic did not affect their ability to provide web pages and online services in Welsh. A few noted that a few pages or services had been published in English only, or that there was a delay in publishing the Welsh version, due to an inability to obtain a translation quickly enough or to undertake development work in parallel.

3.16 Some organisations referred to new services and information introduced online – a few very

We had to develop a number of online forms at short notice. These included a business grant application form, a childcare booking form, an order form for our Waste and Recycling Centres, a click and collect order form for Libraries and booking forms for Leisure Centre activities. In order to produce these within the required timescales, a number were initially produced in English only. Those still in use, such as the Waste and Recycling Centre order form and the click and collect order form for Libraries, are now available in Welsh. Other forms are no longer in use.

Local Authority

At the start of the crisis some urgent messages were published on the website in English first with Welsh following once the message was translated, sometimes an hour or two later. The e-mail sent on March 17 – The Welsh Language Commissioner's regulatory work during Covid-19 – suggested that this was acceptable. Once the process was refined, the messages were simultaneously made public. As more of our services were offered digitally, we also realised that there was insufficient capacity in our translation department which led to a decision to appoint an additional translator.

Further/Higher Education College

early during the pandemic either at the same time or shortly after the English language service. This included high profile online services that affected a large number of people that were developed urgently in response to the pandemic.

UK Government Department for Work and Pensions: offering new online services at short notice

New services were announced online by the UK Government's Department for Work and Pensions during the first few months of the pandemic in 2020. Developments were already underway as part of the Department's commitment to improving customer satisfaction levels, but the work programme was speeded up at the start of the pandemic.

The system that enables applications for Pension Credit to be made online was built in just 4 weeks to enable the Pension Credit service to go live online in May 2020. It was noted by the Department that it was not possible to launch the Welsh language service at the same time given the challenging timescales, but it was launched shortly thereafter at the end of May 2020 after a period of testing.

Due to the pandemic other services were focusing their attention on implementing online services, including 'Applying for an online NS ESA', 'Applying for a NINO' and 'Repaying My Debt'. The Department for Work and Pension's Welsh Language Unit worked closely with the relevant project teams to ensure that Welsh versions of these services were also available.

Covid-19 has had a huge impact on much of the labour market, as some sectors have reduced in size and others are increasing rapidly. To help job seekers find work in new sectors and employers to find available employees, the Department also launched two new external websites: job help and helping employers. These websites offer labour market information for people looking for work now and advice for employers to help them recruit them. The Welsh Language Unit worked with the Strategic Communications Team to ensure that Welsh versions of these websites, as well as all assets, tweets, and toolkits, were available and that updates were made promptly.

A new website was added to GOV.UK to help people find out more about Covid-19 and to claim benefits. 'What is Universal Credit?' helps consumers understand what support might be available if they are on a low income or unemployed. Again, the Welsh Language Unit worked with the team responsible for this website to ensure that a Welsh version was also available.

Later as a result of Covid, a Kickstart scheme was introduced to help 16–24-year-olds gain skills to help them get jobs in the future. The Welsh Language Unit supported the team responsible for this project to ensure that all products, guidance, information etc. was available on the GOV.UK website and that the employer portal/Kickstart Portal to apply for the grant, to create work placements, was also available in Welsh.

It was reported that the Money and Pensions Service (MaPS), which is one of the non-departmental public bodies supported by the Department for Work and Pensions' Welsh Language Unit, also introduced a new website called MoneyHelper, and as a result an enormous amount of text needed to be translated during the year, with regular changes to current and new content about Covid on its website.

This practice highlights that it is possible to respond urgently and introduce new services online in Welsh and that that can succeed in considering the Welsh language from the outset when implementing projects. It also shows that an organisation that has established robust self-regulation processes and provides the necessary resources, such as the Department for Work and Pensions' Welsh Language Unit, was able to overcome difficulties – their Welsh language provision was resilient enough not to be adversely affected and they managed to continue to comply with their duties during the challenging period.

Complaint about publishing information on the website

The local council has published a number of pages containing information about the COVID-19 pandemic in English only on its website.

Member of the public, June 2020

A complaint was received by a member of the public claiming that information about Covid-19 was not available in Welsh on a number of pages and documents of his local council's website. The Commissioner decided to investigate the complaint as the council had not provided any comment about the circumstances of the complaint and an audit confirmed that the organisation had continued to update the website as recently as August 2020. It presented a suspicion that the complaint was a symptom of systemic practice and that an intentional decision had been taken to show, and to continue to show, information in English on the Welsh version of the website.

The council recognised that the period had been challenging as it needed to re-assign responsibilities to its staff because of the pandemic, and that it had a duty to share information with the public as soon as possible. It was noted that the council appeared to have been overwhelmed by the situation and that it was clear that the translation unit was involved in the urgent preparation of information for the website, but that there was not sufficient capacity to translate everything due to the size of the task. It was noted that the council's senior management team had concluded that it was more important to

proceed with placing information in English on the Welsh language website rather than waiting for the translation.

The investigation has highlighted the importance of ensuring that consideration is given to the impact of decisions on the Welsh language and revising emergency response plans and strategies. It shows that particular consideration should be given to the adequacy of translation arrangements to ensure that they are able to cope in periods when workload is higher than normal. The importance of establishing a process for prioritising specific types of information where the capacity of the translation service has been affected, as in a pandemic situation, was highlighted. The investigation also stresses the value of conducting regular audits of a service in order to self-regulate and test compliance and be in a position to anticipate and deal better with any difficulties arising from the pandemic.

New provision

3.17 A few organisations reported that they had increased their online provision during the lockdown period, including developing new application forms and apps, and that this new provision was available in Welsh. In a few circumstances Welsh language services were delivered after the English services. They ranged from high profile online services affecting many individuals to live chat technology that had not been previously used.

