

The British Sign Language (Wales) Bill

Explanatory Memorandum

July 2025

This Explanatory Memorandum has been prepared by Mark Isherwood MS and is laid before the Welsh Parliament.

Declaration of Legislative Competence

In my view, the provisions of the British Sign Language (Wales) Bill, introduced by me on 14 July 2025, would be within the legislative competence of the Welsh Parliament.

Mark Isherwood MS

Member in charge of the Bill

14 July 2025



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Part 1: Explanatory Memorandum

1. Introduction

- 1.** On 24 April 2024 Mark Isherwood MS was successful in the ballot held under the Senedd's Standing Order 26.87 for the right to seek leave to introduce a Member Bill.
- 2.** On 19 June 2024 a leave to proceed debate was held, and the Senedd agreed that Mark Isherwood MS could introduce a Bill within 13 months of the date of the debate to give effect to the proposal selected in the earlier ballot.
- 3.** The proposal was to establish a Bill to place a statutory duty on Welsh Ministers to promote and facilitate the use of British Sign Language ("BSL") and prepare and publish a strategy which sets out how it will fulfil this duty and to report on its progress. The proposal was also for the Bill to place a duty on listed public bodies to prepare and publish a plan on how it intends to facilitate the use of BSL and report on its progress. Welsh Ministers must publish guidance which sets out how listed public bodies can promote and facilitate the use of BSL.
- 4.** The Bill will act as a platform to ensure improved services and better outcomes for the Deaf community. Increasing the provision of BSL will lead to better access to public services such as health and education, improve BSL signers employment outcomes and enable them to live in a society where their language and culture are both recognised and promoted.

The terms used in this Explanatory Memorandum

- 5.** Deaf with a capital D, usually refers to people who identify as, and are culturally Deaf and may be Sign Language signers; and deaf people with hearing loss are referred to with a lower-case d for deaf. In this Explanatory Memorandum, we use the terms Deaf, deaf, and hard of hearing.
- 6.** The British Deaf Association (BDA) have called for the term 'BSL users' to be replaced with 'BSL signers'. This proposed use of terminology was included in the Bill's consultation. Just over half agreed that the term 'BSL users' should be replaced with 'BSL signers' and that the term 'Deaf BSL signers' should be used when referring to BSL users/signers who are medically or audilogically deaf.¹ We

¹ Mark Isherwood MS, [Summary of consultation on proposed British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

therefore use the term ‘Deaf BSL signers’ to refer to people who are medically or audiologically deaf.

2. Legislative competence

- 7.** The Senedd's Standing Orders provide for Bills to be introduced by individual Senedd Members, as well as the Welsh Government, Senedd committees and the Senedd Commission, in areas where the Senedd has legislative competence.
- 8.** Section 107 of the Government of Wales Act 2006 (GOWA) permits the Senedd to make laws for Wales known as Acts of Senedd Cymru. Section 108A provides that "an Act of the Senedd is not law so far as any provision of the Act is outside the Senedd's legislative competence".
- 9.** The provisions of the British Sign Language (Wales) Bill ("the Bill") are within the legislative competence of the Senedd.

3. Purpose and intended effect of the Bill

This chapter provides an overview of the Bill's policy objectives, sets out why the Bill is needed and places the Bill in the context of other relevant legislation and developments elsewhere in the UK.

The proposed policy objectives

- 10.** BSL plays a crucial role in enabling communication and promoting inclusivity in everyday interactions. For individuals who are Deaf, BSL is often their first language and primary means of communication, enabling them to express themselves, engage with others and access information and services which support them.
- 11.** Additionally BSL serves as a connector between Deaf and hearing individuals, facilitating communication and breaking down barriers. Incorporating BSL into everyday life promotes cultural awareness and appreciation, enriching interpersonal connections and promoting empathy and understanding across diverse communities.
- 12.** This Bill represents a significant symbol, sending out an important message to Deaf BSL signers that their language is valued and their rights to linguistic access recognised.

Why the Bill is needed and the benefits it will have

- 13.** 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.² Without this Bill, the Welsh Government and public bodies in Wales will have significantly

² Northern Ireland Assembly, [Sign Language Bill](#) (introduced in February 2025 and currently under consideration by the Assembly)

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.

14. Consultation on the proposals behind the Bill indicates strong support and agreement that legislation is needed. This is documented in Chapter 5 of this Explanatory Memorandum.

15. Research cited in this Explanatory Memorandum and the contributions from all those responding to the consultation all recognise the important role that BSL plays in the lives of Deaf people. Yet too often, Deaf people are not able to access vital public services because they are unable to communicate in their first language – BSL. Not only does this mean they are not able to access their rights, this places them at a huge disadvantage, whether that be in the way they access health and social care services, their educational attainment, in their employment opportunities or their ability to use public transport.

- Imagine going to A&E and not being able to communicate with your doctor.
- Imagine going to work and not being able to communicate with your employer.
- Imagine being asked to apply for a job in a language you do not understand.
- Imagine going to school and not being able to communicate with other pupils.
- Imagine being in a care home and not being able to communicate with your carers.
- Imagine feeling so disempowered.

16. The Bill will help address these barriers by introducing a specific legal requirement to promote and facilitate the use of BSL in Wales, ensuring greater equity for Deaf BSL signers in Wales.

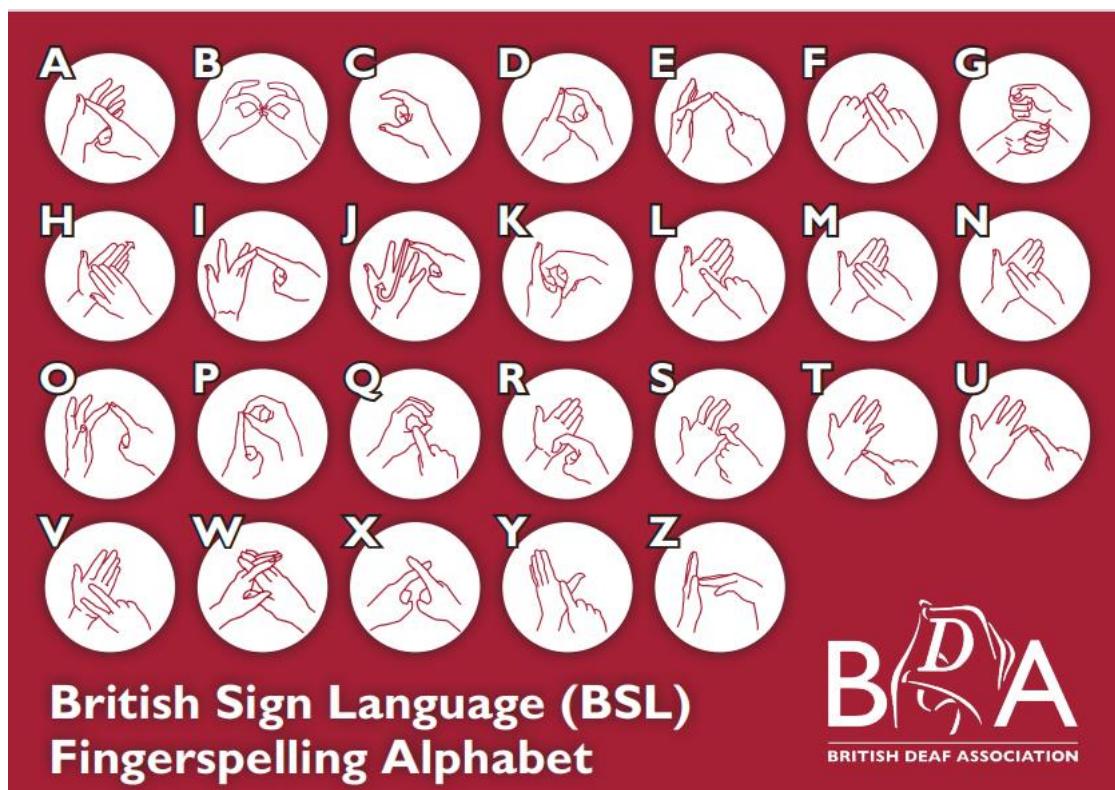
17. The following sections explain in more detail:

- a background to British Sign Language (paras 18 to 35);
- the problem with the current position (paras 36 to 105);
- how the Bill complements and supports current policies (paras 106 to 137); and
- what is happening in the rest of the UK (paras 138 to 155).

A background to British Sign Language

18. Sign languages are full languages with their own communities, histories and cultures. They are a visual language which conveys meaning by using handshapes, facial expressions, gestures and body language.

Figure 1: British Sign Language (BSL) Fingerspelling Alphabet



Source: British Deaf Association

19. There are around 300 sign languages in the world, which vary from nation to nation. Like spoken languages, sign language is not international. Sign languages have developed over years by the people who use them. They are not derived from the spoken language of a country, therefore even in countries where the same language is spoken they can have entirely separate sign languages. For example in the UK, Ireland and USA the main spoken language is English, however all have their own unique sign language. There is a collection of internationally accepted signs – International Sign (IS) – which is sometimes used in the course of international meetings of Deaf people.

20. Additionally, typical of natural languages which have developed over time, sign language can have regional dialects, which adopt variations to people's use and understanding of signs. In Wales, there are estimated to be four regional dialects, so a Deaf person from South Wales, may use some different signs to someone from North Wales, and there may also be variations in east and west Wales.³

Recognising BSL as a language

21. Sign language is a language in its own right. Its vocabulary and syntax do not replicate spoken languages. Where individuals have been Deaf from birth or early childhood, subtitles or written languages are not an adequate alternative as Sign Language is not a signed version of a written or spoken language.

22. Research by linguists such as Sutton-Spence and Woll⁴ states that Sign Language has structures for word order, verb agreement and non-manual features (i.e. facial expressions) beyond simple gesture based communication. From this perspective, Deaf individuals' needs differ from those of individuals who are hard-of-hearing or have a speech impairment in that they have "language needs", not "communication needs".

23. Recognising a language in law can help encourage its use, its heritage and cultural importance. For example, the Gaelic Language (Scotland) Act 2005⁵ gave Gaelic greater protection and prominence and worked towards securing its status as an official language of Scotland and established a body (the Bòrd na Gàidhlig⁶) to promote the use and understanding of Gaelic language. The Scottish

³ Dr Rob Wilks (Senior Lecturer in Law), [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

⁴ Sutton- Spence, R and Woll, B (1999) [The linguistics of British Sign Language](#)

⁵ The [Gaelic Language \(Scotland\) Act 2005](#)

⁶ The [Bòrd na Gàidhlig](#)

Parliament is currently considering the Scottish Languages Bill,⁷ which gives Gaelic and Scots languages official status in Scotland and makes changes to the support for the Gaelic and Scots languages.

24. The Welsh Language (Wales) Measure 2011⁸ made Welsh an official language in Wales. The Measure modernised the legal framework regarding the use of the Welsh language in the delivery of public services. It includes provision about the official status of the Welsh language and established the office of the Welsh Language Commissioner whose principal aim is to promote and facilitate the use of the Welsh language. The Commissioner must have regard to the principle that the Welsh language should be treated no less favourably than the English language.

25. BSL was recognised as a language in its own right by a written Ministerial statement to the House of Commons on 18 March 2003 by the then Secretary of State for Work and Pensions, Andrew Smith MP.⁹ The Welsh Government formally recognised BSL in January 2004.

26. The British Sign Language (Scotland) Act 2015¹⁰ recognised BSL as an indigenous language used by Deaf people, rather than as an impairment requiring communication support.

