

Report on the British Sign Language (Wales) Bill

December 2025



The Welsh Parliament is the democratically elected body that represents the interests of Wales and its people. Commonly known as the Senedd, it makes laws for Wales, agrees Welsh taxes and holds the Welsh Government to account.

An electronic copy of this document can be found on the Senedd website:
www.senedd.wales/SeneddLJC

Copies of this document can also be obtained in accessible formats including Braille, large print, audio or hard copy from:

Legislation, Justice and Constitution Committee
Welsh Parliament
Cardiff Bay
CF99 1SN

Tel: **0300 200 6565**
Email: **SeneddLJC@senedd.wales**
X: **@SeneddLJC**

© **Senedd Commission Copyright 2025**

The text of this document may be reproduced free of charge in any format or medium providing that it is reproduced accurately and not used in a misleading or derogatory context. The material must be acknowledged as copyright of the Senedd Commission and the title of the document specified.

Report on the British Sign Language (Wales) Bill

December 2025



About the Committee

The Committee was established on 26 May 2021. Its remit can be found at www.senedd.wales/SeneddLJC

Current Committee membership:



Committee Chair:
Mike Hedges MS
Welsh Labour



Alun Davies MS
Welsh Labour



Samuel Kurtz MS
Welsh Conservatives



Adam Price MS
Plaid Cymru

The following Members attended as substitutes during the scrutiny of the Bill.



Hannah Blythyn MS
Welsh Labour



Tom Giffard MS
Welsh Conservatives

Contents

1.	Introduction	5
	The purpose of the Bill	5
	Background	6
	The Committee's remit	7
2.	Legislative competence	8
	General	8
	Our view	9
3.	General observations	10
	The need for the legislation	10
	Balance between what is on the face of the Bill and what is left to subordinate legislation	12
	Our view	13
4.	Specific observations on particular sections and powers to make subordinate legislation	14
	Section 2 – National BSL strategy	14
	Our view	16
	Section 3 – BSL guidance	16
	Our view	17
	Section 4 – BSL plans	17
	Our view	18
	Section 5 – BSL adviser	18
	Our view	20
	Section 6 – Reports by listed public bodies and Section 7 – Reports by the Welsh Ministers	20

Our view21

Section 8 – Meaning of “listed public body”22

Our view23

1. Introduction

On 14 July 2025, the British Sign Language (Wales) Bill (the Bill)¹ was introduced by Mark Isherwood MS (the Member in charge). He also laid an accompanying Explanatory Memorandum (the EM).²

1. The Business Committee referred the Bill to the Equality and Social Justice (ESJ) Committee on 24 June 2025, and on 8 July 2025 set a deadline of 5 December 2025 for reporting on its general principles.³
2. In July 2025, the Member in charge issued a statement of policy intent for subordinate legislation to be made under the Bill.⁴
3. The Member in charge also published a British Sign Language (BSL) interpretation of the Bill as introduced.⁵

The purpose of the Bill

4. Within the EM, the Member in charge states that the main purpose of the Bill is to promote and facilitate the use of BSL in Wales, by imposing various new duties on the Welsh Ministers and on certain public bodies.⁶
5. The Member in charge further states that the key provisions within the Bill include requirements for:
 - the Welsh Ministers to promote and facilitate the use of BSL and, in order to fulfil that requirement, produce a national BSL strategy that describes both how they themselves intend to promote and facilitate the use of BSL, and how they intend to encourage certain public bodies to do so;

¹ The British Sign Language (Wales) Bill, as introduced

² The British Sign Language (Wales) Bill: Explanatory Memorandum (the EM), July 2025

³ Business Committee, Timetable for consideration: The British Sign Language (Wales) Bill, July 2025

⁴ The British Sign Language (Wales) Bill: Statement of policy intent for subordinate legislation to be made under this Bill, July 2025

⁵ Available at: www.youtube.com/watch?v=5GLQVa0GnPU

⁶ The EM, paragraph 162

- the Welsh Ministers to issue those public bodies with guidance about promoting and facilitating the use of BSL;
- those public bodies listed in the Bill to produce BSL plans describing how they intend to promote and facilitate the use of BSL;
- the Welsh Ministers and the listed public bodies to report on progress made in promoting and facilitating BSL under the provisions of the Bill;
- the Welsh Ministers to appoint someone as their BSL adviser, and appoint a panel of people to assist the BSL adviser.⁷