Many services and content have been moved online over the pandemic, and so there has been an increase in demand for online material. More videos have been produced, with an emphasis on recording Welsh and English versions rather than subtitling. The pandemic has moved a few projects digitally, such as a project that transcribes Welsh archive material. Documents will be automatically scanned, and any errors corrected, and the project will be responsible for increasing the amount of Welsh language material available on the web.

Welsh government sponsored body

A new online chat service was introduced during the pandemic, and this is available in either English or Welsh. The team working on the chat service is made up of Welsh speaking members of staff, and Welsh enquiries are responded to in Welsh.

Further/Higher Education College

Her Majesty's Courts and Tribunals Service: holding virtual hearings with simultaneous translation provision need to place somewhere relevant in the body of the department

In order to ensure that the right to speak Welsh at a Court hearing was maintained when they were held virtually, the Service had to review its simultaneous translation arrangements. By working with the Welsh Judiciary, it was able to secure this, using a

combination of CVP (video cloud platform) and a telephone call on *BTMeetMe* for the translation. Once the process was approved the translators had an opportunity to practice using the system and comprehensive instructions published.

Further improvements were later made to improve the user experience so that the need for a separate BT was removed. This involved using a two-room video scenario, similar to how simultaneous translation works on Zoom.

The practice highlights that the organisation succeeded in rapidly delivering new online services in Welsh, using technology that was brand new to them at the time. It also demonstrates the importance of having a robust self-regulation process that can anticipate and deal with difficulties that arise, allowing business continuity arrangements to be introduced without delay and allowing the Service to continue to comply with its duties.

- 3.18 A few organisations however noted that new online services had been developed and that there had been barriers to making these available in Welsh.

Online services have been available in Welsh but there was some difficulty at the outset in promoting and accessing a Welsh-medium platform placed on the University's website for the clearing and open days. The problem was resolved leading to increasing numbers visiting the Welsh version.

University

All student recruitment activity had to be moved online. Staff found it challenging to ensure that the presence of the Welsh language was evident in, for example, a virtual open diary. The system used was in English.

University

One Surgery under the control of the Health Board reports that they use AccuRx to communicate with patients via a video link. There are many options with this software to be able to send information to patients immediately through this system in terms of providing advice with their state of health, but these are not available in Welsh.

Health Board

Welsh Government and UK Government Department for Health and Social Services: COVID-19 NHS Testing and Tracking App

The Covid-19 NHS Testing and Tracking App was published urgently in May 2020 for public use in Wales following discussions between the Welsh and UK Government. The

Welsh Ministers were at the time in the process of agreeing a memorandum of understanding about their way of working and the provision of services in Welsh was included as an essential element of it.

When the App was launched it was possible for individuals to access and use it in Welsh completely and easily from the outset if the Welsh language was set as the default language of their device.

The Commissioner received a number of complaints about the App as those individuals were not aware of the need to set Welsh as the default language on their device or had devices that were too old for the App to operate on. As a result, a number of complainants had assumed that the service was not available in Welsh.

Neither the UK Government nor the Welsh Government appeared to have been able to raise public awareness sufficiently before launching the App to explain the limitations and manage expectations, emphasising that this service would only be fully available in Welsh if the device settings allowed it in advance.

It was also unclear at the time who had responsibility for the provision to the public in Wales as the Department for Health and Social Care the UK Government was the publisher of the App, but the Welsh Government was working with the department on the arrangements in Wales. In November it was confirmed by the Welsh Government that they would accept responsibility for Test Trace Protect services.

The Covid-19 NHS Track and Trace App is an example of a high-profile Welsh language service available to the citizens of Wales. It highlights how collaboration between the Governments can have a positive impact in terms of the Welsh language and how Welsh Ministers' statutory duties under the Welsh language standards can influence the provision of services delivered on their behalf by the UK Government.

Social media

3.19 In the majority of cases, organisations responded that the pandemic had not affected their ability to publish messages on social media in Welsh, with a few referring to the importance of a flexible translation service, or the availability of Welsh speakers. A few

Social media correspondence continued to be in Welsh and English throughout lockdown. The college appointed a new Social Media and Digital Marketing Officer during this period. The successful candidate is a fluent Welsh speaker who was able to continue to provide messages across social media in Welsh.

Further/Higher Education College

Many of the messages on our social media have been written bilingually by officers within the marketing team – all of whom have continued to work full time from home through the pandemic. Where necessary, the translation team is on hand to provide support.

Further/Higher Education College

Whilst we continue to publish messages in both Welsh and English the pandemic has affected our ability to do on-site face to face interviews and video clips...there are occasions where some messages has had to be published in English only (as these are out of core business hours where no Welsh language translation is possible and relate to emergency situations). This content is then updated with corresponding Welsh language content as appropriate. In relation to urgent online posts, we continue to mitigate the situation by ensuring that a repository of regular posts has and is being developed in both languages.

Police Authority

organisations noted that some messages had been published in English only, or that there were delays in publishing the Welsh version, due to an inability to obtain a translation quickly enough. Some organisations referred to increased use of social media for user engagement during the pandemic.

3.20 A few organisations said that social media messages were usually available in Welsh but that there were a few situations where this did not happen as it should have.

3.21 Some organisation noted that the majority of their Covid-19 communications were not available in Welsh.

There was an incident where urgent information was published before the translation was available. This was due to the amount of information that needed to be cascaded to the public and the short timescales to ensure that up-to-date information was provided.

Local Authority

Communication on social media was in English only at [the Centre]. These were specific to Covid relating to patient information posts and videos providing advice. Most of these videos are now subtitled and are available online.

NHS Wales organisation

An attempt was made to provide all publications in Welsh at the time, but due to the urgency of the situation, some messages had to be published while the translation was underway, with the Welsh language being added as soon as possible after this. This is no longer the case.

Local Authority

Most of our messages were published on social media in English only, mainly because of the need for the information to be shared urgently and the interpretation of the correspondence sent by the Commissioner.

Local Authority

3.22 A few organisations noted that additional pressure on the translation service had led to difficulties in publishing and some noted that they had used more social media to engage with the public during the period.

