



Comisiynydd y  
Gymraeg  
Welsh Language  
Commissioner

# Investigation Report and Decision Notice:

The Chief Constable of Dyfed Powys Police

**Reference:** CS1267

**Date:** 10 January 2025

This report is published under the Welsh Language Commissioner's powers to investigate under section 5 of the Welsh Language (Wales) Measure 2011.

This investigation was undertaken under section 71 of the Measure. This document is the investigation report and decision notice for the purposes of sections 73, 74 and 75 of the Measure.

## Contents

1. Executive summary	3
2. Basis of the investigation	5
3. Summary of evidence	7
4. Findings and determination	10
5. Further action	13
Appendix 1: The terms of reference of the investigation	14
Appendix 2: Information on the right to appeal	18

# 1 Executive summary

The Commissioner received a complaint from a member of the public regarding the failure of Aberystwyth police station to provide a service through the medium of Welsh. The complainant called at the police station on Sunday 9 June 2024 when the reception was closed. As a police officer happened to be leaving the station, they offered to assist the complainant.

As he could not get a Welsh language service when visiting the police station on 9 June 2024, he left and said that he called the 101 number to report a car accident. On 17 June 2024, he received a call back from the police in English to discuss the incident, and further calls in English on 14 September 2024.

The relevant requirements in question are standards 21, 61 and 64.

Having considered the information received from the complainant and the organisation, we are of the opinion that the Chief Constable of Dyfed Powys Police has failed to comply with standard 21 by returning the complainant's call in English despite there being a record on the police's system that the complainant's language choice is Welsh.

We did not believe that there was a failure to comply with standards 61 and 64 on the basis that there was no reception service available as the reception was closed.

Standard	Commissioner's determination	Further action
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21	Failure	<p><b>Standard 21 – Requirement to take action in accordance with section 77 of the Welsh Language (Wales) Measure 2011</b></p> <p>1. After amending the way in which language choice is recorded on the police's STORM system, the Chief Constable of Dyfed Powys Police must:</p> <ul style="list-style-type: none"> <li>i) inform staff who are responsible for answering the telephone of this change</li> <li>ii) organise a staff awareness session for staff responsible for answering the telephone of the importance of checking the language choice of anyone who contacts the police.</li> </ul> <p>2. The Chief Constable of Dyfed Powys Police must provide written evidence that satisfies the Welsh Language Commissioner that he has completed enforcement action 1.</p> <p><b>Timetable:</b> Within 6 months of issuing the final determination.</p>
61	No failure	
64	No failure	

## 2 Basis of the investigation

- 2.1 The complainant visited Aberystwyth police station on 9 June 2024 at around 11am and failed to receive a Welsh language service. The reception was closed, but he was assisted by a police officer who was leaving the station at the time.
- 2.2 He said that he also received phone calls from the police in English only on 17 June 2024 and on 14 September 2024.
- 2.3 On the basis of the above, the investigation considered whether the Chief Constable of Dyfed Powys Police had failed to comply with standards 21, 61 and 64.

### Standard 21

When you telephone an individual (“A”) for the first time you must ask A whether A wishes to receive telephone calls from you in Welsh, and if A responds to say that A wishes to receive telephone calls in Welsh you must keep a record of that wish, and conduct telephone calls made to A from then onwards in Welsh.

You must comply with standard 21 in every circumstance, except:

- where it is necessary for a member of staff who does not speak Welsh to provide a service on a specific subject matter; and
- where no Welsh speaking member of staff is available to provide a service on that specific subject matter.

Imposition day: 30/03/2017

### Standard 61

Any reception service you make available in English must also be available in Welsh, and any person who requires a Welsh language reception service must not be treated less favourably than a person who requires an English language reception service.

You must comply with standard 61 in relation to the following by 30 March 2017:

- offices located in Carmarthenshire
- office located in Ceredigion

You must comply with standard 61 in relation to the following by 30 March 2018:

- offices located in Pembrokeshire
- offices located in Pembrokeshire.