Background

6. Standing Order 26.87 provides that, from time to time, the Llywydd must hold a ballot to determine the name of a Member, other than a member of the government, who may seek agreement to introduce a Bill (a Member Bill).⁸

7. On 24 April 2024, the Llywydd, the Rt Hon Elin Jones MS, announced that the Member in charge's proposal for a British Sign Language (Wales) Bill had been successful in a Member Bill ballot.⁹

8. On 31 May 2024, in accordance with Standing Order 26.91A, the Member in charge laid an Explanatory Memorandum for the proposed Bill. Within that Memorandum, he stated that the purpose of Bill would be “to promote and facilitate the use of BSL and its tactile forms in Wales; improve access to education, health and public services in BSL and, support the removal of barriers that exist for deaf people and their families in education, health, public services, support services and in the workplace.”¹⁰

9. On 19 June 2024, the Member in charge obtained the Senedd's agreement to introduce the Bill.¹¹

10. The Bill was introduced in the Senedd on 14 July 2025.

⁷ The British Sign Language (Wales) Bill: Explanatory Memorandum, July 2025, paragraph 163

⁸ See the [Guide to the Member Bill Process](#), published in September 2021, for further information about the Member Bill procedure.

⁹ Plenary, [24 April 2024](#), Record of Proceedings (RoP)

¹⁰ [Explanatory Memorandum laid under Standing Order 26.91A: British Sign Language \(BSL\) \(Wales\) Bill](#), May 2024

¹¹ Plenary, [19 June 2024](#), RoP, item 5

The Committee's remit

11. The remit of the Legislation, Justice and Constitution Committee is to carry out the functions of the responsible committee set out in Standing Orders 21 and 26C. The Committee may also consider any matter relating to legislation, devolution, the constitution, justice, and external affairs, within or relating to the competence of the Senedd or the Welsh Ministers, including the quality of legislation.

12. In our scrutiny of Bills introduced into the Senedd, our approach is to consider:

- matters relating to the competence of the Senedd, including compatibility with the rights protected by the European Convention on Human Rights (ECHR);
- the balance between the information that is included on the face of the Bill and that which is left to subordinate legislation;
- whether an appropriate legislative procedure has been chosen in relation to the granting of powers to the Welsh Ministers to make subordinate legislation; and
- any other matter we consider relevant to the quality of legislation.

13. We took evidence from the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip (the Cabinet Secretary), Jane Hutt MS, in respect of the Bill on 6 October 2025.¹²

14. We took evidence from the Member in charge on 13 October 2025.¹³

¹² LJC Committee, 6 October 2025, RoP

¹³ LJC Committee, 13 October 2025, RoP

2. Legislative competence

The Member in charge is satisfied that the Bill would be within the legislative competence of the Senedd.¹⁴

General

15. We considered the Bill under the reserved powers model of legislative competence, as set out in section 108A of the *Government of Wales Act 2006* (the 2006 Act).

16. The Llywydd stated that the Bill as introduced would be within the legislative competence of the Senedd.¹⁵

17. The Member in charge confirmed to us in oral evidence that he considered the provisions of the Bill to fall within the legislative competence of the Senedd.¹⁶

18. When the Cabinet Secretary gave evidence to the Committee on 6 October 2025, she explained that, whilst the Welsh Government was not responsible for the EM accompanying the Bill, which includes the declaration of legislative competence, they were satisfied that the provisions of the Bill are within the legislative competence of the Senedd.¹⁷

19. We asked the Cabinet Secretary if any human rights issues arise in relation to the Bill. She replied:

“Yes, it's important that we look at that issue (...) but the responsibility for drafting the regulatory impact assessment remains with Mark Isherwood (...) we recognise that he's produced an equality impact assessment that states that the aim of the Bill to facilitate and promote BSL use aligns, for us as a Welsh Government, with the public sector equality duty, PSED, and our national equality objective. So, we do support the Member in that he has considered equality and human

¹⁴ The British Sign Language (Wales) Bill: Explanatory Memorandum, July 2025, Declaration of Legislative Competence