Translation services

3.23 The majority of organisations reported that their translation services continued as usual during the pandemic, enabling text to be provided in Welsh. It is clear from the responses of some organisations that the need to translate large amounts of text urgently placed great pressure on translation services, although this did not always affect the provision of services for users.

3.24 The additional pressure led to some organisations developing their translation arrangements, for example by appointing additional staff or improving processes, and the Welsh Government specifically referred to adapting ways of working and using technical solutions to work more efficiently.

3.25 A number of organisations noted that they had seen an increase in the translation workload.

Use of Welsh language services

We are responsible for providing written translation services to Conwy, Denbighshire, Wrexham and Flintshire Councils and the Welsh Local Government Association. There was a fairly quiet period of some of the counties for a short time in June, but that did not last more than a few weeks. Overall, the only difference we have seen with the written translation service, is that we are busier than ever during most of the pandemic.

Local Authority

We rely on our externally contracted translators to be able to provide timely translation for media releases and other updates released through the Department of Communications and Media. The pandemic has created challenges for our provider(s) in relation to dealing with applications at short notice – and as a result some of our updates have been in English only with Welsh following a short time later as soon as the translation is provided. The rapidly evolving nature of the pandemic has also required a lot of advice/guidelines/ changing rules that are often issued with little or no notice. We have tried to ensure that this information is published in both Welsh and English, but this has been challenging at times.

Police Authority

There was an incident where urgent information was published before the translation was available. This was due to the amount of information that needed to be cascaded to the public and the short timescales to ensure that up-to-date information was provided.

Local Authority

3.26 No consistent pattern was reported in terms of the impact of the pandemic on the extent of the use of Welsh language services – a few organisations noted an increase and some reported that the impact on the use of Welsh language services was similar to the use of English language services or that there was no impact at all.

We launched a bilingual campaign in March 2020, which gave people advice on how to keep in touch at home during the Coronavirus pandemic. We also had a bilingual advertising campaign over a ten-week period on social media and on local commercial radio stations in Wales. A study by our external agency showed that there was more engagement with Welsh content than English content on social media throughout the campaign in Wales, with a high click-through rate of 0.15%. Our video published in June 2020 attracted over 800 viewers on our Welsh Twitter account which has 305 followers – a very encouraging figure compared to the English version it received around 1700 viewers over the same period although the account has 50.5k followers.

UK Government sponsored body

The closure of the College resulted in far fewer enquiries than usual. Although the effects appear to be the same as for English, the extent of the impact on the Welsh language is not exactly known. No complaints have been received about the College's Welsh language service provision and overall take-up remains low.

Further/Higher Education College

At the height of the pandemic, there was a significant increase in the number of people wanting advice and guidance from our student and customer services teams, which in turn put a lot of pressure on our telephone lines and mailboxes. The impact of that, however, was the same for both the Welsh and English language services.

Further/Higher Education College

From mid-March to the end of April the Department received over 1.8 million applications across the UK (55,000 we would expect in a typical week). The number of those who had chosen to use Welsh increased from just under 1,000 before Covid to over 3,000. Our telephony teams saw a huge growth in enquiries and new applications in Both Welsh and English. Our robust business continuity plans needed to be put in place to enable the Department to do this.

UK Government Department

3.27 A few responses suggested that those organisations do not routinely consider the use of Welsh language services.

Comprehensive online Welsh language services swiftly introduced by Her Majesty's Revenue and Customs (HMRC)

Building on their already successful bi-lingual services, several new online services were swiftly introduced by HMRC during the pandemic. They include the:

- Coronavirus Job Retention Scheme (CJRS)/furlough scheme (for employers)
- Self-Employment Income Support Scheme (SEISS) (for the self-employed)
- Statutory Sick Pay Rebate Scheme (for employers)
- VAT Deferral Scheme (for businesses)
- Eat Out to Help Out (for the hospitality businesses)

The organisation reported that its good knowledge of its customer base and its pre-pandemic practices, in terms of its use of the Welsh language in their dealings with them, was central to the success of prioritising translation work to develop and deliver services in Welsh as a matter of urgency.

Comprehensive web-based guidance and telephone support were provided on the Welsh language telephone line that Welsh speaking customers were already familiar with.

Head of Welsh Language Services in HMRC confirmed: 'We knew that we had at least 5,000 SEISS customers who could want to use the online service in Welsh as they were used to submitting and providing files to us in Welsh online – so, we decided to develop this service first and it went live at the same time as the online service in English.

We also knew that we have around 320 employers that use the Welsh language option and tend to contact us by telephone or email. As the online CJRS claim service was set up in an unprecedented number of weeks it could not be translated immediately so we ensured employers could call us and make their claim in Welsh by telephone instead of online. The web-based guidance available in Welsh made it clear customers could use the telephone option to make their furlough claim and we sent e-mails explaining the situation and the support available in both English and Welsh.'

The organisation's Welsh Language Officer worked proactively to ensure liaison with key staff responsible for developing and delivering the services from the outset. Through regular daily and weekly contact, they ensured Welsh language materials were provided at the same time as any English versions. The regular contact ensured that the need for Welsh language services to be available at the same time as the English language services was met. It was made clear that there were no reasons for failing to overcome difficulties and resources and solutions were made easily available to the developers.

Between April 2020 and March 2021 HMRC:

- received over 20,000 calls in Welsh
- received over 1,200 e-mails in Welsh

- processed and responded to over 5,300 letters and forms in Welsh
- translated over 2.4 million words into Welsh
- registered almost 1 million visits and pages of their Welsh language services online – double the previous year's visits.
- delivered paid advertisements and made 1.24 million impressions
- posted key messages on social media to over 400,000 followers
- issued fortnightly emails on all the support available to employers and agents

All services were successfully provided in a period of weeks in Welsh and English, compared to the six months or more usually required. A spokesperson for HMRC's Welsh Language service reported that:

'Key to all of this delivery has been having a dedicated Welsh language officer and allocated Welsh language resources to oversee and work with others across different business areas to deliver this service. Despite the challenges of time constraints. The officer can facilitate and alleviate any issues as they know their Welsh language customer base, they are specialists in that sense. They know how the different elements of Welsh language services can be delivered quickly. They work at pace with others to resolve any restraints or issues. This person needs to be robust, knowledgeable and thrive on adversity. They need to be able to see through issues and work closely and co-operatively with many stakeholders to co-ordinate the delivery of the service.'