27. Concerned that the recognition of BSL did not go far enough to address the barriers Deaf people face, campaigners, including the British Deaf Association, have long advocated for the UK to officially recognise BSL in law.¹¹ There is no official ‘legal language’ of the UK, however in 2022 the UK Parliament passed the British Sign Language Act 2022¹² which recognises BSL as “a language of England, Wales and Scotland”.

28. The courts in England and Wales have also recognised BSL is a language in its own right:

- In 2013 in *Finnigan*,¹³ the Court of Appeal said “BSL is a language in its own right which is regularly used by a significant number of people. It is

⁷ [Scottish Languages Bill](#)

⁸ [The Welsh Language \(Wales\) Measure 2011](#)

⁹ [House of Commons Hansard Written Ministerial Statements for 18 Mar 2003 \(pt 2\)](#)

¹⁰ [The British Sign Language \(Scotland\) Act 2015](#)

¹¹ [British Deaf Association, Legal Status for BSL and ISL \(2014\)](#)

¹² [British Sign Language Act 2022](#)

¹³ [Bryan Finnigan v Chief Constable of Northumbria Police \[2013\] EWCA Civ 1191](#)

a visual-gestural language with its own vocabulary, grammar and syntax.”

- In 2021 in *Rowley*,¹⁴ the High Court said “BSL is a language in its own right, with all the essential features of a human language. It is separate from English and is not a signed equivalent of English. It has its own complex grammatical structure and rules; its own phonology, morphology and syntax. It is a complex visual spatial language, involving a combination of hand shapes, facial expressions, lip patterns and body language. This was explained in the evidence of Dr Kate Rowley and Amanda Casson Webb. It has been recognised by the Court of Appeal: *Finnigan*. It was recognised by a 2003 written Ministerial Statement emanating from the Department of Work and Pensions.”

How many BSL signers are there?

29. Deaf BSL signers and information about them, is often not recorded. This means there is no consensus on the total number of Deaf BSL signers in the UK and has led to wide variations in the available estimates. This lack of data makes it difficult to plan appropriate support and service provision.

30. The 2021 Census Data for England and Wales reports 22,000 (0.04%) of usual residents aged 3 years and over use BSL as their main language in England and Wales. This is an increase of over 6,000 since 2011 (15,000, 0.03%). Within Wales, BSL is the language of over 900 people (0.03%). This percentage is slightly lower than in England where just over 21,000 people (0.04%) use BSL as their main language.¹⁵

31. According to the British Deaf Association,¹⁶ BSL is the preferred language of over 87,000 Deaf people in the UK for whom English may be a second or third language. Additionally they say there are 151,000 individuals in the UK who can use BSL (this figure does not include professional BSL users, Interpreters and Translators unless they also use BSL at home). In Wales, the British Deaf Association estimates there are 7,200 individuals who use BSL (this figure does not include professional BSL users, Interpreters and Translators unless they also use BSL at home). Of these, it is estimated that 4,000 are Deaf.

¹⁴ *(R) Rowley v Minister for the Cabinet Office* [2021] EWHC 2108 (Admin)

¹⁵ Office for National Statistics, *Language, England and Wales: Census 2021* (November 2022)

¹⁶ British Deaf Association, *BSL Statistics* (Accessed 30 April 2025)

32. A report commissioned by the Welsh Government in 2020 highlighted the inconsistency in relation to the data and estimated the Welsh BSL population to be between 5,600 and 7,300.¹⁷

The prevalence of BSL within the Deaf community

33. Not all Deaf people will be BSL signers. Deaf people will use a number of communication methods. According to the British Deaf Association an “individual’s choice will have been determined by many factors to do with their experience and the nature and degree of their deafness”.¹⁸ In addition to sign language, Deaf people may also use lipreading, fingerspelling and Deafblind fingerspelling.

34. They may also use other forms of communication, including:

- **The Makaton communication programme** developed over 50 years ago, combines speech, signing, and symbols, specifically aiding those with learning or communication difficulties. It is not a complete, natural language like BSL but rather a supplementary communication system. Makaton has adapted a number of BSL signs but uses them alongside spoken English and symbols in English word order, making it a key communication method for over 100,000 people in the UK.¹⁹
- **Sign Supported English (SSE)** is a term used to describe signing and speaking English at the same time. Often, SSE borrows BSL signs and uses them in the order they are used in spoken English. While BSL is a unique language, SSE generally follows the same grammatical rules as English.²⁰

35. ‘Tactile BSL’ is a method of communicating using touch that is used by some people who are deaf and blind. The Deafblind person places their hands over those of the signer to follow what is being communicated through touch and movement. The signs are based on British Sign Language (BSL) and it includes the Deafblind manual alphabet, which is based on the BSL fingerspelling alphabet.²¹

¹⁷ Bowen, R and Holtom, D (2020) [Independent Review of BSL Provision for Adults in Wales](#)

¹⁸ British Deaf Association, [Communicating with Deaf people](#) (Accessed 30 April 2025)

¹⁹ The Makaton Charity, [Makaton and British Sign Language](#) (accessed 29 April 2025)

²⁰ The British Deaf Association, [The difference between BSL & SSE](#) (accessed 30 April 2025)

²¹ For more information see [Deafblind UK](#)

The problem with the current position

The legislative framework is not working

36. The Equality Act 2010²² protects people against unfair treatment. There is a legal duty under the Equality Act 2010 to ensure reasonable adjustments are made to deliver equality of access to services for disabled people. This duty is anticipatory²³ and requires public bodies²⁴ to be proactive in making adjustments to ensure all access and communication needs are met.

37. The Equality Act says that a disabled person is someone who has, or has had, a disability. A disability under the Act is defined as ‘a physical or mental impairment that has a substantial and long-term adverse (negative) effect on your ability to carry out normal day-to-day activities’. While many Deaf people do not identify as disabled, for those who are Deaf or have hearing loss or tinnitus that fits this definition, they will have rights under the Act.

38. The Act mandates that service providers make reasonable adjustments to ensure disabled people can access their services. This could include providing BSL interpreters, which are considered a reasonable adjustment to facilitate communication.

39. As set out in the Equality Act, the public sector equality duty (PSED) is a legal requirement for public authorities and organisations carrying out public functions. The purpose of the PSED²⁵ is to ensure public authorities and organisations carrying out public functions think about how they can improve society and promote equality in every aspect of their day-to-day business. This means that they must consider, and keep reviewing, how they are promoting equality in:

- decision-making;
- internal and external policies;
- procuring goods and services;

²² [The Equality Act 2010](#).

²³ This means they have to anticipate, think about and try to predict what adjustments could be needed by people with different types of disability, support and access requirements. The service provider must think about all potential disabled customers and not just those who are known to them.

²⁴ The Equality Duty applies across Great Britain to the public bodies [listed in Schedule 19 \(as amended\)](#), and to any other organisation when it is carrying out a public function.

²⁵ Equality and Human Rights Commission, [The Public Sector Equality Duty \(PSED\)](#) (accessed 30 April 2025)

- the services they provide; and
- recruitment, promotion and performance management of employees.

40. Section 153 of the Act enables Welsh Ministers to impose specific duties on certain Welsh public bodies through secondary legislation. These are set out in the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011.²⁶ These duties came into force in Wales on 6 April 2011 and apply to listed bodies in Wales.

41. Several of those who responded to the consultation on the Bill²⁷ felt the duties set out in the Equality Act are not being upheld. They argue that Deaf BSL signers experience discrimination, with little access to redress when their rights are not upheld. The Royal National Institute for Deaf People (RNID)²⁸ argue that while the Equality Act does offer some protections, “what constitutes a ‘reasonable adjustment’ can be ambiguous, leading to inconsistent application”.

42. While some will agree that the Equality Act provides a mechanism to challenge and redress communication barriers, many Deaf BSL signers consider BSL as a minority language rather than an impairment that requires communication support. Some of those responding to the consultation stressed this point and said the Bill goes beyond the Equality Act, by protecting, promoting and facilitating BSL as a language. Tirweddau Cymru Landscapes Wales (TCLW)²⁹ said BSL is “more than a reasonable adjustment as a language and has cultural, community and identity values for users”. Dr Kate Attfield, wanted to see the Equality Act amended to “recognise Deaf people as a protected characteristic, as a cultural and linguistic group of people”.³⁰

Creating legislative parity with the UK and Scottish parliaments

43. Whilst the Welsh Government formally recognised BSL in January 2004, it has not brought forward legislation in the same way as the UK and Scottish

²⁶ [The Equality Act 2010 \(Statutory Duties\) \(Wales\) Regulations 2011](#)

²⁷ Mark Isherwood MS, [Summary of consultation on proposed British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

²⁸ The Royal National Institute for Deaf People, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#)

²⁹ Tirweddau Cymru Landscapes Wales, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

³⁰ Dr Kate Attfield, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

parliaments or the legislation proposed by the Northern Ireland Assembly.³¹ This lack of specific legislation has led to a distinct gap in Wales.

44. In October 2018 calls for BSL legislation for Wales, similar to the British Sign Language (Scotland) Act 2015, were made at the North Wales 'Lend Me Your Ears 2018' conference.³²

45. Several organisations including the RNID, Disability Wales, the British Deaf Association, Care and Repair Cymru and a number of individuals who responded to the consultation felt strongly that a Bill is needed in order to create parity with UK and Scottish parliament legislation. This would ensure Deaf BSL signers in Wales are not at a disadvantage compared to those in England and Scotland.

46. Disability Wales³³ said the “legislative gap leaves Welsh signers without the same protections”. Care and Repair Cymru³⁴ said the Bill would place “equivalent specific duties on the Welsh Government and public bodies in Wales”. The RNID³⁵ made a similar point and want to see Welsh Government “catch-up” with legislation enacted in Westminster and Scotland which offer “further protections” for Deaf BSL signers who they said:

[...] are at risk; their government has significantly weaker or minimal statutory responsibilities to the deaf community compared to other UK nations.

A lack of understanding about British Sign Language

47. As previously set out, BSL is a language in its own right. Understanding BSL as a language not a form of communication is important. It can make a significant difference to the way service providers take into account the needs of Deaf BSL signers, including whether they would consider their needs in the same way as they would for English and Welsh speakers.

48. Participants who took part in the engagement events³⁶ spoke with pride about their “beautiful” language, which offers more than just the ability to

³¹ Northern Ireland Assembly, [Sign Language Bill](#) (introduced in February 2025 and currently under consideration by the Assembly)

³² Mark Isherwood MS, [Call for British sign language legislation in Wales](#) (October 2018)

³³ Disability Wales, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

³⁴ Care and Repair Cymru, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

³⁵ The RNID, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

³⁶ Mark Isherwood MS, [Engagement findings on the British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

communicate but a sense of connection, community and self-acceptance. As one participant summed up:

BSL is not just a language; it's our identity. It's how we connect, and that needs to be respected.

49. Several respondents to the consultation emphasised the need to do more to ensure BSL is recognised as a language, with several consultation responses opposed to the Bill making provisions for other methods of communication (i.e. Makaton or Sign Supported English). Some felt strongly that the Bill should replicate legislation in the UK and Scotland and focus solely on the language needs of the Deaf community, restating its purpose to promote and facilitate the use of BSL.

50. This Bill ensures Welsh Ministers have to promote and facilitate the use of BSL and listed public bodies have to plan how they will promote and facilitate the use of BSL, therefore ensuring a greater understanding of BSL, its heritage and cultural importance.