¹⁵ British Sign Language (Wales) Bill: Presiding Officer's Statement on Legislative Competence, 14 July 2025

¹⁶ LJC Committee, 13 October 2025, RoP [92]

¹⁷ LJC Committee, 6 October 2025, RoP [9]

rights as part of the Bill preparations, and that the provisions of the Bill are compatible with human rights legislation.”¹⁸

20. We also asked the Member in charge if any human rights issues arise in relation to the Bill. In his response, he said:

“No. (...) it's not actually a human rights Bill; it's a language Bill. BSL is not a learning disability, it's not itself a communication tool; it's a language. So, this Bill is very much being presented on that basis. But notwithstanding that, we considered both the human rights and equalities aspects of this and found that they do fall not only within the legislation that exists for human rights and equalities, but also in many respects adds to them for the population concerned.”¹⁹

Our view

21. We note the evidence in relation to matters of legislative competence, as well as human rights implications, from both the Member in charge and the Cabinet Secretary.

22. We also note the Llywydd's statement that, in her view, the provisions in the Bill would be within the legislative competence of the Senedd.

23. We note the comments of the Member in charge regarding his assessment of whether any human rights issues arise in relation to the Bill. Whilst we recognise it is not a requirement of the Senedd's Standing Orders, we would have preferred to see his assessment of the Bill's engagement with the rights protected by the ECHR included within the EM.

¹⁸ LJC Committee, 6 October 2025, RoP [11]

¹⁹ LJC Committee, 13 October 2025, RoP [94]

3. General observations

The need for the legislation

24. The Member in charge states in the EM that the Bill is needed for three main reasons:

"Other UK parliaments have set precedents for placing duties on the government and listed bodies to promote and facilitate the use of BSL. The Bill will ensure legislative parity with the UK and Scottish parliaments and the Northern Ireland Assembly. Without this Bill, the Welsh Government and public bodies in Wales will have significantly weaker statutory duties, placing Deaf BSL signers in Wales at a disadvantage compared to those in other UK nations.

To recognise the language needs of the BSL community and their cultural identity and heritage. While the Equality Act 2010 protects individuals from discrimination, this Bill will ensure there is greater understanding and awareness of BSL as a language in its own right.

Currently Deaf BSL signers face barriers when accessing public services. By imposing duties on the Welsh Ministers and Welsh public bodies regarding promoting and facilitating the use of BSL, the Bill will ensure policy makers and service providers consider the language needs of Deaf BSL signers and the barriers they face when designing and delivering services".²⁰

25. The Member in charge also states that consultation on the Bill's proposals "indicates strong support and agreement that legislation is needed".²¹

26. The Member in charge justified the need for the Bill in oral evidence:

"There's a huge demand within particular deaf communities across Wales, and their families and friends and people who live and work with them in their communities at large. The main issues that keep arising—and we all know this from our own casework—are educational under-attainment, lack of true

²⁰ The British Sign Language (Wales) Bill: Explanatory Memorandum, July 2025, paragraph 13

²¹ The British Sign Language (Wales) Bill: Explanatory Memorandum, July 2025, paragraph 14

*access to health services and an inability, therefore, to communicate directly and be fully understood, and to ensure understanding on the other side, with doctors, clinicians, nurses, consultants and otherwise, which jeopardises things like medication or perhaps ensures the wrong or inappropriate treatment. We know there are double the rates of mental illness amongst deaf people compared to the general population, although deafness, as you know, is not a learning disability or a mental illness. We know that there are lower employment rates and higher rates of disadvantage and deprivation amongst the deaf community. There's clearly an unmet need, despite the legislation that exists and the policies that exist at both UK and devolved levels. So, something needs to be done."*²²

27. When asked to reflect on his discussions with the Welsh Government, the Member in charge explained:

*"You may recall that when this was debated in the Senedd Chamber in June 2024, initially the then Cabinet Secretary, or Minister, responsible said that the Welsh Government couldn't see a need for this legislation. But, over the following months, the Welsh Government's position changed. I had spoken with the Cabinet Secretary and told her that this Bill was too important to lose; we needed something at least equivalent to the other UK nations. Obviously, there was Scottish legislation, there was legislation in England, only some of which applied in Wales, leaving huge gaps, and there was legislation being taken through in Northern Ireland by the Executive, their Government. Wales needed this legislation. But if it meant losing it, as currently drafted, let's talk about compromises, if necessary, to ensure that the deaf community in Wales has at least as much legislative provision in these areas as the other parts of the UK."*²³