This practice highlights how HMRC responded quickly and how it was able to introduce new online services in Welsh during the pandemic by considering the language from the outset as well as maintaining its existing Welsh language services. It also shows that a body with robust self-regulation processes and a designated officer responsible for Welsh language services who can influence effectively across the organisation, made it easier to overcome difficulties and maintain compliance during a challenging time.

4 The effect of COVID-19 on organisations' internal arrangements

- 4.1 As well as inviting public sector organisations to provide information on the effect of the pandemic on their Welsh language services, the Commissioner also asked for their views on the effect the pandemic had on any internal arrangements to monitor their compliance with their statutory duties. They were asked to report on the resources available to undertake the work and the effect of the pandemic on the use of the Welsh language within the workplace and the qualitative evidence received is helpful in considering the adequacy of organisations' self-regulation processes and their ability to deal with difficulties that arose during the challenging period of the pandemic.

Overseeing compliance

Governance arrangements

- 4.2 Organisations reported that they had ensured Welsh language provision was considered as part of the organisation's general arrangements for business continuity during the pandemic. Some organisations noted that their corporate business continuity plan included or had considered Welsh language provision. A few noted that they had adopted a specific business continuity plan for the Welsh language.

The Council's continued compliance with the Welsh language standards has remained an integral part of any consideration in all of the Council's business continuity and contingency plans.

Welsh government sponsored body

Our quarterly Covid response plans were subject to an equalities impact assessment which included consideration of the Welsh Language ... they were approved by the Boards' Operational Committee.

Health Board

The Welsh language was part of our governance arrangements during the pandemic, and it continues to be considered throughout our processes though impact assessments. Some practical changes were made, for example reviewing our translation processes to deal with the significant demand in some areas.

University

We had arranged with our translators that a manager from the agency be available out of office hours if urgent translation or proof reading was required.

UK Government sponsored body

4.3 The majority of organisations noted that they had not adopted any special governance arrangements to ensure that Welsh language provision was considered during the pandemic. Some noted that this was because they were confident that the arrangements that were already in place were sufficiently robust and that they had continued to operate on that basis.

Officer with responsibility for the Welsh language resource

4.4 The majority of the organisations that responded to the survey stated that there had not been an effect on the resources available on a day-to-day basis for the work relating to the Welsh language. A few noted that there were some changes to working practices, or that workloads were heavier or more complex than usual. Despite this, some organisations noted that they had moved their Welsh language officers to other roles for a period.

We did not operate any special arrangements during the pandemic, it was business as usual, with the requirements relating to the Welsh language considered as they were prior to Covid. Support was provided to all parts of the business to ensure they could comply with our language scheme, with the team working closely with co-workers in other directorates.

UK Government department

As the Welsh language is already established as our delivery and administrative language, and we have such a high percentage of staff who have Welsh skills, the continuation of Welsh services was not a concern. Welsh language officers' roles were not changed, and their support continued.

Local Authority

The Council has not operated under any special arrangements to ensure consideration of the Welsh language. Rather, we operated the arrangements already in place such as procurement checklists, impact assessments, mainstreaming the Welsh language in policy developments and ensuring the availability of Welsh speaking staff through recruitment and training.

Local Authority

Welsh language officers within services were diverted onto Covid-19 work to support schools, the most vulnerable and TTP.

Local authority

The officer was redeployed for nearly four months at an operational level to the Council's Safe and Well Service.

Local authority

The professional lead for Welsh was redeployed to support critical services from March until September.

Local authority

Additional responsibilities were taken to respond to the Covid-19 pandemic and therefore there was not the same capacity to devote to the Welsh language.

Local authority

Planning and monitoring

- 4.5 A few organisations had reviewed their usual operational plans for the Welsh language and adapted them to enable operation in the pandemic.

Our Welsh language operational plan was updated in April because of the pandemic and reviewed again in July. This reflected the fact that the nature of much of our provision changed to be digital.

Welsh Government sponsored body

- 4.6 Some organisations reported that they had developed additional arrangements to monitor compliance, and others had continued with arrangements already established such as:
- review of customer service arrangements to ensure compliance.
 - ensuring that the way they arranged the workforce ensured the continuity of the Welsh language provision.
 - communicating with staff regarding the need to continue to comply during the pandemic.
 - ensuring that translation services were available, including outside usual office hours.
 - arrangements to ensure that any new services developed were delivered in Welsh.

- 4.7 Most organisations noted that there was no effect on their arrangements for monitoring compliance, but some did acknowledge that the task was harder than usual, primarily because it was not possible to discuss with staff in the same way, or to check provision at their locations.

A special meeting of the Police's working group for implementing the Welsh language was held to ensure that the work to deliver bilingual services continued to receive attention. Otherwise, it was 'business as usual' in terms of Welsh language services, with the expectation that language choice was delivered as usual.

Police Force

Our Compliance Officer was completing ad hoc audits of our social media to ensure that the Welsh language continued to be evident.

Local Authority

We completed a 'mystery shopper' exercise to ensure that there was no impact to the quality of our Welsh services; including answering correspondence, dealing with forms and the telephone service. We gained a high level of assurance from the services sampled.

Welsh Government sponsored body

It was possible to complete most of the monitoring processes by sampling from afar. Adaptations were made to the timetable of random checks with the online services checked during the strictest restrictions and then random checks of more visual and physical elements when rules were relaxed.