Too few BSL signers can access interpreters and communicate in BSL

51. The Deaf community relies heavily on qualified BSL interpreters and translated materials to access essential services such as healthcare, social care and education. It is important for people working as interpreters to be well-trained, qualified and registered, with a high level of skill in BSL.

52. The National Registers of Communication Professionals working with Deaf and Deafblind People (NRCPD)³⁷ regulates the BSL interpreter profession in the following categories:

- **Registered Sign Language Interpreter (RSLI)** - need to demonstrate they know about interpreting and professional conduct, as defined in the National Occupational Standards.³⁸ They will also need to achieve qualifications in interpreting and BSL that are approved by NRCPD.³⁹
- **Trainee Sign Language Interpreter (TSLI)**⁴⁰ - must be undertaking an approved development plan or an approved interpreting training course

³⁷ [National Registers of Communication Professionals working with Deaf and Deafblind People](#)

³⁸ NRCPD, [Code of Conduct](#)

³⁹ NRCPD, [Approved Courses](#)

⁴⁰ TSLIs may have limited skills and experience. The National Registers of Communication Professionals working with Deaf and Deafblind People state that TSLIs should be used in certain situations, such as when someone has a mental health problem and needs an interpreter.

that leads to Registered status. They will need to be supervised or mentored by a Registered Sign Language Interpreter, and meet other standards, which are available on the NRCPD website.

53. When BSL interpreters are registered with the NRCPD this ensures: they are appropriately trained and qualified; they have an Enhanced DBS check; are insured, are subject to an independent complaints procedure and work to a professional code of conduct.

54. The latest available data⁴¹ shows there are 54 registered Sign Language Interpreters in Wales. Based on the BDA's estimate of 4,000 Deaf BSL signers, this would mean there is only one interpreter for every 74 Deaf BSL signers. With around 1,500 registered sign language interpreters in the UK, the RNID⁴² estimates that for every interpreter there are 60 Deaf BSL Signers.

55. Over the past 20 years, successive Welsh Governments have sought to address the shortage of BSL Interpreters. In 2004 a Cabinet Task and Finish Group reviewed BSL interpreter services in Wales. The Group recommended⁴³ the then Assembly Government take action to increase, from 12 to 64, the number of BSL interpreters available in Wales. The latest figures show while numbers have increased, they have yet to reach this target.

56. Research commissioned by the Welsh Government in 2023 found that demand for BSL interpretation consistently outstrips supply and leads to unacceptable waiting times for BSL interpreters. The research also found some instances where some interpreters are reluctant to work on police interviews as they are not comfortable with the level of scrutiny involved and the possibility of being required to attend court. There is also little understanding about the needs of the Deaf community and the importance of BSL provision:⁴⁴

BSL interpreters are booked 6 weeks in advance as a minimum. It is one of our most challenging languages. I think people are really ignorant of the needs of the deaf community. Most, if not nearly all, believe that a BSL user will be able to just read the information in English, but that isn't true. Their

⁴¹ NRCPD, [Registration Figures](#) (accessed 15 May 2025)

⁴² The Royal National Institute for Deaf People, [Facts and statements on inclusion](#) (accessed 30 April 2025)

⁴³ The National Assembly for Wales, [Record of Proceedings](#) (13 June 2006)

⁴⁴ Welsh Government, [Migrant integration: research on foreign language interpretation services](#) (2023)

*language is BSL not English and there is no form of written BSL.
I have to admit I assumed that too before taking this job.*

57. The research also highlighted concerns relating to interpretation services for forced migrants. A charity worker said after contacting five different agencies, they could not find any support for a refugee who required support.

58. The difficulties encountered when accessing BSL interpreters was a common theme across the engagement on the Bill⁴⁵ and the written consultation, with 86% saying this issue should be prioritised. Participants taking part in the engagement on the Bill agreed that addressing the shortage of qualified BSL interpreters is a priority and access to training programmes is essential for building a sustainable workforce.

59. Responding to the written consultation, a BSL Interpreter⁴⁶ also set out what impact the shortage has on the profession more generally, and was of the view that a Welsh BSL Act would address the shortage:

Interpreters have many roles within the Deaf community and I share the daily frustration and barriers the deaf community have. Interpreters are on the brink of burn out so by having a BSL Act we can continue doing what we do best without having to navigate and fight for someone's basic human right.

Accessibility of BSL interpreters

60. The Welsh Ambulance Services University Health NHS Trust⁴⁷ highlighted the lack of available BSL interpreters to provide support at short notice and during emergency care incidents. They also referred to the rising cost of interpretation services, which can often be unpredictable, and said there is currently “no additional funding for any interpretation or language support and costs fall to individual organisations”. The WLGA⁴⁸ highlighted best practice on the provision of BSL⁴⁹ and said where a council or other partners commission BSL, two interpreters

⁴⁵ Mark Isherwood MS, *Engagement findings on the British Sign Language (BSL) (Wales) Bill* (March 2025)

⁴⁶ A BSL/English Interpreter, *Response to the consultation on British Sign Language (BSL) (Wales) Bill* (March 2025)

⁴⁷ Ambulance Services University Health NHS Trust, *Response to the consultation on British Sign Language (BSL) (Wales) Bill* (March 2025)

⁴⁸ The Welsh Local Government Association, *Response to the consultation on British Sign Language (BSL) (Wales) Bill* (March 2025)

⁴⁹ Clarion UK, *The Legal Best Practice Guide: How many interpreters do I need?*

are required so they can switch every 20-30 minutes. They say this can push costs up “considerably”.

61. The Neumark Foundation⁵⁰ highlighted the impact on BSL signers who cannot access BSL interpretation and said they often rely on family members for communication with health services which can “compromise both privacy and the accuracy of medical information”.

62. When providing BSL interpretation most public services in Wales will source professional interpreters and translators via the Welsh Interpretation and Translation Service (WITS).⁵¹ The service was launched in 2009 (with the support of a Welsh Government grant) as a “one-stop-shop” designed to improve the access to public services for vulnerable people whose first language is not English or Welsh and those who may be disadvantaged by a disability. The service was hosted by Gwent Police but hosting responsibilities were transferred to Cardiff Council in January 2017. WITS is self-funding and the Welsh Government has had no further direct involvement in the funding or management of the service. Between April 2024 and March 2025, of the 36,638 requests for interpretation, 3,151 were for BSL.

63. Senedd Members have submitted several written questions which relate to the performance of WITS to the Welsh Government. In 2019, when asked whether the Welsh Government was considering a review of the WITS for Deaf people accessing the NHS, the then Minister for Health and Social Services said:⁵²

It is for the NHS and other public sector organisations to consider the requirements of their populations when commissioning these services.

64. In May 2024, Mark Isherwood MS, told the Senedd the manager for the WITS had highlighted to the Cross-Party Group on Deaf Issues (of which the MS is chair) a shortfall of interpreters, especially for emergency and unplanned care, with most requests being pre-planned, and with challenges in finding skilled interpreters at short notice.⁵³ The MS also raised the following concerns:

⁵⁰ The Neumark Foundation, Response to the consultation on British Sign Language (BSL) (Wales) Bill (March 2025)

⁵¹ The Welsh Interpretation and Translation Service (WITS)

⁵² Welsh Parliament, Written Question (1 May 2019)

⁵³ Record of Proceeding, paragraph 151 and 152 (22 May 2024)

- staff in the health service lacking knowledge about how to book interpreters;
- a disconnect between staff in the health service and WITS leading to uncertainty about interpreter availability;
- deaf individuals receiving appointment letters without clear information on whether an interpreter is booked, causing confusion and uncertainty; and
- the lack of awareness in the medical profession about the needs of deafblind individuals.

65. The process of booking interpreters was a source of confusion and frustration for participants who took part in the engagement events.⁵⁴ Some participants felt the WITS added unnecessary complexity, reduced the quality of interpreting services and had disrupted established relationships and introduced bureaucratic challenges.

66. Some consultation responses reported a lack of understanding in the public sector about how to book interpreters. Swansea University said:⁵⁵

We have much evidence of the many occasions when statutory services simply do not know or have efficient systems to actually book BSL interpreters. So when Deaf people do want to take part and have a voice, they are continually discriminated against and this opportunity is denied to them.

67. The Bill requires Welsh Ministers to promote and facilitate the use of BSL and requires listed public bodies to plan how they will promote and facilitate the use of BSL. This could be through addressing the shortage of BSL interpreters overall but could also include ensuring greater understanding and awareness of why providing BSL is so important and how to access BSL interpretation and translation.

BSL signers face barriers when accessing public services

68. As shown in the figure below, a key issue raised in the consultation was around the barriers faced by Deaf BSL signers when accessing public services,

⁵⁴ Mark Isherwood MS, *Engagement findings on the British Sign Language (BSL) (Wales) Bill* (March 2025)

⁵⁵ Swansea University, *Response to the consultation on British Sign Language (BSL) (Wales) Bill* (March 2025)

transport and in the workplace, with the top two barriers being in health and education.

Figure 2: Barriers facing Deaf people

When accessing public services (of 111 responses)



BSL signers face barriers accessing education

69. Evidence suggests that children with inadequate access to any form of language may experience language deprivation. This has serious life-long consequences for Deaf children's language, emotional and cognitive development and their wellbeing. Education was identified as a key barrier faced by Deaf people in both the written consultation and engagement events.

70. In 2024, there were 2,227 Deaf children in Wales. This is a reported decrease of 33 (1%) from 2,260 in 2023⁵⁶ Evidence shows that Deaf children have the potential to achieve at the same level as their hearing peers given the right support to access the curriculum.⁵⁷ However, Deaf learners generally have a lower educational attainment compared to hearing children. In 2019, Deaf learners were 10.7% less likely to achieve A*-C grades in the core subjects of English/Welsh language and Maths combined, in comparison to their hearing peers. Furthermore, the attainment gap between Deaf children and their hearing peers at Key Stage 2 is approximately 7.%. Statistics also show that 73% of D/deaf

⁵⁶ Consortium for Research into Deaf Education, [Education provision for deaf children in Wales in 2023/24](#) (2024)

⁵⁷ National Deaf Children's Society, [Overcoming barriers: Our strategy for 2017-2022](#) (2017)

children are achieving the Foundation Phase Indicator compared with 92% of hearing children.⁵⁸

71. In 2019, the Welsh Government commissioned a Rapid Evidence Assessment of the effectiveness of educational interventions to support children and young people with a hearing impairment.⁵⁹ The report found that interventions should start early to be effective, especially for language development. Currently there is no national programme of early years BSL provision for Deaf children in the UK.⁶⁰

72. A strong theme during the engagement⁶¹ was the need for early language exposure for Deaf children. Delays in language acquisition can disadvantage children by the time they enter school, where hearing peers often have a well-developed first language or even multiple languages. Although early exposure to BSL can help prevent language deprivation, too often Deaf children lack access to it in their early years.

73. Many Deaf children are born to hearing parents, yet participants during the engagement events emphasised the lack of structured support to help families learn, with some being discouraged from using BSL due to misconceptions that signing will slow spoken language development.

74. A review of BSL education for adults in 2020⁶² found provision is patchy across Wales and is driven more by the availability of funding and appropriately qualified tutors, rather than demand. This increases the risk that parents, carers or adults who wish to learn BSL to communicate with a Deaf child or partner cannot find a free course and/or a course at a time and place that they can access.