Imposition day: 30/03/2017

## Standard 64

You must display a sign in your reception which states (in Welsh) that persons are welcome to use the Welsh language at the reception.

You must comply with standard 64 in relation to the following by 30 March 2017:

- offices located in Carmarthenshire
- office located in Ceredigion.

You must comply with standard 64 in relation to the following by 30 March 2018:

- offices located in Pembrokeshire
- offices located in Pembrokeshire

Imposition day: 30/03/2017

## 3 Summary of evidence

### Complainant's evidence

- 3.1 The Commissioner received a complaint from a member of the public saying he visited Aberystwyth police station on 9 June 2024 at around 11am to report that someone had hit his car and had driven away without stopping. He alleges that no one there spoke Welsh and that the individual responded saying "*English is better*".
- 3.2 As he failed to receive a Welsh language service at the police station on 9 June 2024, he said that he called 101 that day to report the car accident in Welsh. He alleges that he received a call back from the police in English on 17 June 2024 at 2.20pm asking him to call them to discuss the incident.
- 3.3 On another date, 13 September 2024, the complainant alleges that he called the 101 number once again, selecting the Welsh language service option as he had done previously. He said that he spoke to an officer and that he was then transferred to the English language service. Following this, he said that the police called him back and that he received a Welsh language service.
- 3.4 On the morning of 14 September 2024, he said that he received a further call in English from a police officer to discuss the call he made on 13 September 2024. He said that he received another call at 21:36, again in English. He alleges that the officer's attitude was disrespectful when he said that he would not speak English.

### Evidence from the Chief Constable of Dyfed Powys Police

- 3.5 The Chief Constable of Dyfed Powys Police provided the following information in response to the evidence notice.

#### Reception Service

- 3.6 In his evidence, the Chief Constable explained that a reception service is available at Aberystwyth police station between 8am and 4pm from Monday to Friday. The reception is not open at all on weekends as the station is closed to the public.
- 3.7 He explained that four police officers and one sergeant were on duty on Sunday morning, 9 June, when the complainant visited the station. None of them could speak Welsh.
- 3.8 As one of the officers left the station that morning, they saw the complainant in the station's reception area. As the reception was closed, they attempted to help the complainant. It became clear to the officer that the complainant wished to receive a Welsh language service and so they went to look for someone who could discuss the issue with him in Welsh. As no one was available, the officer returned to the complainant to try to understand what he wished to discuss,

and establish whether there was any threat or risk to safety.

- 3.9 Following a short exchange, the officer said something along the lines of “English is better for technical terms”. Then, the complainant reiterated that he wanted a Welsh language service and then left the station.
- 3.10 The Chief Constable explained that there is CCTV in the reception, and that the meeting between the complainant and the police officer was recorded, but that the sound quality is not good enough to hear every word clearly.
- 3.11 The police said that a chart has been provided to each station which sets out the Welsh language standards that are relevant to the police and includes guidelines on how to implement those standards.
- 3.12 Following this complaint, the police added that it has reminded all front desks/receptions of the importance of standard 64 and that it has shared the sign template below with all stations in Ceredigion. He said that he has received confirmation from the stations that permanent signs are displayed in a visible place within receptions.



- 3.13 He stated that reception staff who cannot provide a Welsh language service, call on other members of staff at the station who can speak Welsh when required.