Further/Higher education college

It has been harder to monitor compliance as each Officer is working from home. There has been a significant reduction in face-to-face services. However, during the period, we have reminded Officers of their duties, by publishing Standards Guidance: 'What do I need to do' and have shared this through the Corporate News bulletin. We have also held two language awareness sessions online. Before the end of the year, we will ask each department to self-assess their services against the requirements of the standards.

Local Authority

- 4.8 A few organisations noted that they had put additional measures in place, or that the monitoring work was more effective by the Autumn than previously.

There was an impact on monitoring compliance during the period. As the Welsh language team was working from home it wasn't possible to visit the health board's sites and hospitals which forms a large part of the monitoring work. The Welsh language team conducts quarterly mystery shopper surveys that involve visiting three community hospitals, three surgeries under the control of the health board and three departments within the acute hospitals. It hasn't been possible to undertake these surveys. In addition, four members of the team were redeployed to provide support in another health board department. As a large number of other health service staff were in the same position, working from home and redeployed or re-trained to do other duties, it took longer to respond to e-mails.

Health Board

A negative answer was given as it is hard to keep an overview of compliance in a large and complex organisation in a period of significant change and when everyone is scattered. Remote working does not make it impossible to monitor compliance but as things settle to a more regular pattern, we need to think how we can ensure that the required level of monitoring is maintained.

University

Her Majesty's Revenue and Customs: anticipating difficulties and putting business continuity arrangements in place to maintain compliance during the pandemic

'Her Majesty's Revenue and Customs (HMRC) had planned thoroughly in advance and started preparing business recovery plans for the translation team two weeks before the lockdown was announced. Every member of the team was equipped to conduct business as usual from home and any new working methods were piloted. All of the team worked successfully and completely from home from the first day of lockdown.

The team providing support to Welsh customers was part of the initial trial to get everyone to work from home safely. This ensured that our Welsh language services were not affected or restricted by limited access to the office. Our customer service was maintained for Welsh speaking customers from day one and throughout the pandemic.

'We identified one gap, namely our ability to issue manual repayments where specialist printing was required for cheques and needed to be in the office to do this. We worked quickly with finance colleagues to come up with a new process and customer contact that led them towards a digital option for refunds directly to customer accounts.'

This practice highlights the importance of placing robust business continuity arrangements in place for Welsh language services. This ensures that the impact of

any circumstances on the Welsh language are considered, and that action is taken to maintain compliance during challenging times.

- 4.9 The Commissioner received some enquiries from organisations indicating that they would be unlikely to publish the Welsh language standards annual report by the required day, but none indicated that they would be unable to publish at all. Compared to 2018-19, there has been a deterioration in the performance of organisations in every set of regulations in terms of publishing their Welsh language standards annual report. Evidence from the Commissioner's survey of the supplementary standards during autumn 2020 confirms that 71% of the organisations required to publish a report had done so on time, in Welsh, and had dealt with how they complied during 2019-20.

Dealing with complaints

- 4.10 Very few comments were received from organisations that responded to the Commissioner's survey in relation to the impact of the pandemic on their complaints handling arrangements. No comments suggested that an organisation had received a significant number of complaints about their provision or had difficulty in dealing with them.
- 4.11 The majority of organisations either stated that they had continued to deal with complaints in the usual way or that there had been no impact whatsoever on their arrangements, or that no relevant complaints had been received during the period. A few organisations noted that there was some impact from changing working arrangements.

Working from home raised a number of issues in terms of contact internally with staff. A number of employees were also seconded to other business areas that provide front line services. Additional duties, IT issues and various competitive demand on staff meant that responses [to complaints] were less prompt. Staff working from home made it more difficult to have a chat /catch-up, something that would have happened in the office.

Local Authority

Policy decisions and promotion of the Welsh language

- 4.12 Although a few organisations adapted their arrangements for general policy decisions, the majority did not report that their duty to consider the impact of policy decisions on the Welsh language was adversely affected by the pandemic. A few organisations referred to improvements made during the period to the processes to consider the impact of decisions on the Welsh language and some confirmed that they considered the Welsh language within the organisation's usual equality impact assessment process.
- 4.13 The majority of organisations noted that there had been no change, with some detailing the processes that continued in the same way.

The impact of policy decisions on the Welsh language continues to be administered using the Council's existing processes and resources. No new procedures are in place as a result of the Covid pandemic.

Local Authority

An equality impact assessment is in place which includes the impact that the policy decision can have on the Welsh language. Staff have continued to make these assessments for any policy or project decision. To date no assessment has highlighted that the intended work has a negative impact on the Welsh language.

Welsh Government sponsored body

We have arrangements in place to ensure that any business projects or requests for change consider whether there is an impact on the Welsh language service. This process has continued during the pandemic period and our activities to explore how we can continue to improve the Welsh language service have continued throughout the period.

UK Government Department

Arrangements affected

- 4.14 A few organisations noted that the pandemic had made them adapt their arrangements to consider policy decisions in general, so the impact on the Welsh language was the same as on other matters.

During the pandemic period, as a result of the speed with which decisions were being made, new policies/legislation formulated did not always allow full, integrated assessments to be conducted. However, a steady flow of communication was shared with staff reminding them of their statutory duties to consider the effects of decision making and they were given new guidance on taking proportionate and reasonable steps to ensure that any decisions took account of impacts on the Welsh language.

Welsh Government

No policy decisions were made, and the publication of the Welsh Language Standards Annual Report was delayed due to COVID19 as committees were suspended.

Local Authority

The organisation has been placed in formal crisis response mode, which means that new decision-making arrangements have been put in place to deal with the pressure to respond rapidly to changing circumstances. This has meant that the evidence trail to support decisions may not be as robust as it might normally have been.

Local Authority

The Council's current policy is to use an integrated impact assessment tool to consider the impact of policy decisions on the Welsh language. During lockdown, fewer policy decisions have been introduced in Cabinet, this because services have to diversify in order to be able to deal with and try to manage the current pandemic.

Local Authority

Impact assessment arrangements developments

4.15 A few organisations reported that they had developed their processes for considering the impact of policy decisions during the period.