²² LJC Committee, 13 October 2025, RoP [82]

²³ LJC Committee, 13 October 2025, RoP [88]

Balance between what is on the face of the Bill and what is left to subordinate legislation

28. The Bill comprises 11 sections and a Schedule, and includes two regulation-making powers for the Welsh Ministers.

29. We asked the Member in charge for his view on the balance struck by the Bill. He explained that it was intended to be a “framework Bill to promote and facilitate”, stating that the Welsh Government will be responsible for the strategy and guidance that promotes and facilitates BSL.²⁴

30. He explained this would be achieved through consultation with the BSL adviser and the BSL panel, who will be “working with the wider deaf community”. The Member in charge expanded on this, saying:

“... it is a framework Bill to enable and ensure that future Welsh Governments, not just the next one, do promote and facilitate BSL and put in place measures to ensure that the changes we all hope to see come into force”²⁵

31. When asked if the Member in charge had considered any specific duties that may have merited inclusion, he noted the provision of interpreters, the configuration of health services and measures on closing the educational attainment gap as examples.²⁶

32. The Bill does not specify any sanctions for failing to promote and facilitate BSL. When asked to reflect on this, the Member in charge told the Committee:

“That’s been a concern that has been picked up by members of the previous two committees that we’ve given evidence on this Bill to. You’re technically absolutely correct that, once the local authority has published its progress report, there’s nothing there that mandates the Welsh Government or any other body to penalise failure to deliver. But there are the ongoing mechanisms that I referred to—the Welsh Government’s own three-yearly reports, its six-yearly strategy reviews—and its scorecard will be determined across Wales by how those public bodies perform. They can require those public bodies to revise their plans. If, say, a public body is required to revise its plan,

²⁴ LJC Committee, 13 October 2025, RoP [97]

²⁵ LJC Committee, 13 October 2025, RoP [97]

²⁶ LJC Committee, 13 October 2025, RoP [99]

*then it must publish a new plan and then a further review within 12 months of that, or a progress report within 12 months of that. So, there are some mechanisms in place that prevent a listed public body simply walking away and forgetting, but a lot of that will be determined by the vigilance of future Ministers and officials in giving this the due regard and importance that it should be given."*²⁷

Our view

33. We note that this is a Member Bill and that the Member in charge has collaborated with the Welsh Government in bringing it forward. We note the case made by the Member in charge as to why there is a need for this legislation, namely to ensure that there is, at least, parity with the statutory duties in other UK jurisdictions in relation to BSL provision and to address the demonstrable challenges faced by BSL signers in accessing public services.

34. We note that the Member in charge has referred to this Bill as a framework Bill. We recognise, however, that the Bill is seeking to promote the use of BSL in Wales and that as such its policy focus is narrow, with a duty placed on the Welsh Ministers to prepare a national BSL strategy and issue guidance, and for BSL plans to be published by listed public bodies.

35. We do not consider this to be a framework Bill given that significant policy and law will not be delivered through subordinate legislation. We are therefore content with the approach adopted in the Bill.

36. We acknowledge the Member in charge's explanation about why there are no sanctions specified for failing to promote or facilitate BSL. In so doing, we note the Welsh Government's powers under section 4(3)(a) of the Bill to require public bodies to review their BSL plans, along with the reporting requirements on them and the suggestion that this should ensure that public bodies will be open to scrutiny in the event they underperform in this area.

37. We consider the specific provisions of the Bill in further detail in Chapter 4 of the report.

²⁷ LJC Committee, 13 October 2025, RoP [131]

4. Specific observations on particular sections and powers to make subordinate legislation

Section 2 – National BSL strategy

38. Section 2(1) requires the Welsh Ministers to prepare and publish a national BSL strategy that describes how they intend to promote and facilitate the use of BSL, and how they intend to encourage certain public bodies to do the same. The purpose of the strategy is to fulfil the duty of the Welsh Ministers under section 1 of the Bill to promote and facilitate the use of BSL.