### Telephone calls

- 3.14 When answering the questions about the telephone calls, the Chief Constable explained that the call received on 9 June 2024 via the Welsh language line was dealt with in Welsh, and that a reference number was sent to the complainant via a Welsh language text message.
- 3.15 The force acknowledges that a call was made in English from the Crime and Incident Centre on 17 June 2024 to the complainant. He explained that this was done as it was a ‘traffic issue’ which needs to be actioned within 14 days if a ‘notice of intended prosecution’ is to be sent to the owner of the car.
- 3.16 He referred to the complainant's call on 13 September 2024, where he chose the Welsh language service. According to police records, the call was answered and dealt with in Welsh on the switchboard line, and when it was realised that the complainant wished to report a new incident, he was transferred to the Welsh language new incident line and the matter was dealt with in Welsh.
- 3.17 The force acknowledges that a neighbourhood support officer called the complainant twice on 14 September 2024, leaving a message in English on

the answering machine in the morning, and speaking to the complainant in the evening. When the officer understood that the complainant's language choice was Welsh, the police neighbourhood support officer told the complainant that someone would call him in Welsh.

- 3.18 He stated that language choice is recorded on STORM (a system used by the force communication centre). Despite the fact that Welsh had been recorded as the complainant's language choice, the crime and incident centre did not notice this as it was not recorded clearly enough. Since receiving the complaint, the communication centre has amended the way language choice is recorded so that it is clear to everyone dealing with the call.
- 3.19 It was explained that all calls are treated as a crime or a new incident, and that language choice is noted in the records of the first call relating to that incident.
- 3.20 In conclusion, the Chief Constable said that the sergeant for north Ceredigion has reminded officers and staff to use the Welsh language, and to start every conversation in Welsh, both face to face or over the phone.
- 3.21 Consideration was given to all the information provided by the complainant and the Chief Constable of Dyfed Powys Police.

## 4 Findings and determination

### Findings on compliance with standard 21

- 4.1 When a body telephones an individual for the first time, it must ask the individual whether they wish to receive telephone calls in Welsh. If that is the individual's wish, the body must conduct telephone calls with that individual in Welsh from then onwards.
- 4.2 Dyfed Powys Police acknowledges that it made an English language telephone call to the complainant on 17 June 2024 and on 14 September 2024 after receiving Welsh language messages from the complainant.
- 4.3 It is considered that the English call on 17 June 2024 was made because the need to send a notice of intended prosecution had to be considered within 14 days as a matter of urgency. The complainant contacted the police regarding this issue on 9 June 2024, 10 days before the force returned his call to discuss the matter further. We believe that this is sufficient time to check the STORM system to find the complainant's language choice before calling.
- 4.4 It is considered that the calls made in English on 14 September 2024 are because the officer had not seen the complainant's language choice on the system.
- 4.5 Enforcement action was imposed on Dyfed Powys Police following an earlier investigation CS065. The enforcement action required the force to keep a record of the language choice of everyone it calls, and to check the police system for each person's language choice before calling them. Evidence was received demonstrating that those enforcement actions were completed at the time. However, it has not led to long-term compliance with the standard. When considering compliance with standard 21, it can be seen that imposing the enforcement actions as part of investigation CS065 has not had the intended effect.
- 4.6 As a result of this complaint, we acknowledge that the force has amended its system to highlight the language choice of individuals who contact the police. It was stated that police officers have requested that staff at the communication centre ensure that the system (STORM) includes a clear reference to the individual's wish to communicate through the medium of Welsh to avoid similar issues in future. Our expectation is that the system now in place ensures continued compliance with standard 21.
- 4.7 However, the police force's actions on 21 and 17 June 2024 and on 14 September 2024 were contrary to the requirements of standard 21.

### Determination of compliance with standard 21

- 4.8 The Commissioner determines that Dyfed Powys Police has failed to comply with standard 21 by calling the complainant in English on 17 June 2024 and

on 14 September 2024, despite there being a record on the police system that his language choice was Welsh.