A number of policies had to be adapted because of Covid that has provided a further opportunity to look again at the impact of policy decisions on the Welsh language. A new corporate process has been introduced for approving policies which provides an opportunity to use the latest advice from the Good Practice Document on Policy Making.

Further/Higher Education College

During the pandemic, the policy impact assessment process has been updated and now the Welsh language officer views all assessed policy decisions for comment.

Local Authority

We routinely consider the equality and diversity implications of any new policy or initiative, and do not believe that any policy decisions undertaken during this time had a negative effect on the opportunities to use the Welsh language. As a result of the Welsh Language Commissioner's recent consultation on the Welsh Language Standards, we took the decision to consider whether our Equality Impact Assessment could be made clearer to draw out specifically whether the new policy would affect opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Health Profession Regulatory Council

There was a period over April and May where democratic Council meetings were not being held, so the responsibility for decisions was delegated to the Chief Executive. Gold and Silver Committees have been established to lead on those decisions.

This period has allowed us to complete the development of an Integrated Impact Assessment, with specific questions regarding the impact of decisions on the Welsh language. There is a link in the guidance for Heads of Service and Managers to the Welsh Language Commissioner's document 'Policy Making Standards: Creating opportunities to use the Welsh language and not treating the Welsh language less favourably than the English language'

Local Authority

4.16 One health board noted that the pandemic had prevented a piece of work to improve the consideration of the Welsh language in policy decisions across health organisations.

4.17 A few other organisations noted that the pandemic had motivated them to take better account of the Welsh language in decisions.

Several departments reported that the pandemic had given them the opportunity to look at areas afresh. The reopening was an example of this, as procedures in place for decades had to be significantly modified, with the Welsh language being a central consideration on this occasion.

Welsh Government sponsored body

The heightened interest in the disadvantage created by Covid-19 lead to a desire to extend provision of services through both languages – for example Zendesk used as an operational innovation to improve the impact of a policy decision.

Welsh Government sponsored body

Work on an all-Wales Equality Impact Assessment process including a Welsh Language impact assessment has been delayed. This is needed to improve assessment of the effect of policy decisions on the Welsh Language.

Health Board

Recruiting a workforce with Welsh language skills

4.18 The majority of organisations noted that there was no impact on their assessment of the need for Welsh language skills when recruiting. In a few cases, organisations reported that they had introduced improvements to their assessment processes during the period. A further 59 organisations noted that there had been no change and 3 organisations

confirmed that they had not undertaken assessments of the need for Welsh language skills when recruiting during the period.

Work on the Language Designations project has been able to continue during lockdown and a new system put in place to monitor and a number of positive steps have been taken within the period.

Local authority

Language assessments were not carried out due to the crisis of the situation. Additional skilled staff were needed and language was not a factor in this.

NHS Wales body

For the new and vacant posts considered during lockdown, normal HR procedures were followed in terms of considering Welsh language skills.

Local authority

4.19 A few organisations, including three health boards, reported that they had developed their recruitment arrangements during the period.

The recruitment rate has slowed considerably during lockdown. However, we have undertaken specific campaigns to recruit to specific sectors e.g., carers and cleaners. All of those posts have been placed at level 3 in terms of Welsh language skills in advertising. In terms of the 521 posts advertised since April 2020 until early October, 394 of the successful candidates held higher skills in Welsh than the level at which the post was advertised. This suggests to us that there has been a positive response to the posts from Welsh speakers in the local community.

Local authority

New procedural guidance was introduced in April 2020 to meet the requirements of the Welsh Language Standards so there has been a positive impact throughout the Covid pandemic.

Health Board

No impact was seen as robust arrangements had been put in place to ensure that key staff within the HR teams were able to work remotely – ensuring that routine arrangements were followed.

Welsh government sponsored body

We're always aware of the need to recruit Welsh speakers and that has been no different during the COVID pandemic. Due to the need to recruit 13,500 employees across the UK to support the increase in benefit applications, we have again made specific job vacancies campaigns for bilingual (Welsh/English) work coaches. The approach to recruitment has changed, due to the increasing number of staff required. A micro-website for work coaches was launched to support the recruitment campaigns, which provided all the information that applicants needed for them to consider applying for the posts, including the roles and responsibilities of a work coach post, background information on the Department for work and pensions, frequently asked questions, list of vacancies by region, application process. Our Welsh Language Unit collaborated with staff in the People and Ability and SSCL teams to produce a Welsh version of this website.

[UK Government Department](#)

- 4.20 However, the body responsible for health sector recruitment nationally reported that the pandemic has delayed a strategic recruitment project because there has been and continues to be a high demand on job creation to respond to the crisis and that has put huge pressure on their Workforce and Development teams.

We recognise that we need to re-start the strategic work by reviewing and recreating a Bilingual Skills Strategy for the organisation, creating an information portal on the Workforce and Organisation Development intranet pages, and developing a specific training module for managers to recruit either online or in class, for them to be aware of what is expected as we assess Welsh language skills for vacancies.

[NHS Wales organisation](#)

Developing Welsh language skills

- 4.21 The impact of the pandemic on organisations' Welsh language learning provision varied. If lessons had continued, it was mostly online, sometimes after a period of delay. The provision of a few organisations (particularly those with smaller numbers of learners) had ceased altogether.
- 4.22 Although there were a few references to difficulties, a number of organisations noted that the online lessons had worked well. Some organisations reported that they had seen an increase in staff accessing the provision, with several suggestions that online learning was suiting more people better; a few organisations, on the other hand, had seen a reduction in their numbers.
- 4.23 It was reported by some of organisations that they had established new or additional provision for learning Welsh, for example *Say Something in Welsh*, during the period, and that the response was positive.

The National Centre for Learning Welsh: innovation to offer more opportunities to develop the Welsh language skills of the workforce

The National Centre for Learning Welsh responded to the challenging circumstances presented by the pandemic to enable learners to continue to develop Welsh language skills in their workplaces. In March 2020, as face-to-face learning was forced to stop, a significant reduction in funding and a developing public health situation the Centre started adapting its Working Welsh programme, that provides support to develop Welsh language skills in the workplace.