75. There is currently no school for Deaf students in Wales and Deaf children are mostly educated in mainstream schools. In 2024 the Consortium for Research in Deaf Education (CRIDE Survey)⁶³ identified 19 resource provisions (all schools with a resource provision, base or unit, regardless of whether staff in the resource

⁵⁸ National Deaf Children's Society, [note on Welsh Government figures on educational attainment data in 2019](#) (Wales) (August 2019)

⁵⁹ Terlektsi, E; Wootten, A; Douglas, G; Ellis, L; Hewett, R; Hodges, L; McLinden, M; Ware, J; Williams, L, (2019). [A Rapid Evidence Assessment of the effectiveness of educational interventions to support children and young people with hearing impairment](#).

⁶⁰ British Deaf Association, [Position Statement on the Language Acquisition of Deaf Children](#) (2024)

⁶¹ Mark Isherwood MS, [Engagement findings on the British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

⁶² Bowen, R, Holtom D, (2020) [Independent Review of BSL Provision for Adults in Wales](#).

⁶³ Consortium for Research into Deaf Education, [Education provision for deaf children in Wales in 2023/24](#) (2024)

provision are employed by the local authority or by the school). This means on average there is one resource provision for every 117 Deaf children. These include:

- 9 resource provisions for primary-aged children.
- 10 resource provisions for secondary-aged children.

76. This is a decrease from 2019 when CRIDE identified 24 resource provisions.

77. During the consultation's engagement sessions, participants felt strongly that current support for Deaf children in mainstream schools is often insufficient. Referring to the lack of specialist Deaf schools in Wales, Disability Wales⁶⁴ and Bridgend Council⁶⁵ said Deaf children in mainstream schools often don't have access to specialist support.

The education workforce

78. In 2024 there were at least 64.8 Full Time Equivalent (FTE) Teachers of Deaf (TOD) Children and Young People posts, of which 2 FTE (3%) were vacant. 97% of these posts are occupied by fully qualified TODs.⁶⁶

79. In response to a petition to improve access to education and services in BSL, in 2018⁶⁷ the Senedd's Petitions Committee supported the introduction of a minimum standard BSL qualification for learning assistants supporting Deaf children and young people. Responding to the Committee's recommendations the Welsh Government committed to introduce professional standards for teaching assistants but said the draft standards "do not include specific qualifications such as BSL as to do so would be impractical and potentially inequitable".⁶⁸

80. The Senedd's Children, Young People and Education Committee published its report⁶⁹ on disabled children and access to childcare in July 2024. The Committee heard that there has been a decline in specialist support units and in

⁶⁴ Disability Wales, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

⁶⁵ Bridgend Local Authority, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

⁶⁶ Consortium for Research into Deaf Education, [Education provision for deaf children in Wales in 2023/24](#) (2024)

⁶⁷ Senedd Cymru Petition, [To improve access to Education and services in British Sign Language](#) (2018)

⁶⁸ Welsh government, [Response to Petitions Committee Report To Improve Access to Education and Services in British Sign Language](#) (November 2018)

⁶⁹ Children, Young People and Education Committee, [Do disabled children and young people have equal access to education and childcare?](#) (2024)

the numbers of TODs. They also heard concerns about future provision given one-third of existing TODs are due to retire in the next 10 years.

81. The Committee recommended the Welsh Government sets out a clear delivery plan for addressing gaps in specialist teaching posts, for TODs (and Teachers of the Visually Impaired) to ensure that all children and young people can access this support when needed. The Welsh Government rejected the Committee's recommendation stating that "Local authorities are responsible for planning their workforce to ensure the availability of sufficient and appropriately trained staff".⁷⁰ It highlighted additional funding the Welsh Government had provided through 2018-21 for training support for teachers of the sensory impaired as part of the Additional Needs Transformation programme.⁷¹

82. A number of consultation responses highlighted concerns about the current education workforce and insufficient numbers of TODs. In its consultation response, NASUWT Cymru (The Teachers' Union)⁷² highlighted the Children, Young People and Education Committee's finding that many TODs do not have a specific BSL qualification and are being replaced by teaching assistants over time. In fulfilling its duties as set out in the Bill they said the Welsh Government will need to ensure that all parts of the country will have access to BSL-trained teachers – in both English and Welsh. As highlighted by Ceredigion Council⁷³ access to support staff can also be particularly challenging in Welsh medium schools.

83. One individual described the barriers her child faced to access an interpreter in school in Wales and compared this to the increased support she had received in England where she had started "achieving academic success".

84. Reflecting on the impact a BSL Act could have on access to education in Wales, the British Deaf Association⁷⁴ said:

Deaf people are able to achieve wonderful things, it is the lack of access to education and opportunities that holds them back.

⁷⁰ Welsh Government, [Response to the recommendations made by the Children, Young People and Education Committee's report: Do disabled children and young people have equal access to education and childcare?](#) (September 2024)

⁷¹ Welsh Government, [The additional learning needs transformation programme](#) (October 2020)

⁷² NASUWT Cymru, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

⁷³ Ceredigion County Council, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

⁷⁴ British Deaf Association, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

We need a BSL Bill to ensure that access to language is provided for Deaf children from birth, right through schooling, and will enable them to go on to have successful careers.

Introducing a BSL GCSE in Wales?

85. Campaigners have been calling for a GCSE in BSL for over a decade. It is hoped that a qualification in BSL will help to “breakdown communication barriers between deaf and hearing people and educate more people about the deaf community and culture, creating a more accessible society”.⁷⁵

86. Qualifications Wales (the independent body responsible for regulating qualifications in Wales) had planned to introduce a GCSE in BSL. However, in October 2024 they announced that they had suspended the development of the BSL GCSE.⁷⁶ They said BSL units will be available in the new [Skills for Life](#) qualification⁷⁷ and that, depending on the successful delivery and take-up of the BSL units in the Skills for Life qualification, they will consider, over time, whether the National Qualifications offer should be further expanded to include a GCSE in BSL specifically designed for Wales.

87. Qualifications Wales have stated that they do want to see a GCSE available to learners in Wales, but at the moment believe that this can be best achieved through allowing the GCSE being developed in England to be delivered in Wales.

88. Qualifications Wales also continue to engage with key stakeholders including the National Deaf Children’s Society and the awarding body Signature, the leading awarding body for deaf communication and language qualifications in the UK, whose existing BSL qualifications will remain available for learners in Wales.

89. Discussions have also taken place with Signature relating to:

- their role as provider of the BSL Exams;
- the appetite for BSL in schools;
- their development of free, online BSL lessons for Primary Schools;

⁷⁵ British Deaf Association, [GCSE in BSL](#) (accessed on 16 June 2025)

⁷⁶ Qualifications Wales, [British Sign Language update](#) (October 2024)

⁷⁷ Qualifications Wales, [National Qualifications: Skills Suite](#) (accessed 16 June 2025)

- adoption of the English BSL GCSE by Welsh schools, although without Welsh variations; and
- their work looking at how Deaf BSL users can obtain the qualifications to teach the BSL GCSE.

90. In response to this decision, the Welsh Government said stakeholders have identified challenges that have yet to be addressed. These include the lack of an official online BSL dictionary in Wales, and a concern that there are not enough teachers to successfully deliver the GCSE.⁷⁸ The National Deaf Children's Society Cymru described the decision as “devastating” and considers the decision “to be a step backwards for equality, inclusivity, and for the BSL community of Wales”.⁷⁹

91. Some respondents to the written consultation and participants in the engagement highlighted the decision taken by Qualifications Wales not to take forward a BSL GCSE and expressed frustration that Wales does not have a BSL GCSE, while England is moving ahead with theirs. The Children's Commissioner for Wales expressed her disappointment with the decision and said she has written to Qualifications Wales and the Welsh Government to express concern and has asked for further information about the decision. Their responses have reassured her that the decision would have limited impact on Deaf learners but she said she will “continue to press on this issue”.⁸⁰

92. In England, following a public consultation, the UK Government set out plans to introduce a GCSE in BSL. The BSL GCSE will teach students to effectively communicate using BSL and provide an understanding of the history of BSL in the UK. The aim was to have exam board syllabuses approved from September 2025,⁸¹ however in April 2025, Ofqual (the independent qualifications regulator for England) launched a second consultation⁸² on the rules that will govern the assessment of the new BSL GCSE, meaning the introduction will be delayed. The British Deaf Association estimate this target will be missed by 2 years.⁸³

⁷⁸ The Welsh Government, [Letter to National Deaf Children's Society Cymru and Signature on BSL GCSE](#) (December 2024)

⁷⁹ The National Deaf Children's Society Cymru, [Letter to Ministers](#)

⁸⁰ The Children's Commissioner for Wales, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

⁸¹ UK Government, [GCSE British Sign Language \(BSL\)](#) (December 2023)

⁸² UK Government, [Rules for GCSE qualifications in British Sign Language](#) (April 2025)

⁸³ The British Deaf Association, [At long last, the BSL GCSE moves closer](#) (April 2025)

BSL signers face barriers when accessing health

93. A lack of effective communication systems and booking options and inconsistent interpretation services means Deaf people often face significant barriers when accessing health services. This can have devastating consequences for Deaf people and can lead to:⁸⁴

- Misdiagnosis or underdiagnosis and treatment.
- Greater risk of underdiagnoses and under-treatment of chronic diseases and thus tending to have poorer health and health outcomes than the general population.
- Being twice as likely to experience mental health problems.

94. In 2019 Public Health Wales commissioned research⁸⁵ to explore health behaviours and barriers experienced by Deaf people in Wales. It reported that access to health services is a major problem and Deaf people often avoid contact with health services due to poor past experiences.

95. In research carried out in 2024, Deaf people reported that health professionals lack training on Deaf awareness and do not know how to communicate effectively with Deaf and hard of hearing people. That research also concluded that further research into Deaf awareness and training resources for health professionals is needed to ensure that healthcare experiences are more positive for Deaf people.⁸⁶

96. Wales is the only UK nation without a specialist mental health service for Deaf people. A report in 2021⁸⁷ found that Deaf people persistently battle to access mental health services, with limited provision for Deaf people in Wales. It stated that most Deaf patients requiring in-patient care are referred to England, at great distance from their families and social networks, and at significant financial cost to the health service. In response to the consultation, the Royal College of Psychiatrists⁸⁸ said this “is particularly unacceptable given that deaf people are

⁸⁴ Bangor University [Reducing Health Inequalities for the Deaf Community](#) (August 2024)

⁸⁵ Bangor University, [Health and Wellbeing for Deaf Communities in Wales: Scoping for a Wales-Wide Survey](#) (2019)

⁸⁶ Terry, J, Meara, R and England, R. (2024) [They still phone even though they know I'm deaf: exploring experiences of deaf people in health services in Wales](#). UK

⁸⁷ Terry, J., Redfern, P., Bond, J., Fowler-Powe, M., Booth, C, (2021) [Deaf People Wales: Hidden Inequality](#). All Wales Deaf Mental Health & Well-Being Group

⁸⁸ the Royal College of Psychiatrists, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

twice as likely to experience mental health problems compared with the general population”.

97. A number of consultation responses referred to the barriers Deaf BSL signers face when accessing health services. This is primarily due to the lack of information in a BSL format, a lack of interpreters available to book appointments which has resulted in family members or friends having to convey sensitive and complex medical information, a lack of awareness amongst healthcare professionals about the needs of the Deaf community and a lack of training. One individual⁸⁹ reported that while undergoing major surgery in hospital “throughout the whole time I did not understand anything”.