39. Subsection (2) of section 2 requires the Welsh Ministers to:

- publish the BSL strategy within 18 months beginning with the day after the date on which the Bill, if enacted, will come into force; and
- review the strategy at least once in every period of 6 years, beginning with the day after it is first published.

40. Under subsection (3) of section 2, the Welsh Ministers must lay the strategy, and any revised version of it, before the Senedd, and ensure that it is available in BSL. They must also consult the BSL adviser (appointed under section 5 of the Bill), and any persons they consider appropriate before publishing the strategy and any revised version of it.

41. On this provision, the Member in charge states in the EM:

“... there are substantial difficulties for Deaf people in accessing public services, including vital public services such as health, education and transport. Requiring Welsh Ministers to prepare and publish a national BSL strategy that covers all of these important public services, and more, is an important step in ensuring that all public services are accessible to the Deaf community. ...

The detail of the strategy is not set out on the face of the Bill, rather it will be for Welsh Ministers to determine the content of that strategy. This must be done with engagement from, and

consultation with, the Deaf community to ensure that the strategy is meaningful and fit for purpose.”²⁸

42. We asked the Member in charge what he anticipated would be included in the national strategy. He explained:

“Primarily, how the Welsh Government itself and its component parts will promote and facilitate in practice the use of BSL, but also its expectations of the listed public bodies and how they should also do so on a local or co-operative regional basis.”²⁹

43. He went on to say that he expected some of the specific duties discussed at paragraph 31 of this report to be included in future guidance.³⁰ He noted that there would need to be a robust workforce plan as part of this, to achieve some of these aims.³¹

44. The Member in charge was asked about the timeframes for publishing the national strategy, which the Bill specifies must occur within 18 months after its provisions are brought into force.

45. He acknowledged that the equivalent legislation in Scotland specified a timeframe of 2 years, but he noted that they considered 18 months was a “good compromise between the time required to reach a point of publication of strategy and the need to be moving forward with what the Act is intended to deliver”.³²

46. The Cabinet Secretary considered the timescales to be reasonable from the Welsh Government’s perspective, telling the Committee that a lot of the work had already happened in advance, with a BSL stakeholder task and finish group already in place.³³

47. On the subject of reviewing the strategy at least once in every period of 6 years, the Member in charge confirmed that this was also the arrangement with the equivalent Scottish legislation. However, he explained that they had elected to

²⁸ The British Sign Language (Wales) Bill: Explanatory Memorandum, July 2025, paragraphs 167 and 170

²⁹ LJC Committee, 13 October 2025, RoP [101]

³⁰ LJC Committee, 13 October 2025, RoP [101]

³¹ LJC Committee, 13 October 2025, RoP [102]

³² LJC Committee, 13 October 2025, RoP [104]

³³ LJC Committee, 6 October 2025, RoP [44]

strengthen the arrangement by requiring three-yearly progress reports from Welsh Ministers, as set out in Section 7 of the Bill.³⁴

Our view

48. We consider that the timescale for the Welsh Ministers to publish the national strategy is reasonable and note that it compares positively with the position in Scotland. The approach to reviewing the strategy is also in our view reasonable and we agree with the Member in charge that the reporting requirements for Welsh Ministers (considered in further detail later in this report) ensure that there are robust arrangements in place for tracking the strategy's efficacy and impact.

49. Whilst the strategy is key, the guidance accompanying it will also be crucial. We consider this in further detail in the next section.

Section 3 – BSL guidance

50. Section 3 of the Bill requires the Welsh Ministers to issue guidance to “listed public bodies” (as defined in section 8 of the Bill and considered below) on how they may promote and facilitate the use of BSL in exercising their functions. This guidance must be made available in BSL.