In October 2020 a self-studying Learn Welsh course was published online for the first time, offering learners the ability to follow a course at an entire level at a time convenient to them. This first course was at Entry level, the aim being to continue to develop a similar course at the other levels over the coming year.

The development responded to the growing demand for flexible approaches to learning and the emphasis from the very beginning has been on the use of the Welsh language in the workplace. Although the course is a self-studying one, a tutor also offers support, giving advice and help, virtual chat and question and answer sessions.

By the end of March 2021 over 800 individuals from over 60 employers, had registered to study the new course – the majority of them working for public sector organisations.

The Centre reported that more employers than ever engaged with them during 2020-21. The course has appealed greatly, especially to employers such as the health boards, who previously found it difficult to offer provision where staff had to attend weekly lessons at a set time in the workplace. The ability to follow a course at a time convenient to the learner means that the course is popular with people working a shift – traditionally a hard-to-reach cohort in terms of course delivery.

By March 2021 the Working Welsh budget had been restored to the previous level and the National Centre for Learning Welsh can again offer a wide range of courses to employers, continuing to innovate and offer a range of learning methods as the Working Welsh scheme is developed.

Internal use of the Welsh language

Informal conversations

- 4.24 There were differences of opinion with regards to the effect the pandemic had on opportunities to conduct informal discussions and on provision to develop Welsh language skills – some reported that a move to working from home had reduced the opportunities for people to speak Welsh with each other in informal settings at work, and that this had particularly affected those staff that depended on these opportunities to improve their confidence.

4.25 Some organisations noted that previous patterns had continued with conversations and meetings online. Some organisations noted that they had arranged new opportunities online for staff to use the Welsh language informally or socially.

Internal meetings

4.26 The majority of organisations noted that there was no effect on the language of internal meetings, or that previous patterns had continued. (In general, our conclusion prior to the pandemic was that English is the language used predominately in internal meetings in the majority of organisations).

4.27 A few organisations noted that the inability to use simultaneous translation on platforms such as Teams was a barrier to using Welsh in internal meetings. A few organisations noted they had ensured that staff could take part in Welsh during internal meetings.

Drafting and written work

4.28 The majority of organisations noted that the pandemic did not have an impact on the way that staff drafted text. A few organisations referred to the help and support available for staff to draft in Welsh, including mentoring and proofreading, and a few noted that the situation of the pandemic had led to an increase in their staff drafting in Welsh, partly due to the pressure on translation services.

Appendix 1: Evidence base

1. Although gathering evidence on the impact of Covid-19 on the provision of Welsh language services has been more challenging during 2020-21 due to the circumstances of pandemic the Commissioner has been able to rely on information from the following sources:
 - evidence of the experiences of members of the public who submitted complaints to the Commissioner
 - findings of the annual Welsh Speakers Omnibus Survey
 - the findings of the Covid-19 thematic survey undertaken in September 2020 to gather evidence from organisations on the impact of the pandemic
 - regular discussions during the year between the Commissioner's officers and the public organisations that have a statutory duty to provide services to people in Wales when dealing with enquiries or issues relating to their compliance
 - a survey carried out to check organisations' compliance with the supplementary standards.

Welsh Speakers Omnibus Survey

2. For several years the Commission has been commissioning Beaufort Research to undertake work to gather information on Welsh speakers' attitudes to and experiences of using the services provided by public organisations. Due to the pandemic the survey methodology was slightly different during 2020-21 from the methodology in previous years.
3. The sample was usually designed to be representative of Welsh speakers aged 16 and over in Wales by looking at a proportion who can speak Welsh within the 22 Local Authorities in Wales. The COVID-19 public health pandemic prevented the survey from being conducted in its usual face-to-face interviewing at sample points across Wales and instead conducted online interviews using an online panel exchange platform. The online survey was formed for completion on a PC/tablet and smartphone and all respondents were offered Welsh and English versions. An opening question is asked (Do you speak Welsh?) to ensure that the respondent speaks Welsh and is therefore eligible to be interviewed. Fieldwork for the survey was undertaken during November-December 2020. A total of 424 interviews were completed and analysed.

Thematic study of the impact of the Covid-19 pandemic

4. 224 public organisations operating Welsh language standards or Welsh language schemes were invited to take part in a review by the Commissioner in September 2020 about the impact of the pandemic on their:
 - Welsh language services
 - Compliance arrangements
 - Internal use of the Welsh language.

-
5. It was noted that the review was not intended to enable the Commissioner to reach a view on organisations' compliance but rather to:
 - Learn the impact of the pandemic on the experiences of users and staff
 - Understand the robustness and rooting of organisations' arrangements for complying and considering the Welsh language
 - Identify barriers to the continuation of Welsh language provision, at an individual organisation level or systemically
 - Identify examples of innovation and good practice that organisations have implemented in order to safeguard Welsh language provision.
 6. 121 (54%) of the questionnaire organisations – 90 of them (75%) implement the duties of Welsh language standards and the remainder implement Welsh language schemes. A copy of the questionnaire is at Appendix 2 and a list of the organisations that contributed is at Appendix 3.
 7. We received evidence from a wide range of organisations from each of the sectors operating the different Welsh language standards regulations (numbers 1 to 7). The evidence therefore provides a picture of the impact of the pandemic on the provision of Welsh language services across the spectrum of public organisations.

Appendix 2: Impact of Covid-19 on organisations' Welsh language provision survey questions

Welsh language services

1. Impact on specific Welsh language services

Give your opinion on the pandemic's impact on the Welsh language services stated, and the reasons for the impact. When considering whether any effect was positive or negative compared with the English equivalent, you can consider:

- Was the service available at all / less often?
- Was the service available as timely as usual or were there delays?
- Was the service as accurate / of as high a standard as usual?
- Was the service as prominent and accessible, and promoted as well as usual?