98. The British Deaf Association⁹⁰ provided the following scenario facing many Deaf BSL signers:

Deaf people may need an urgent appointment, where no interpreter is available, or arriving at A&E in lots of pain, and they don't know how to use the video relay service technology. Wrong information may be given or how to take medication may be misunderstood. This barrier means that Deaf people suffer as a result. Later diagnoses, mis diagnoses, which in some cases means they are then life limiting. Hearing people are able to access so much information about how to look after themselves, and information on health conditions via NHS website etc. As a Deaf BSL user, there is such a lack of accessible information. I was recently asked about information on acid reflux in BSL, of which there is nothing available.

99. Several respondents involved in delivering health services also highlighted the barriers Deaf BSL signers face. The Welsh Ambulance Services University NHS Trust,⁹¹ Cardiff and Vale University Health Board⁹² and Velindre University NHS Trust⁹³ agreed that accessibility of BSL provision is an issue. Aneurin Bevan University Health Board said while the “ability to communicate effectively in their

⁸⁹ Jonny Cotsen,, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

⁹⁰ British Deaf Association, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

⁹¹ The Welsh Ambulance Services University NHS Trust, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

⁹² Cardiff and Vale University Health Board, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

⁹³ Velindre University NHS Trust, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

communication style is critically important for person centre care, to ensure they understand and feel treated as an individual throughout”, that “not all services currently can accommodate BSL users, as the training around this is very expensive and so limited”.

The NHS Wales standards for accessible communication and information

100. In 2012, the Welsh Government set up a working group to examine communication barriers experienced by people who experience sensory loss in healthcare. Its recommendations led to the publication of NHS Wales standards for accessible communication and information in November 2013.⁹⁴

101. The standards set out what people with sensory loss should expect when they access healthcare. The standards apply to adults, young people and children and cover communication, workforce and training, healthcare standards and complaints. Every Health Board and NHS Trust in Wales is required by the standards to develop an implementation plan that is led by a designated senior officer and sets out clear timescales and actions for delivery. The standards are monitored through the NHS Wales Delivery Framework. However, these standards have no legal power, which limits their scope.

102. Reflecting on these standards, researchers at Bangor University⁹⁵ argued they focus on communication rather than the language needs of BSL Signers. They say:

The language used in the above standards is also in stark contrast with the Welsh Language Standards (Welsh Government, 2018) and the Scottish Government's BSL National Plan (Scottish Government, 2017), which frame Welsh and BSL, respectively, in terms of patients' "language choice" or "preferred language" rather than in terms of a communication need. The Welsh Government (2012) further state that many people "can only communicate and participate in their care as equal partners effectively through the medium of Welsh" (p. 6) and that health care through the medium of Welsh should be "a core component of care, not an optional extra" (p. 6). No mention of similar rights for BSL-users is made in the Standards for People with Sensory Loss (NHS Wales, 2013).

⁹⁴ NHS Wales, *All Wales Standards for Accessible Communication and Information for People with Sensory Loss* (July 2013)

⁹⁵ Foltz, A and Shank, C. *Deaf Sign-Language Using Patients' Experiences in Health Emergencies in Wales: Perspectives for Improving Interactions* (2020)

103. Based on its research in 2017 Action on Hearing Loss⁹⁶ concluded there was a long way to go before patients get the increased accessibility they were promised. In 2018 the Auditor General recommended⁹⁷ the Welsh Government consider if these could be adapted to cover other public services.

104. Several individuals and organisations who responded to the consultation expressed frustration with what they see as the poor implementation of the 2013 standards. The RNID said the guidance has had limited impact on people with sensory loss and BSL users in Wales. The British Deaf Association⁹⁸ said:

NHS Healthcare has been subject to Accessible Standards since 2013 but still many Deaf people are attending Doctors, Dentists and Hospitals with no information and communication in BSL. Those standards are being refreshed but there is little confidence that the situation will improve in the way that is needed.

105. In 2023, the Welsh Government reviewed the effectiveness of the standards and undertook further work to understand the continued barriers faced by people when accessing healthcare. At the time of writing work is underway to renew and broaden the standards.⁹⁹

How the Bill complements and supports current policies

106. This section explains how the Bill fits into the existing legislative and policy landscape and how it will help improve access to BSL provision.

Social Services and Well-being (Wales) Act 2014

107. The Social Services and Well-being (Wales) Act 2014¹⁰⁰ provides a legal framework for improving the wellbeing of children and adults who need care and support, and unpaid carers. The legislation covers a wide range of areas, and its aims include to:

⁹⁶ Action on Hearing Loss, *On the record. Good Practice* (2017)

⁹⁷ Audit Wales, *Speak my Language. Overcoming language and communication barriers in public services* (2018)

⁹⁸ British Deaf Association, *Response to the consultation on British Sign Language (BSL) (Wales) Bill* (March 2025)

⁹⁹ Welsh Government, *Draft Disabled People's Rights Plan: 2025 to 2035* (May 2025)

¹⁰⁰ *The Social Services and Well-being (Wales) Act 2014*

- give carers an equal right to an assessment and support as those they care for;
- improve assessments and focus on ‘what matters’ to the person;
- deliver a new national eligibility criteria for access to statutory services;
- strengthen safeguarding arrangements for children and adults; and
- provide better access to advocacy services to support individuals to have a voice in decisions that affect them.

108. In response to the consultation, several organisations and individuals highlighted a lack of access to BSL for those signers who are accessing social care. Social Care Wales¹⁰¹ said that while, social care services are often “willing to book” BSL interpreters, their “knowledge of engaging with Deaf BSL signers and understanding the cultural differences isn’t consistent across Wales”. To help ensure greater consistency, Care and Repair Cymru¹⁰² advocated for a dedicated deaf social worker in each local authority. One individual¹⁰³ referred to stories of Deaf BSL signers “being the only Deaf person in a care home where none of the residents or staff can use BSL” and noted how isolating this would be.

109. While the Bill will not place a statutory duty on social care providers to provide BSL, the objectives of the Bill will complement the Act and together they will help ensure listed public bodies, including local authorities, set out what they will do to promote and facilitate the use of BSL.

Well-being of Future Generations (Wales) Act 2015

110. The Well-being of Future Generations (Wales) Act 2015¹⁰⁴ aims to improve the social, economic and cultural well-being of Wales by placing a duty on certain bodies to think in a more sustainable and long-term way.

111. As outlined in the Act, public bodies must take into consideration the following seven well-being goals¹⁰⁵ across their decision-making:

¹⁰¹ Social Care Wales, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁰² Care & Repair Cymru, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁰³ Individual, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁰⁴ Welsh Government, [The Well-Being of Future Generations \(Wales\) Act 2015](#)

¹⁰⁵ Welsh Government, [The Well-being of Future Generations](#)

- a prosperous Wales;
- a resilient Wales;
- a healthier Wales;
- a more equal Wales;
- a Wales of more cohesive communities;
- a Wales of vibrant culture and thriving Welsh language; and
- a globally responsible Wales.

112. The Act places a responsibility on many devolved public bodies in Wales to consider the impact of their policies on future generations and ensure their current actions have a positive impact on the well-being of Wales' citizens of the future. As set out by the Welsh Government:¹⁰⁶

Achieving the well-being of future generations goals must leave no-one behind. Across all Wales's well-being goals, the experience of deaf people shows that more can be done, so that they can access employment opportunities, maximise their physical and mental well-being, recognising the unique deaf culture, and that they fulfil their potential.

113. Whilst considering the “transformative framework for addressing the multifaceted needs of the Welsh Deaf community”, Dr Rob Wilks,¹⁰⁷ a Deaf legal academic specialising in equality law, sign language recognition and bilingual deaf education, says the true potential of the Act “can only be realised through a comprehensive and inclusive approach that actively engages Deaf individuals and their representatives in policy making and implementation processes”. Dr Wilks argues the introduction of a BSL Act will “institutionalise the promotion and facilitation of BSL, ensuring it is integral to public services and communications, thereby strengthening the seven well-being goals as they pertain to the Welsh deaf community”.

¹⁰⁶Record of Proceedings, paragraph 223 (19 June 2024)

¹⁰⁷ Wilks, R (2024) Unseen and unheard: how the Future Generations Act is not addressing the needs of the Welsh deaf community

114. The BSL Bill is consistent with the seven well-being goals and five ways of working of the Well-being of Future Generations (Wales) Act 2015 as they relate to the long-term needs of Deaf BSL signers of all ages.

Additional Learning Needs and Education Tribunal (Wales) Act 2018

115. Deafness is not a learning difficulty but can lead to children having Additional Learning Needs (ALN), primarily because it is a disability that may prevent or hinder them accessing education or training that is generally available to others, and therefore may require Additional Learning Provision (ALP).¹⁰⁸ However Deaf children are being disadvantaged by the continuing inequity in outcome. In terms of accessing education, under the provisions of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 every learner with ALN should be given a statutory Individual Development Plan (IDP) setting out their needs and the interventions they require. The Welsh Government issued the Additional Learning Needs Code for Wales in 2021,¹⁰⁹ which sets out the detail of how schools, colleges, local authorities and health boards should, and must, meet their responsibilities under the Act.

116. The National Deaf Children's Society has noted that the Additional Learning Needs Code¹¹⁰ (ALN) states that Deaf children and young people, alongside those who are blind or sight impaired, are "more likely to have ALN by virtue of the fact the impairment is likely to prevent or hinder them from making use of educational or training facilities and is likely to call for Additional Learning Provision".¹¹¹ The Society has therefore proposed that virtually all Deaf children should routinely be regarded as eligible for an IDP. However, they report that in their members survey conducted in 2022 only a quarter of families of Deaf children said their child had an IDP and professionals reported ongoing confusion over eligibility. The Society's concerns about the extent to which Deaf pupils are being formally recognised as having ALN and given an IDP are also documented in evidence it submitted to the Children, Young People and Education (CYPE) Committee's scrutiny of the implementation of the ALN system.¹¹²

¹⁰⁸ Additional Learning Needs and Education Tribunal (Wales) Act 2018 Section 2

¹⁰⁹ Welsh Government, The Additional Learning Needs Code (2021)

¹¹⁰ Welsh Government, The Additional Learning Needs Code (2021)

¹¹¹ The definition of ALN is set out in section 2 of the 2018 Act and paragraphs 2.5 to 2.15 of the ALN Code

¹¹² National Deaf Children's Society, Response to Children, Young People and Education Committee inquiry into Implementation of education reforms

117. The number of children identified and formally recognised as having ALN has reduced by 44% since the new ALN system began its roll-out,¹¹³ as highlighted by the CYPE Committee's report in July 2024.¹¹⁴ This general trend can also be seen in a change in the number of pupils on the ALN register with hearing impairment. The number of pupils with 'hearing impairment' as one or more of their needs that have given rise to them being identified with ALN has reduced from 2,655 in 2020/21 to 1,415 in 2023/24 – a decrease of 47%.¹¹⁵

Curriculum and Assessment (Wales) Act 2021

118. Established by the Curriculum and Assessment (Wales) Act 2021¹¹⁶ the new Curriculum for Wales is replacing the national curriculum that had been in place since the late 1980s. It was introduced in primary schools in September 2022 and to Years 7-8 in September 2023. It is being extended across older year groups in secondary schools year by year until it reaches year 11 in September 2026.

119. The 2021 Act makes provision about progression and assessment for children aged between 3 and 16 years. The four purposes of the new Curriculum for Wales are to support children and young people to be:

- Ambitious, capable learners who are ready to learn throughout their lives.
- Enterprising, creative contributors who are ready to play a full part in life and work.
- Ethical, informed citizens who are ready to be citizens of Wales and the world.
- Healthy, confident individuals who are ready to lead fulfilling lives as valued members of society.