51. When asked what actions she anticipated would be included in the guidance, the Cabinet Secretary told the Committee that the guidance would be a product of co-production, with the BSL stakeholder task and finish group publishing recommendations for the national strategy on 30 September 2025.³⁵

52. We asked the Member in charge whether he felt the Senedd should have a role in scrutinising the guidance, once it is available. He stated:

“It is an expectation that Senedd Members and Senedd committees will have a close eye on not just the guidance but how the legislation in its entirety rolls forward and how it delivers on the matters it was intended to deliver upon. Generally, though, as you know, guidance is not normally directly scrutinised by the Senedd or parliaments in general. Guidance is issued subsequent to the passing of legislation by

³⁴ LJC Committee, 13 October 2025, RoP [110]

³⁵ LJC Committee, 6 October 2025, RoP [27 and 28]

the legislature, and then the legislature keeps a close eye on that through its various scrutiny processes as it goes forward.”³⁶

53. The Member in charge told us that the approach taken adopted normal practice and an official accompanying the Member in charge indicated that, in general, whilst codes of practice may be scrutinised by the Senedd, that does not tend to be the case for guidance.³⁷

Our view

54. We acknowledge that it would be atypical for the Senedd to have a formal role in scrutinising guidance; however, it is clear that attention must be afforded to the guidance in this instance, given it will be a significant factor in delivering the policy objectives underpinning the Bill.

55. Whilst not standard practice, we feel that it would be beneficial for the guidance to be laid before the Senedd in order to draw it to the attention of Members of the Senedd formally. This is particularly important given that implementation of the Bill, if passed by this Senedd, would be the responsibility of a future Welsh Government and any scrutiny of that implementation would fall to the next Senedd.

Recommendation 1. The Member in charge should table an amendment to the Bill to require that the statutory guidance issued under section 3, and any future revisions to it, are laid before the Senedd.

Section 4 – BSL plans

56. Section 4 of the Bill requires each listed public body (the definition of which is considered below) to prepare and publish a BSL plan that describes how each listed public body intends to “promote and facilitate the use of BSL in the exercise of its functions” and how they intend to follow, or not follow, guidance issued by the Welsh Ministers under section 3.

57. Section 4(1)(c) confers a regulation-making power on the Welsh Ministers to prescribe additional information that a listed public body’s BSL plan must include, subject to the annulment procedure. The EM states:

“It would be reasonable to expect that the detail and content of BSL plans may need to change over time to reflect changing

³⁶ LJC Committee, 13 October 2025, RoP [115]

³⁷ LJC Committee, 13 October 2025, RoP [115 and 116]

circumstances. As such it is appropriate that this should be done through regulations.”³⁸

58. The EM goes on to state the reason for the procedure chosen:

“The primary duty for a listed public body to prepare and publish a BSL plan, together with the requirements for what that plan must contain, is set out on the face of the Bill. Regulations under Section 4(1)(c) cannot change the requirements set out in the Bill. The reason the negative procedure is considered appropriate is that the discretion of the Welsh Government over the content of the regulations is limited – any “other information” prescribed by the regulations will have to relate to BSL.”³⁹

59. When asked to reflect on what this information may be, the Cabinet Secretary explained:

“... we do consider it's wise for Welsh Ministers to be given the flexibility to prescribe that the plans should contain other information. But we don't consider it necessary to make that power contingent on the Welsh Ministers consulting with the BSL adviser first.”⁴⁰

60. An official accompanying the Cabinet Secretary remarked that the provision may be necessary to amend the requirements on listed public bodies “in a world and in a sector that may well change over time”.⁴¹

Our view

61. We note the evidence of the Member in charge and Cabinet Secretary in respect of section 4 of the Bill and are content with the nature of the regulation-making power and the use of the annulment procedure.

Section 5 – BSL adviser

62. Section 5 of the Bill requires the Welsh Government to appoint a person to serve as a BSL adviser, along with a panel to assist them. Section 5(2) stipulates that the person appointed as BSL adviser must be able to “communicate

³⁸ The British Sign Language (Wales) Bill: Explanatory Memorandum, July 2025, Chapter 6 Table 2

³⁹ The British Sign Language (Wales) Bill: Explanatory Memorandum, July 2025, Chapter 6 Table 2

⁴⁰ LJC Committee, 6 October 2025, RoP [65]

⁴¹ LJC Committee, 6 October 2025, RoP [66]

effectively in and use(s) BSL”. Section 5(3) specifies that the Welsh Government must consult the adviser before making appointments to the panel, whilst Section 5(4) specifies that the adviser may:

- “provide information or advice to the Welsh Ministers in relation to their functions under this Act”⁴²;
- “provide information or advice, with the Welsh Ministers’ agreement, to any person in relation to promoting and facilitating the use of BSL in Wales”⁴³; and
- “consult the panel in relation to any information or advice to be provided in accordance with paragraphs (a) or (b)”⁴⁴.