## **Findings on compliance with standard 61**

- 4.9 A body must ensure that any reception service available in English is also available in Welsh.
- 4.10 In ensuring that a reception service is available in Welsh, a body has a responsibility to actively offer a Welsh language reception service rather than expect the visitor to request it. It is also expected that the Welsh language service is available unhindered and that there is no need to switch to English in order to receive the reception service in Welsh.
- 4.11 According to the definition in the Welsh Language Standards (No. 5) Regulations 2016, 47 (b), *“reception means an area in a body’s offices where staff are made available for the purpose of welcoming persons”*
- 4.12 A reception service was not available when the complainant visited the station, as the station is closed to the public on weekends. The service the complainant received did not constitute reception service as the officer in question was not there to undertake office duties. The officer happened to be leaving the station and offered to assist the complainant. When the reception is open during the week, the evidence provided by the force was considered to indicate that there is an officer on duty who speaks Welsh and that a Welsh language service is available between 8am and 4pm from Monday to Friday.

## **Determination of compliance with standard 61**

- 4.13 The Commissioner determines that Dyfed Powys Police has not failed to comply with standard 61 on the basis that the reception was closed and therefore a ‘reception service’ could not be provided to members of the public.

## **Findings on compliance with standard 64**

- 4.14 A body must display a sign in reception which states that persons are welcome to use the Welsh language there. A body must display this sign in Welsh.
- 4.15 Bodies do not have to include a statement expressing the above, following the wording of the standard verbatim. However, that statement should be clear and explicit enough for persons to be fully aware that they are welcome to use the Welsh language in the body's reception. A sign with wording such as “Mae croeso i chi siarad Cymraeg yma” (you are welcome to speak Welsh here) or “Mae croeso i chi ddefnyddio'r Gymraeg yn y dderbynfa” (you are welcome to use Welsh in the reception) could be used to comply with the standard.
- 4.16 Also, the Commissioner's Working Welsh logo could be used to show that the body welcomes persons to use the Welsh language in reception. The Commissioner has a poster which includes the logo which is available as a free download from the Commissioner's website.
- 4.17 The complainant visited the Aberystwyth police station on Sunday 9 June 2024. The reception is open between 8am and 4pm during

the week, and the sign must be displayed when the reception is open. It is not possible for the police to offer a Welsh language reception service if the reception is closed.

4.18 In response to this complaint, the police stated that it has reminded all front desks/receptions of the importance of standard 64 and that it has shared the relevant sign template. Confirmation was received that a bilingual sign is displayed clearly in all police stations in Ceredigion.

#### **Determination of compliance with standard 64**

4.19 The Commissioner determines that Dyfed Powys Police has not failed to comply with standard 64 on the basis that the reception was closed when the complainant visited.

## 5 Further action

- 5.1 In order to prevent the failures to comply from continuing or being repeated, the Chief Constable of Dyfed Powys Police is required to undertake the following:

### **Standard 21 – Requirement to take action in accordance with section 77 of the Welsh Language (Wales) Measure 2011**

1. After amending the way in which language choice is recorded on the police's STORM system, the Chief Constable of Dyfed Powys Police must:
  - i) inform staff who are responsible for answering the telephone of this change
  - ii) organise a staff awareness session for staff responsible for answering the telephone of the importance of checking the language choice of anyone who contacts the police.
  
2. The Chief Constable of Dyfed Powys Police must provide written evidence that satisfies the Welsh Language Commissioner that he has completed enforcement action 1.

**Timetable:** Within 6 months of issuing the final determination.

- 5.2 Should you fail to comply with any requirement within this decision notice, the Commissioner may apply for a county court order requiring you to comply.

# Terms of reference for investigation CS1267

## Organisation under investigation

Chief Constable of Dyfed-Powys Police

## Suspected failure to comply

From the information outlined below, there is a suspicion that the body has failed to comply with Welsh language Standards and a requirement to take steps etc:

The complainant visited the Police Office in Aberystwyth. He alleges that no one there spoke Welsh, and that they responded by saying "*English is better*".

In addition, he said he called 101 to report a car accident (incident number 221) in Welsh on 9 June 2024. He said he received a call back in English on 17 June 2024 at 2.20pm asking him to call them to discuss the incident.