120. Headteachers must ensure a curriculum is designed for learning and teaching all registered learners and must (amongst other things):

- enable learners to develop in the ways described in the four purposes;

¹¹³ Senedd Research, [Implementation of education reforms: In Brief](#) (October 2024)

¹¹⁴ Children, Young People and Education Committee, [Implementation of education reforms](#) (May 2022)

¹¹⁵ Stats Wales, [Reports of additional learning or special educational needs by type of need and type of provision](#) (accessed 2 July)

¹¹⁶ Welsh Government (Hwb website), [Curriculum for Wales](#)

- be suitable for learners of differing ages, abilities and aptitudes;
- be broad and balanced; and
- make provision for learning and teaching that encompasses each of the Areas, including the mandatory elements. A curriculum only does this if it incorporates all the statements of What Matters.

121. Wales is the first part of the UK to include BSL alongside English and other languages in the curriculum and it is officially part of the Curriculum in Wales. As well as provision for Deaf BSL signers, it can be part of a school's curriculum for all children, like French or German. BSL is integrated into the Curriculum for Wales and is taught as part of the Languages, Literacy, and Communication Area of Learning and Experience. This integration allows Deaf and hard-of-hearing learners to develop BSL as a first or second language, while also providing opportunities for hearing learners to learn BSL as a third or subsequent language.

122. The Curriculum for Wales BSL guidance was developed with practitioners and other BSL experts including members of the Deaf community. It includes guidance on supporting progression in BSL for Deaf BSL signers, as well as giving schools the opportunity to introduce BSL to other learners.¹¹⁷

123. Through the duties set out in the BSL Bill, it is envisaged that this will complement the four purposes of the new Curriculum for Wales by emphasising the need to promote and facilitate the use of BSL.

Meeting the National Equality Objectives

124. Under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011, the Welsh Government must review its National Equality Objectives every four years (from 1 April 2012). In March 2024, the Welsh Government published seven National Equality Objectives.¹¹⁸ The following section outlines how the Bill fits in with achieving 6 of the 7 objectives:¹¹⁹

- **National Equality Objective 1: We will create a Wales where everyone has opportunities to prosper in line with our organisational goal to reduce poverty.** Currently Deaf people face barriers when accessing education and training. This leads to fewer employment opportunities with Deaf

¹¹⁷ Welsh Government, [Education Wales: Our national mission: high standards and aspirations for all](#) (March 2022)

¹¹⁸ Welsh Government, [The National Equality Objectives 2024-28](#) (March 2024)

¹¹⁹ National Equality Objective 7 concerns climate change and is not considered as relevant to the BSL Bill as the first 6 objectives.

people and those with hearing loss having a lower household income than people with normal hearing and being overrepresented in lower status, lower paid occupations. In the UK only 37% of people who report BSL as their main language are working, in comparison to 77% of people who are not disabled under the Equality Act.¹²⁰ By promoting and facilitating BSL, fewer Deaf BSL signers will face barriers when accessing education, creating more employment opportunities leading to a reduction in poverty.

- **National Equality Objective 2: We will create a Wales where everyone can be aware of their human rights, and where those rights are protected, promoted, and underpin all public policy.** The aim of the Bill, to facilitate and promote BSL use, complements this objective. Provisions within the Bill, including the development of BSL plans will lead to greater awareness of the language needs of Deaf BSL signers across public services. The appointment of a BSL adviser and BSL advisory panel will advocate for cultural change, across public services and society more generally, increasing opportunities to use BSL.
- **National Equality Objective 3: We will create a Wales where everyone can be aware of and has equitable access to high quality public services.** The lack of BSL creates barriers for Deaf BSL signers when they access services. By placing duties on Welsh Ministers' and listed public bodies, the Bill will ensure they consider how to promote and facilitate the use of BSL. Increasing the use of BSL will lead to better awareness and access to services for Deaf BSL signers.
- **National Equality Objective 4: We will create a Wales free from discrimination, victimisation, harassment, abuse, hate crime and/or bullying against all people.** Currently Deaf BSL signers lack access to information and services in their first language – BSL. The Bill will ensure Welsh Ministers' and listed public bodies address this lack of access so fewer Deaf BSL signers face discrimination when accessing service and support. The BSL adviser and BSL assisting panel will be in a position to advocate on behalf of Deaf BSL signers, shining a spotlight on the discrimination faced by Deaf BSL signers when they lack access to services due to an absence or lack of language support.

¹²⁰ RNID, [Facts and statements on employment](#) (December 2024)

- **National Equality Objective 5: We will create a Wales where everyone from the full diversity of backgrounds can participate in public life, have their voices heard and see themselves reflected in leadership positions.** The appointment of a BSL adviser and a BSL advisory panel, as set out in the Bill, will lead to greater opportunities for BSL signers to participate in public life and participate in the development of BSL plans and hold Welsh Ministers' and listed public bodies to account in the event they do not implement their plans.
- **National Equality Objective 6: We will create a Wales with fair and equal opportunities to gain employment and for fair and equal treatment in the workplace, including fair pay and conditions.** The Bill will ensure listed public bodies consider how to promote and facilitate the use of BSL. This will not be limited to service delivery but also the employment of BSL signers.

Welsh Government recognition

The Social Model of Disability

125. Historically, policymakers and service providers have viewed disabled people through a medical model, where a person's impairment is seen to be the thing which disables them. The aim is to 'fix' the disabled person so that they fit in better with society, rather than society adjusting to accommodate people with impairments. The social model of disability¹²¹ was developed by the disability rights movement and makes an important distinction between 'impairment' and 'disability'.

126. The Welsh Government has committed to embedding the social model of disability¹²² and removing the barriers that are limiting the independence of disabled people.

127. Taking a social model based approach is about looking at the barriers across society, these barriers can include physical and organisational barriers and negative attitudes which act as an obstacle to ensuring the inclusion and participation of disabled people in their daily lives and throughout their life course.

¹²¹ Disability Wales, [The Social Model of Disability](#) (accessed 2 June 2025)

¹²² Welsh Government, ["We are committed to embedding the Social Model of Disability and removing the barriers that are limiting the independence of disabled people." Minister vows on International Day of Disabled People](#) (December 2022)

The UN Convention on the Rights of Disabled People

128. The UN Convention on the Rights of Disabled People (CRDP)¹²³ came into force in 2008 and was ratified by the UK in 2009. The CRDP reaffirms that disabled people should enjoy their human rights on an equal basis to non-disabled people. It recognises that disabled people continue, in practice, to face barriers in access to public services, employment etc., and sets out the measures governments are expected to take to remove these barriers and ensure the rights of disabled people are respected. The CRDP covers rights in areas such as health, education, employment, access to justice, personal security, independent living and access to information.

129. The Bill's provisions mirror those contained in the CRDP, particularly in relation to Article 21 (recognising and promoting the use of sign language) and Article 30 (recognising the cultural and linguistic identity of Deaf people).

130. In its Programme for Government¹²⁴ in 2021 the Welsh Government set out its commitment to Incorporate the United Nations Convention for the Elimination of all forms of Discrimination against Women and the UN Convention on the Rights of Disabled People into Welsh law. While the Welsh Government continues to explore how to embed the CRDP in Wales, the Bill provides the framework for meeting Articles 21 and 30.

The Disabled People's Rights Plan

131. In 2020, concerns about the impact of the pandemic on disabled people led the Welsh Government's Disability Equality Forum to set up an inquiry. Its report, *Locked out: liberating disabled people's lives and rights in Wales beyond COVID-19*, was published in July 2021.¹²⁵ The recommendations from the inquiry are wide ranging including calling on the Welsh Government to reaffirm its commitment to the Social Model of Disability, the need for greater involvement of disabled people in decision making and to incorporate the United Nations Convention on the Rights of Disabled People (UNCRDP) into Welsh Law.

¹²³ United Nations, Convention on the Rights of Persons with Disabilities. The Welsh Government refers to the convention as the 'Convention on the Rights of Disabled People' or UNCRDP rather than the given name 'Convention on the Rights of People with Disabilities'. This reflects commitment to the Social Model of Disability. The Social Model of Disability views disability as a result of barriers in society, not the individual's impairment or health condition. It focuses on removing these barriers to ensure people can participate fully in society. We therefore refer to the Convention as the UNCRDP.

¹²⁴ Welsh Government, Programme for Government (December 2021)

¹²⁵ Welsh Government, Locked out: liberating disabled people's lives and rights in Wales beyond COVID-19 (July 2021)

132. The Welsh Government set up a Disability Rights Taskforce¹²⁶ to address the issues highlighted in the report and to develop actions for a new Disability Rights Action Plan.

133. The British Deaf Association was invited to carry out an audit of BSL provision by the Welsh Government against the format of the BSL Charter.¹²⁷ The Charter has five pledges:

- Consult formally and informally with the local Deaf community on a regular basis.
- Ensure access for Deaf people to information and services.
- Support Deaf children and families.
- Ensure staff working with Deaf people can communicate effectively using British Sign Language.
- Promote learning and high quality teaching of British Sign Language.

134. The BDA report was published in 2022¹²⁸ and recommends the following:

- A BSL Act in Wales giving sign language communities and Deaf people full citizenship in cultural, social and political contexts;
- Restructure Deaf education with a national BSL plan;
- Ensure hearing people and families of Deaf children can learn BSL;
- Put BSL/English interpreting on a statutory footing;
- To establish a BSL working group;
- Collect statistics relating to the socio-economic situation of BSL users; and
- Create a Facebook group to gather evidence from the Deaf community.

135. In response, the Welsh Government said the Disability Rights Taskforce, particularly its Access to Services Working Group, will consider the findings.¹²⁹

¹²⁶ Welsh Government, Disability Rights Taskforce (January 2023)

¹²⁷ British Deaf Association, Charter for British Sign Language (2017)

¹²⁸ British Deaf Association, Audit of Welsh Government (2022)

¹²⁹ Welsh Government, British Deaf Association Audit (February 2023)

136. In May 2025, the Welsh Government published its draft Disabled People’s Rights Plan.¹³⁰ The plan acknowledges the challenges faced by BSL signers and sets out a commitment to furthering “the use, knowledge and expertise of the language in Wales”. The plan complements the purpose of the Bill which is to promote and facilitate the use of BSL. It states:

It is our intention to design and develop policy which delivers the greatest positive impact for the BSL signing community of Wales, making provisions to promote and facilitate the use of BSL and its tactile forms and removing existing language barriers.

The BSL Stakeholder Group

137. Following the Senedd debate on the proposed British Sign Language (Wales) Bill, in November 2024 the Welsh Government announced it would establish a task and finish BSL Stakeholder Group¹³¹ to inform the development of a BSL policy ‘route map’. This will set out the actions Welsh Government are taking to ensure equal access and outcomes, recognition and promotion of BSL, equal language rights, and the empowerment of Welsh Deaf leadership. The group will advise on BSL priorities across a range of cross-government policy, including education, health and social care and public services, and will consider where there are language barriers, and the actions required to ensure equity of access to information and services for Deaf BSL signers.

What is happening elsewhere in the UK

138. The Bill will ensure the legislative framework for BSL in Wales keeps up with developments elsewhere in the UK and creates parity for Deaf BSL signers in Wales. In developing this Bill the following recent policy developments elsewhere have been considered.