63. The section provides that the BSL adviser may request that a listed public body provide them with information that would help the adviser to exercise their functions. A listed public body is required to comply with the request, unless doing so would conflict with its duties or have an adverse effect on the exercise of its functions. Where a listed public body decides not to comply with a request for information, it must explain why to the BSL adviser in writing.⁴⁵

64. On the requirement to appoint a panel to assist the BSL adviser, the EM notes that “a typical publicly appointed advisory board, to which the panel will be closely aligned, has six to eight members” with the final decision on the panel’s size resting with the Welsh Government and the adviser.⁴⁶ It also notes that “panel members will be appointed by the Welsh Ministers via the formal public appointments process”.⁴⁷ In her evidence to the Committee, the Cabinet Secretary noted that the Regulatory Impact Assessment (RIA) for the Bill estimated there would be eight panel members.⁴⁸

65. When asked how he envisages the panel operating the Member in charge told us:

“The adviser will have a substantive role, not only a formal role. It would be unexpected, putting it politely, if that adviser was not strongly connected not only to deaf BSL signers and groups

⁴² British Sign Language (Wales) Bill, as introduced, section 5(4)(a)

⁴³ British Sign Language (Wales) Bill, as introduced, section 5(4)(b)

⁴⁴ British Sign Language (Wales) Bill, as introduced, section 5(4)(c)

⁴⁵ British Sign Language (Wales) Bill, as introduced, section 5(7) and section 5(8)

⁴⁶ The British Sign Language (Wales) Bill: Explanatory Memorandum, July 2025, paragraph 291

⁴⁷ The British Sign Language (Wales) Bill: Explanatory Memorandum, July 2025, paragraph 290

⁴⁸ LJC Committee, 6 October 2025, RoP [72]

across Wales, but also to the listed public bodies charged with delivering on this legislation. There are certain things that the Welsh Government must do. They must consult the adviser on the strategy, on the guidance. When they consider the local plans as they come in, there will be a key role for the adviser there. We suspect, and hope, and the intention is, that the adviser should be a continuous critical friend, raising matters as they are raised with him or her (...) The hope and expectation is that the assisting panel will also be representative of lived experience, and possibly, looking at equivalent panels or bodies in other areas, with around six to eight persons. I know in England they have 15 people, but that's not a statutory body in the way it would be here.”⁴⁹

66. He noted that the provision mandating that the adviser must be a BSL speaker was a “concession” by the Welsh Government.⁵⁰

Our view

67. We understand the desire for flexibility around the number of panel members, but there is a danger that without specifying a number the panel could become unwieldy and incur unexpected costs, or, could be left with insufficient members to deliver the support required. We believe that flexibility could be provided by specifying minimum and maximum number of panel members on the face of the Bill.

Recommendation 2. The Member in charge should consider the merits of specifying a minimum and maximum number of members that should sit on the panel.

Section 6 – Reports by listed public bodies and Section 7 – Reports by the Welsh Ministers

68. Section 6 of the Bill places duties on each listed public body to “prepare and publish a report” that:

- “describes what it has done to implement the most recent version of the plan”⁵¹; and

⁴⁹ LJC Committee, 13 October 2025, RoP [125]

⁵⁰ LJC Committee, 13 October 2025, RoP [125]

⁵¹ British Sign Language (Wales) Bill, as introduced, section 6(1)(a)

- “if it has not implemented something, explains why not”.⁵²

69. It requires those bodies to send any report to the Welsh Ministers and ensure it is available in BSL.⁵³

70. Section 7 requires the Welsh Ministers to prepare and publish a report that “assesses the progress made in promoting and facilitating the use of BSL in accordance with this Act”. The provisions require the Welsh Ministers to publish a report “at least once in every period of 3 years beginning with the day after the BSL strategy is first published”, lay the report before Senedd Cymru and ensure it is available in BSL.⁵⁴

71. Section 7 also gives Welsh Ministers the power to require a listed public body to “provide them with such information as they may specify in writing” for the purposes of preparing a report under section 7⁵⁵. It further requires the Welsh Ministers to consult the BSL adviser and any other appropriate persons during preparation of the report.⁵⁶

72. When asked to reflect on the reporting duties for listed public bodies, an official accompanying the Cabinet Secretary noted that the requirement for those bodies to report on their plans went further than equivalent UK legislation and gave them an “opportunity to talk about their progress”.⁵⁷

Our view

73. The Committee welcomes the proposed duty on the Welsh Ministers to prepare and publish progress reports and consider this provides an additional degree of assurance about the suitability of the BSL national strategy, guidance and individual BSL plans to be published under the Bill.