The investigation will determine whether D has failed to comply with the following requirements:

### **Standard 21**

When you telephone an individual ("A") for the first time you must ask A whether A wishes to receive telephone calls from you in Welsh, and if A responds to say that A wishes to receive telephone calls in Welsh you must keep a record of that wish, and conduct telephone calls made to A from then onwards in Welsh.

You must comply with standard 21 in every circumstance, except:

- where it is necessary for a member of staff who does not speak Welsh to provide a service on a specific subject matter; and
- where no Welsh speaking member of staff is available to provide a service on that specific subject matter.

**Imposition day:** 30/03/2017

### **Standard 61**

Any reception service you make available in English must also be available in Welsh, and any person who requires a Welsh language reception service must not be treated less favourably than a person who requires an English language reception service.

You must comply with standard 61 in relation to the following by 30 March 2017:

- offices located in Carmarthenshire
- offices located in Ceredigion.

You must comply with standard 61 in relation to the following by 30 March 2018:

- offices located in Pembrokeshire
- offices located in Powys

**Imposition day:** 30/03/2017

#### **Standard 64**

You must display a sign in your reception which states (in Welsh) that persons are welcome to use the Welsh language at the reception.

You must comply with standard 64 in relation to the following by 30 March 2017:

- offices located in Carmarthenshire
- offices located in Ceredigion.

You must comply with standard 64 in relation to the following by 30 March 2018:

- offices located in Pembrokeshire
- offices located in Powys.

**Imposition day:** 30/03/2017

The complaint creates a suspicion of failure to comply with the requirement below to take action.

Following the CS065 investigation, the following steps were put in place:

#### **Standard 21: Requirement to take action in accordance with section 77 of the Welsh Language Measure**

5. The Chief Constable of Dyfed Powys Police must keep a record of the preferred language of each person he calls.
6. The Chief Constable of Dyfed Powys Police must remind staff to check the Police system for the preferred language of each person before he calls them to ensure that all calls to that person are in accordance with their preferred language.
7. The Chief Constable of Dyfed Powys Police must provide written evidence to satisfy the Welsh Language Commissioner that he has carried out enforcement actions 5 and 6.

**Timetable:** Within 3 months of issuing the final determination.

## 1. Investigation timetable

The timetable is a guide, showing our aim. Actual periods may vary as they rely on different factors.

Step in the investigation	Period allowed
Commissioner begins the process of consultation on the draft terms of reference.	12 July 2024
Comments received on the draft terms of reference.	10 working days after sharing the draft terms of reference
Commissioner shares the final terms of reference, and (if applicable) issues an evidence notice to the body.	10 working days after receiving comments on the draft terms of reference
Receive response to the evidence notice (if applicable)	20 working days after issuing the evidence notice
Commissioner consults on the proposed investigation report	
Receive comments on the proposed investigation report.	20 working days after beginning the consultation period.
Commissioner makes a final determination and shares the final report and decision notice.	25 working days after receiving comments during the consultation period.

## Appendix 2: Information on the right to appeal

### Appealing against the Commissioner's determination:

#### Information for organisations

If the Commissioner determines that you have failed to comply with a standard, you can appeal under section 95 of the Welsh Language (Wales) Measure 2011 on the grounds that:

- the Commissioner was wrong to determine that there was a failure to comply
- the enforcement action imposed by the Commissioner is unreasonable or disproportionate.

#### Information for individuals

If the Commissioner determines that the organisation has not failed to comply with a standard, you can appeal the determination under section 99 of the Measure.

#### General information

The Welsh Language Tribunal is responsible for hearing appeals against the result of an investigation by the Commissioner.

Any application to the Tribunal must be made in writing within 28 days. However, the Tribunal may accept applications outside this time frame if it is satisfied that there is good reason for the delay.

The Tribunal has powers to confirm or revoke the Commissioner's determinations and to vary any enforcement action.

More information on the appeals process can be found on the Welsh Language Tribunal website:

[Welcome to the | Welsh Language Tribunal \(gov.wales\)](https://gov.wales).