139. Legislation relating to the promotion and use of BSL has been implemented in the Scottish and UK parliaments. At the time of writing, the Northern Ireland Assembly is considering a Sign Language Bill.¹³²

¹³⁰ Welsh Government, [Draft Disabled People’s Rights Plan: 2025 to 2035](#) (May 2025)

¹³¹ Welsh Government, [Written Statement: British Sign Language \(BSL\) Policy Update](#) (November 2024)

¹³² The Northern Ireland Assembly, [Sign Language Bill](#)

140. If the Bill does not proceed Wales will be the only part of the UK that is not covered by specific BSL legislation.

Scottish Parliament legislation

141. The British Sign Language (Scotland) Act 2015¹³³ aims to promote the use and understanding of BSL mainly through the production and review of BSL plans by the Scottish Ministers and listed authorities.

142. The Act requires Scottish Ministers to prepare and lay before the Scottish Parliament 'National Plans', every six years. The first National Plan 2017-2023,¹³⁴ contained 70 actions, ranging across a variety of areas, including public services, education, work and social security, health, transport, culture and the arts, and democratic participation. The second National Plan¹³⁵ covering the period 2023 to 2029 contains 45 actions, informed by BSL users, across ten priority areas, with an emphasis on children, young people and their families, health and wellbeing, celebrating Deaf culture and tackling accessibility for BSL signers in areas such as transport, democratic participation and access to justice.

143. The Act also requires Scottish Ministers to prepare and publish a performance review. The first performance review, published in 2021¹³⁶ noted that whilst several of the actions had been completed, many were wholly or partially incomplete, partly due to the Covid-19 pandemic. The next progress report is due to be published in 2026.

144. At the time of writing, the Scottish Parliament's Equalities, Human Rights and Civil Justice Committee is considering the impact of the Act ten years after it was introduced.¹³⁷

UK Parliament legislation

145. The British Sign Language Act 2022¹³⁸ originated as a Private Members' Bill¹³⁹ and was introduced to the House of Commons by Rosie Cooper MP. The British

¹³³ [The British Sign Language \(Scotland\) Act 2015](#)

¹³⁴ Scottish Government, [British Sign Language \(BSL\) National Plan 2017-2023](#)

¹³⁵ Scottish Government, [British Sign Language \(BSL\): national plan 2023 to 2029](#)

¹³⁶ Scottish Government, [British Sign Language - national plan: progress report](#) (October 2021)

¹³⁷ Equalities, Human Rights and Civil Justice Committee, [British Sign Language \(Scotland\) Act 2015 inquiry](#) (accessed 22 May 2025)

¹³⁸ [British Sign Language Act 2022](#)

¹³⁹ Private Members' Bill (Ballot Bill) [British Sign Language Act 2022](#)

Sign Language Bill was supported by the UK Government, garnering cross-party support.

146. The stated policy objectives of the Act are to promote and facilitate the use of British Sign Language. It aims to improve accessibility, equality, and representation for Deaf BSL users across the UK, helping breakdown barriers in public services and every-day life.

147. Section 1 provides that “British Sign Language is recognised as a language of England, Wales and Scotland”.

148. Section 2 of the Act created a duty for the Secretary of State to “prepare and publish a British Sign Language report for each reporting period”. While the BSL Act requires that a report be published every 3 years, the previous UK Government committed to publishing a report every year for the initial 5 years.

149. The first BSL report¹⁴⁰ (July 2023), identified further work needed to ensure government departments and organisations improve the experience of Deaf people when they interact with the government. The second BSL report¹⁴¹ (December 2024)¹⁴² demonstrates a significant increase in the use of BSL by government departments, doubling from 76 to 176, with 6 more departments reporting BSL activity.

150. Section 3 of the Act (which at the time of writing has not been brought into force) provides that the “Secretary of State must issue guidance, or arrange for guidance to be issued, about the promotion and facilitation of the use of British Sign Language”.

151. While the Act was welcomed, some Deaf campaigners expressed concerns that it did not go far enough and questioned the difference it would make given the lack of any new rights for Deaf People.¹⁴³

The impact of the British Sign Language Act 2022 on Wales

152. The UK Act specifically excludes reporting on matters devolved to Wales (and Scotland). The Act therefore only covers UK Government departments responsible for reserved matters, such as the Department for Work and Pensions (DWP) or His Majesty’s Revenue and Customs (HMRC), and UK Government departments

¹⁴⁰ UK Government, [The British Sign Language \(BSL\) report 2022](#) (2023)

¹⁴¹ UK Government, [The British Sign Language \(BSL\) report, 2023 to 2024](#) (December 2024)

¹⁴² The publication of the report was delayed due to the general election.

¹⁴³ Disability News Service, [Fresh concerns over BSL bill despite huge London rally](#) (2022)

responsible for matters in England only. As set out in the Welsh Government Legislative Consent Memorandum (LCM):¹⁴⁴

The provisions in the Bill will benefit the people of Wales by facilitating the use of British Sign Language by United Kingdom Government departments, who exercise their reserved functions in Wales. The Bill gives legal effect to British Sign Language as a language in Wales through imposing duties and obligations on reserved authorities and there would be nothing to prevent the Senedd from legislating in a similar way to impose similar duties and obligations on devolved Welsh Authorities.

153. Currently, Welsh Deaf BSL signers could come into contact with UK Government departments who have duties under the British Sign Language Act and Welsh Government departments who do not. The RNID¹⁴⁵ say:

Currently, BSL users in Wales are at risk; their government has significantly weaker or minimal statutory responsibilities to the deaf community compared to other UK nations. Further protections exist through the British Sign Language (Scotland) Act 2015, the Westminster British Sign Language Act 2022 and a Sign Language Bill is currently being put forward in the Northern Ireland Assembly with Government support.

Northern Ireland

154. Uniquely within the UK, Northern Ireland has two sign languages – British Sign Language (BSL) and Irish Sign Language (ISL). Irish Sign Language is more closely related to French Sign Language (LSF) than to British Sign Language, though it has influence from both languages. The British Sign Language (BSL) Act 2022 did not include Northern Ireland because ISL was not in scope of the GB legislation.

155. A Sign Language Bill¹⁴⁶ was introduced to the Assembly on 10 February 2025. At the time of writing, the Committee Stage had commenced and was

¹⁴⁴ Welsh Government, [Legislative Consent Memorandum: British Sign Language Bill](#) (March 2022)

¹⁴⁵ Royal National Institute for Deaf People, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁴⁶ Northern Ireland Assembly, [Sign Language Bill](#) (February 2025)

extended¹⁴⁷ to a limit of February 2026 to allow time for Sign Language interpretation and translation of proceedings.

Table 1: A comparison of the British Sign Language (Wales) Bill with UK BSL Acts

Key Provisions	Wales	England	Scotland
National BSL Strategy - prepared by government	Yes	No	Yes
BSL guidance - government ministers to issue guidance to listed public bodies	Yes	Yes - but not yet in force.	No - but listed public bodies must have regard to any guidance issued by Scottish Ministers.
BSL plans - a listed public body must prepare a plan on how it intends to promote and facilitate the use of BSL	Yes	No	Yes
Progress report/performance review - duty on Government	Yes	Yes	Yes
Progress report/performance review - duty on listed public bodies	Yes	No	No - but the government will take account of the listed bodies plans when publishing its report.
Appointment of a BSL adviser	Yes	No	No
Appointment of an assisting panel	Yes	Yes - but not a statutory requirement.	Yes - but not a statutory requirement.

¹⁴⁷ Northern Ireland Assembly, [Committee for Communities - Sign Language Bill](#) (Accessed 22 May 2025)

Chapter summary

156. This chapter has provided an overview of the Bill's policy objectives, set out why the Bill is needed placed it in the context of other relevant legislation and developments elsewhere in the UK.

157. BSL is the first language of many Deaf people. Like any other languages, BSL allows Deaf people to express themselves, engage with others and access information and services which support them. BSL serves as a connector between Deaf and hearing individuals, facilitating communication and breaking down barriers. Incorporating BSL into everyday life promotes cultural awareness and appreciation, enriching interpersonal connections and promoting empathy and understanding across diverse communities.

158. Access to BSL, however, is currently not guaranteed. The lack of BSL interpretation means that Deaf people often face barriers when trying to access public services in their first language. This can have a significant impact on all aspects of their lives, on their health, education and employment outcomes.

159. The Welsh Government recognised BSL as a language over 20 years ago and has since continued to make commitments to ensuring the Deaf community is fully included and empowered in all aspects of Welsh society. This Bill builds on those commitments, by ensuring the Welsh Government, along with the listed public bodies included in the Bill, actively consider the needs of Deaf BSL signers when designing and delivering services.

160. The Bill will ensure legislative parity with the UK and Scottish parliaments. Other UK parliaments have set precedents for placing duties on the government and listed bodies to promote and facilitate the use of BSL Without this Bill, the 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.

4. What the Bill does and why

161. Chapter 3 of the Explanatory Memorandum outlined why the Bill is needed and the benefits it will have. This chapter of the Explanatory Memorandum explains the provisions of the Bill and what they do in practice.

162. British Sign Language (BSL) is a language that uses gestures, handshapes, facial expressions and body language to convey meaning and which, in its tactile forms, can also use touch. The main purpose of the Bill is to promote and facilitate the use of British Sign Language in Wales. The Bill does so by imposing various new duties on the Welsh Ministers and on certain public bodies.

163. The key provisions within the Bill include requirements for:

- 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;
- 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;
- Welsh Ministers and the listed public bodies to report on progress made in promoting and facilitating BSL under the provisions of the Bill;
- Welsh Ministers to appoint someone as their BSL adviser, and appoint a panel of people to assist the BSL adviser.

Placing a Duty on Welsh Ministers to Promote and Facilitate the use of BSL

164. Section 1 of the Bill places a statutory duty on Welsh Ministers to promote and facilitate the use of BSL. This is the most overarching section of the Bill, and in its simplest form, places a new legal requirement on Welsh Ministers to ensure that BSL is promoted, and its use facilitated, in Wales.

165. The Bill does this by imposing various new duties on the Welsh Ministers (and also on certain public bodies). The specific detail of those new duties are set out in subsequent sections of the Bill and are explained in the paragraphs that follow.

Publication of a National BSL Strategy

166. In order to fulfil the duty under section 1, **Section 2** of the Bill places a duty on the Welsh Ministers to prepare and publish a national BSL strategy. That strategy does two main things:

- Firstly, the BSL strategy must describe how Welsh Ministers themselves intend to promote and facilitate the use of BSL in the exercise of their functions.
- Secondly, the BSL strategy must describe how Welsh Ministers intend to encourage certain public bodies to promote and facilitate the use of BSL in the exercise of their functions. Section 8 of the Bill lists those public bodies (referred to in the Bill as “listed public bodies”).

167. As set out in the previous Chapter of this Explanatory Memorandum, 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.

168. The first national BSL strategy must be published by the Welsh Ministers within 18 months beginning with the day after the date the Act comes into force. The BSL strategy must also be reviewed at least once in every six years from the date it was first published, though it can be reviewed at any time within that period. If, following any review, Welsh Ministers wish to revise the strategy, they must also then publish the revised version of it.

169. The strategy (including any revised versions of it) must be laid before Senedd Cymru. This means that the strategy will be formally presented to the Senedd, and included in the Senedd’s formal documents. Welsh Ministers may, of course, publish the strategy in any other place that they feel appropriate. It will also be a statutory requirement under the Bill for Welsh Ministers to ensure that the BSL strategy, and any revised versions of it, is available in BSL.

170. 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.

171. Another important safeguard included in the Bill is that before publishing the BSL strategy and any revised versions of it, the Welsh Ministers must first

consult the BSL adviser, and any other persons they consider appropriate. That BSL adviser will be established under the provisions of the Bill – further details on the adviser are included below.