74. We consider the reporting requirements in general to be reasonable and will support the Senedd to scrutinise the performance of public bodies in increasing access for BSL signers to public services. As noted earlier in this report, the need for progress reports are a public check on underperforming bodies and will be an important scrutiny mechanism in holding those bodies to account.

⁵² British Sign Language (Wales) Bill, as introduced, section 6(1)(b)

⁵³ British Sign Language (Wales) Bill, as introduced, section 6(2)

⁵⁴ British Sign Language (Wales) Bill, as introduced, section 7(2)

⁵⁵ British Sign Language (Wales) Bill, as introduced, section 7(3)

⁵⁶ British Sign Language (Wales) Bill, as introduced, section 7(4)

⁵⁷ LJC Committee, 6 October 2025, RoP [39]

Section 8 – Meaning of “listed public body”

75. Sections 4 and 6 of the Bill make provision in respect of duties on “listed public bodies” to prepare BSL plans and report on their implementation.

76. Section 8(1) sets out the meaning of a “listed public body” for the purpose of the Bill:

- a county council or county borough council in Wales;
- a Local Health Board;
- the following NHS Trusts:
 - Public Health Wales;
 - Velindre; and
 - Welsh Ambulance Services University NHS Trust;
- the following special health authorities established under section 22 of the *National Health Service (Wales) Act 2006*:
 - Digital Health and Care Wales; and
 - Health Education and Improvement Wales.

77. Section 8(2) enables the Welsh Ministers, via regulations subject to the Senedd approval procedure, to amend the list of bodies in section 8(1). The EM states that it is “reasonable to expect” that the list “may need to change over time to react to changing circumstances.” As such, it states, the use of regulations is deemed appropriate⁵⁸. The EM confirms this power is subject to an affirmative procedure, stating:

“This is a power to amend primary legislation and to alter the “listed public bodies” included within the Act. Therefore, regulations made under this section should be brought to the Senedd’s attention and properly debated via the affirmative procedure. Before making regulations under this section, the Welsh Ministers must also consult with the BSL Adviser and

⁵⁸ The British Sign Language (Wales) Bill: Explanatory Memorandum, July 2025, page 65, Chapter 6 Table 2

such other persons as the Welsh Ministers consider appropriate.”⁵⁹

78. We asked the Member in charge why some NHS Trusts had been listed in the Bill using their full official titles (such as Welsh Ambulance Services University NHS Trust), whilst others had been abbreviated, such as “Velindre”.⁶⁰

79. The Member in charge and accompanying officials explained that the *Well-being of Future Generations (Wales) Act 2015* adopted the same approach, but went on to say:

“I’m completely comfortable with the idea of adding the full names in. I shouldn’t think that will cause any problems whatsoever; it’s purely a drafting issue”.⁶¹

80. The Cabinet Secretary agreed that there was unlikely to be any confusion and that it was “clear which bodies are being referred to”.⁶²

Our view

81. We note the evidence from the Member in charge and agree that it’s unlikely that there will be any confusion caused by the drafting style adopted in section 8(1)(c) regarding the Welsh NHS Trusts listed in that provision. However, we believe a better approach would be to amend these references to align with the relevant establishment orders for those bodies.

Recommendation 3. For clarity, the Member in charge should table an amendment to section 8(1)(c) to reflect the full names of the specified Welsh NHS Trusts by reference to their corresponding establishment orders.

82. We are content with the use of the affirmative procedure to make regulations under section 8(2) of the Bill.

⁵⁹ The British Sign Language (Wales) Bill: Explanatory Memorandum, July 2025, page 65, Chapter 6 Table 2

⁶⁰ LJC Committee, 13 October 2025, RoP [134]

⁶¹ LJC Committee, 13 October 2025, RoP [137]

⁶² LJC Committee, 6 October 2025, RoP [78]