To what extent did the crisis affect the use of Welsh language services?

What were the reasons for the impact?

Services: Reception, Phone, Correspondence, Meetings with individuals, Meetings with multiple persons / open to the public, Documents and other materials including press statements, Websites and online services, social media

Options: Positive effect compared with the English language service; No effect at all; Similar effect to that on the English language service; Negative effect compared with the English language service; Not applicable; Don't know

2. Impact on use of Welsh language services by the public

To what extent did the crisis affect the use of Welsh language services by the public?

Options: Positive effect compared with the English language service; No effect at all; Similar effect to that on the English language service; Negative effect compared with the English language service; Not applicable; Don't know

What were the reasons for the impact?

3. Technical solutions

Have you developed or implemented any new technical solutions as a result of lockdown, to facilitate the organisation's contact with the public?

Options: Yes, No

How have these solutions affected the ability to the Welsh language?

Options: Facilitated the use of Welsh; No effect; Prevented the use of Welsh

What were the reasons for the impact?

Compliance arrangements

4. Developments – governance and the Welsh language

Did you implement specific arrangements during the crisis in order to ensure that the Welsh language was considered, and the Welsh language provision continued, for example through a business continuation plan / varying responsibilities / changing procedures?
Options: Yes, No

5. **Impact on compliance arrangements and resources**

Give your opinion on the crisis's impact on the arrangements and resources stated, and the reasons for the impact. When considering the impact, and whether it was positive or negative, you can consider:

- Was the same level of resource available?
- Was the same level of expertise available?
- Did the work happen as timely a way as usual or were there delays?
- Was the work as accurate / of as high a standard as usual?

To what extent did the crisis affect these arrangements and resources?
What were the reasons for the impact?

Arrangements and resources: Welsh language officers; Overseeing compliance; Dealing with complaints; Translation services; Considering the effect of policy decisions on the Welsh language; Assessing the need for Welsh language skills for new and vacant posts.
Options: Positive effect; No effect / Changes with a neutral effect; Negative effect; Not applicable; Don't know

Internal use of the Welsh language

6. **Impact on internal use of the Welsh language**

To what extent did the crisis affect the use of Welsh by the organisation's staff in these situations?

Situations: Informal conversations; Internal meetings; Drafting and written work, e.g., documents, forms, correspondence; Developing Welsh language skills, e.g. Welsh language lessons

Positive effect; No effect / Changes with a neutral effect; Negative effect; Not applicable; Don't know

Give details of the impact, including specific examples where possible. What were the reasons for the impact?

Other

7. **Other developments and impacts**

Are there any other developments or impacts that you have seen as a result of the crisis?

Appendix 3: Public organisations that contributed to the Covid-19 impact survey

ACAS	Glyndŵr University
Aneurin Bevan UHB	Grŵp Cynefin
Animal and Plant Health Agency	Grŵp Llandrillo Menai
Bangor University	Gwent Police
BBC	Gwynedd Council
Betsi Cadwaladr UHB	Hafren Dyfrdwy
Blaenau Gwent CBC	Higher Education Funding Council for Wales
Books Council of Wales	HM Courts and Tribunals Service
Bridgend CBC	HM Inspectorate of Probation
Bridgend College	HM Revenue and Customs
British Council	Hywel Dda CHC
British Transport Police	Hywel Dda UHB
Cabinet Office	ICO
Caerphilly CBC	Independent Office for Police Conduct
Cambrian Training	Informatics Service
Carbon Trust	Isle of Anglesey County Council
Cardiff and Vale College	Judicial Appointments Commission
Cardiff and Vale UHB	Law Commission
Cardiff Council	Learning and Work Institute
Ceredigion County Council	Legal Aid Agency
Coleg Cambria	Monmouthshire County Council
Coleg Gwent	National Museum Wales
Coleg Sir Gâr and Coleg Ceredigion	National Savings and Investments
Coleg y Cymoedd	Natural Resources Wales
Companies House	Newport City Council
Conwy CBC	NHS Wales Shared Services Partnership
Cwm Taf Morgannwg UHB	North Wales Fire and Rescue Service
Data Cymru	North Wales Police
Denbighshire County Council	NPT Group of Colleges
Department for Education	Ofcom
Department for Work and Pensions	Office for National Statistics
DVLA	Office of the Public Guardian
Dyfed-Powys Police and Crime Commissioner	Office of the Secretary of State for Wales
Education Workforce Council	Older People's Commissioner for Wales
Equality and Human Rights Commission	Parole Board
Estyn	Pembrokeshire College
Flintshire County Council	Pembrokeshire County Council
General Medical Council	Powys CHC
	Powys Teaching Health Board

Public Health Wales
Royal Commission on the Ancient and
Historical Monuments of Wales
Rhondda Cynon Taff CBC
S4C
Snowdonia National Park Authority
South Wales Fire and Rescue Service
South Wales Police
South Wales Police and Crime Commissioner
Sport Wales
Student Finance Wales
Swansea Bay UHB
Swansea University
Torfaen CBC
The College Merthyr
The Consumer Council for Water
The General Osteopathic Council
The Health and Care Professions Council
The National Botanic Garden of Wales
The National Library of Wales
The National Lottery Community Fund
The Nursing and Midwifery Council
The Police and Crime Commissioner for
Gwent
The Quality Assurance Agency for Higher
Education
University of South Wales
UWTSD
Vale of Glamorgan Council
Valuation Office Agency
Velindre University NHS Trust
Wales Millennium Centre
WCVA
Welsh Ambulance Service NHS Trust
Welsh Government
Welsh National Opera
Welsh Water

Appendix 4: Glossary

The following glossary is used in the report to refer to the number or proportion of organisation that provided evidence on the impact of the Covid-19 pandemic on their Welsh language provision, as part of the Commissioner's survey:

a few = between 1 and 12 organisations (up to 10%)

some = between 13-60 organisations (10-50%)

majority = between 61-80 organisations (50-70%)

many = 81 or more organisations (over 70%)



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