Welsh Ministers’ BSL Guidance

172. Alongside the BSL strategy prepared and published by Welsh Ministers, **Section 3** of the Bill also requires Welsh Ministers to issue guidance to the listed public bodies on how they may promote and facilitate the use of BSL in exercising their functions. As with the BSL strategy, the detail of the guidance will be for Welsh Ministers to determine.

173. The Bill again makes it a statutory requirement for Welsh Ministers to ensure the BSL guidance is available in BSL.

Listed public body BSL plans

174. Following on from the national BSL strategy, **Section 4** of the Bill requires the listed public bodies to prepare and publish a BSL plan. Those BSL plans must:

- a. describe how the body intends to promote and facilitate the use of BSL in exercising their functions;
- b. describe how that body intends to follow the guidance issued by Welsh Ministers under Section 3 of the Bill; and
- c. contain any other information that the Welsh Ministers may set out in regulations.

175. As with the national BSL strategy, the detail of what should be in those plans is not included on the face of the Bill. It will be for each of the listed public bodies to determine the contents of its own BSL plan, with the only requirement being that it must include the detail set out above. Each of the listed public bodies will have the greatest understanding of their own needs, whether that be within their defined local authority or health board areas, or more nationally for those listed public bodies that have a national role.

176. While the Bill requires the listed public bodies to prepare and publish a BSL plan, the Bill does not prevent public bodies from working in collaboration to prepare their plans. There are many areas in which we know public bodies work closely together to deliver services in a joined up way. If it was considered appropriate, that approach could be taken in the preparation of the BSL plans.

177. The BSL plans prepared by the listed public bodies must be published within 12 months of the day on which the national BSL strategy is published. The listed public bodies must also review their plan if directed to do so by Welsh Ministers or if the Welsh Ministers revise the national BSL strategy (as explained above in the information on Section 2 of the Bill). If the Welsh Ministers do direct a listed public body to revise its plan, the reasons for giving that direction must be stated. If the listed public body decides to revise its plan following a review, it must publish the revised version of the plan as soon as is reasonably practicable.

178. Before publishing its plan or any revised version of it, the listed public body must consult any persons it considers appropriate. The listed public body must also send any BSL plan it has prepared and published to the Welsh Ministers. As with the BSL strategy and guidance, listed public bodies must also ensure that their BSL plans are available in BSL.

BSL adviser to the Welsh Ministers

179. Another key element of the Bill is the requirement for Welsh Ministers to appoint a person to be their BSL adviser, and to also appoint persons to be members of a panel to assist the BSL adviser. These provisions are set out in **Section 5** of the Bill.

180. In appointing the BSL adviser, the Welsh Ministers must be satisfied that the person appointed to that role is able to communicate effectively in and uses BSL. It is absolutely essential that to be able to undertake a role as the BSL adviser, that person must be able to communicate effectively with the Deaf community.

181. Before appointing a person as a member of the panel, the Welsh Ministers must first consult the BSL adviser. This is an important provision of the Bill that ensures that the adviser, who as a BSL user should have a clear understanding of the needs of the Deaf community and will have a defined role to play in the process for appointing members of the panel.

182. The Bill sets out that the BSL adviser may provide information or advice to the Welsh Ministers in relation to their functions under the Bill. The adviser may provide this information or advice of their own accord or in response to a request made by the Welsh Ministers. This does not therefore prevent the adviser from advising Welsh Ministers on their functions under the Act at any time. The Bill does not, however, require the adviser to provide information or advice to the Welsh Ministers more generally about BSL.

183. With the agreement of the Welsh Ministers, the BSL adviser may also provide information or advice to any person in relation to promoting and facilitating the

use of BSL in Wales. This is a more wide ranging provision that is not limited to providing advice on functions under the Act. The Bill also does not restrict the ‘persons’ to whom the adviser may give this advice – other than first requiring the agreement of Welsh Ministers. The process for how the adviser may receive or provide information to either Welsh Ministers or any other persons is not set out in the Bill, as this will be something that would be more appropriate for the adviser and Welsh Ministers to develop.

184. The BSL adviser may also request that a listed public body provides them with information for the purpose of the exercise of any of the adviser’s functions. If a listed public body receives such a request, it must comply with that request unless it considers that doing so would conflict with its duties or have an adverse effect on the exercise of its functions. This provides the adviser with a clear mechanism to engage with public bodies and request information to assist them in their role.

185. The Bill also makes it a requirement for the Welsh Ministers to consult the BSL adviser about the following specific provisions in the Bill:

- the national BSL strategy (see section 2);
- the Welsh Ministers’ progress reports (see section 7);
- making regulations that change which bodies are “listed public bodies” (see section 8).

186. Further provisions about the BSL adviser and the panel are included within the Schedule to the Bill. The adviser and the panel members will be appointed by the Welsh Ministers (which would be done via the formal public appointments process). The Schedule makes it clear that they will then hold office in accordance with terms specified by the Ministers through that appointment process.

187. The Schedule also makes provision about how the Welsh Ministers may pay the adviser and panel members and gives them the discretion to provide the adviser with facilities if and to the extent that they consider that to be necessary.

Reports by listed public bodies

188. To enable the implementation of BSL plans by listed public bodies to be assessed and scrutinised, **Section 6** of the Bill places a duty on listed public bodies to prepare and publish a report that (a) describes what it has done to implement the most recent version of the BSL plan, and (b) if it has not implemented something, explains why not.

189. The ‘implementation’ reports must be published by the listed public bodies within 12 months of the day on which they published their BSL plans under section 4, or any revised version of their BSL plans.

190. The listed public bodies must also, once the report has been published, send that report to Welsh Ministers. This will enable Welsh Ministers to assess the progress each listed public body has made in implementing the BSL plans, and will help inform Welsh Ministers in reaching any decision under Section 4 that they wish to direct a listed public body to review its plan. It is also essential that Welsh Ministers are able to assess progress made in implementing the BSL plans by all the listed public bodies to inform its own progress report required by Section 7 of the Bill.

191. In line with other requirements in the Bill, listed public bodies must ensure that the report published under Section 6 of the Bill is available in BSL.

Reports by the Welsh Ministers

192. In accordance with **Section 7** of the Bill, the Welsh Ministers must publish a report assessing the progress made in promoting and facilitating the use of BSL in accordance with the Bill. This will include assessing both what the Welsh Ministers have done pursuant to their duties under the Bill, and also the progress that has been made in Wales more generally.

193. For the purpose of preparing the report, the Welsh Ministers may require a listed public body to provide them with specific information and if so, must specify that request in writing. This information may be in addition to the information contained in the ‘implementation’ report published by a listed public body in accordance with Section 6.

194. In preparing the report under Section 7, the Welsh Ministers must consult (a) the BSL adviser, and (b) any other persons they consider appropriate. The report must be published at least once in every period of three years beginning with the day after the BSL strategy is published.

195. The report must be laid before Senedd Cymru. As with the national BSL strategy, this means that the report will be formally presented to the Senedd, and included in the Senedd’s formal documents. Welsh Ministers may, of course, publish the report in any other place that it feels appropriate. It will also be a statutory requirement under the Bill for Welsh Ministers to ensure that the report is available in BSL.

Meaning of “listed public body”

196. The Bill contains a number of duties that are placed upon “listed public bodies”. **Section 8** of the Bill sets out the names of the listed public bodies to whom those duties apply.

197. It may be appropriate over time that changes need to be made to the list of listed public bodies included in this section. The Bill therefore includes provision that enables the Welsh Ministers to make regulations¹⁴⁸ that alter which bodies are included on that list by:

- a. adding a devolved Welsh authority¹⁴⁹ to the list;
- b. removing a listed public body from the list; or
- c. amending the description of a listed public body within the list.

Regulations made under the Bill

198. The Bill contains two specific regulation-making powers that enable Welsh Ministers to do specific things after the Bill becomes an Act. **Section 9** of the Bill explains how the powers to make regulations under the Bill are to be exercised and sets out the applicable procedure of Senedd Cymru to be followed in making those regulations.

199. For regulations made under section 4(1)(c), this will be the Senedd annulment procedure (meaning that the statutory instrument containing the regulations becomes law when it is made but can be annulled by the Senedd). For regulations made under section 8(2), this will be the Senedd approval procedure (meaning that the instrument containing them only becomes law if it is approved by a vote in the Senedd).

200. Further information on the regulation making powers, including an explanation as to their appropriateness, is contained in Chapter 6 of this Explanatory Memorandum.

¹⁴⁸ Regulations are a form of subordinate legislation that can be made by Welsh Ministers. It is common place that regulation making powers are included within Bills and Acts.

¹⁴⁹ A devolved Welsh authority is, generally, a Welsh public body that exercises functions in devolved areas.

When the Bill comes into force

201. In line with usual practice, the Bill contains a specific provision setting out when its provisions actually come into force (i.e. when they become active).

Section 10 provides that the whole of the Bill comes into force on the day after the day it receives Royal Assent.¹⁵⁰

The title of the Act

202. Every Senedd Bill contains a provision setting out what the title of the Act will be once it has been passed by the Senedd and has received Royal Assent. **Section 11** of the Bill states that this Bill may be referred to as the British Sign Language (Wales) Act 2026 or Deddf Iaith Arwyddion Prydain (Cymru) 2026.

¹⁵⁰ Royal Assent is the Monarch's agreement to make the Bill into an Act. Section 115 of the 2006 Act provides that a Bill, once passed by the Senedd, must be submitted by the Presiding Officer for Royal Assent.

5. Support for the Bill and public consultation

203. This chapter summarises the responses from the written consultation conducted between November 2024 and January 2025 on behalf of Mark Isherwood MS in support of the Bill.

Initial informal consultation

204. Consultation with the British Deaf Association has been ongoing since 2021. There is strong and widespread support for the proposals behind this Bill. Following the initial ballot result in spring 2024, which commenced the process of seeking the Senedd's consent to develop and introduce a Bill, support from the leading Deaf People's organisations across Wales was sought, and received from:

- British Deaf Association Cymru
- Sense
- Deaf Film Club
- Centre of Sign-Sight-Sound
- Deaf Gathering
- Our Visual World
- Llanelli Deaf Club
- Several Deaf Individuals
- Several Registered Sign Language Interpreters

Consultation on the policy objectives of the Bill

205. A general consultation on the proposals for the Bill was held between 8 November 2024 and 31 January 2025. The consultation documentation was available in BSL and the opportunity to respond in BSL was also provided. A summary of responses has been published.¹⁵¹

¹⁵¹ Mark Isherwood MS, Summary of consultation on proposed British Sign Language (BSL) (Wales) Bill (March 2025)

206. This showed a very significant level of support for the principles behind the proposals:

- All but two agreed with the need for the Bill (97% agreed the Bill should include proposals to promote and facilitate the use of BSL and its tactile forms).
- Several organisations including the RNID,¹⁵² Disability Wales, the British Deaf Association,¹⁵³ Care and Repair Cymru¹⁵⁴ and a number of individuals said the Bill was needed in order to create parity with legislation in England and Scotland.
- There is significant support for the Bill’s goals with many individuals, professionals and organisations saying it would remove barriers faced by Deaf people.
- There was significant support for the proposal to place a reporting duty on the Welsh Government. The most common reasons, include to ‘monitor and drive improvements, record progress and identify good practice’ and to increase ‘accountability and transparency and allow scrutiny’.
- There was significant support that Deaf people should have a formalised voice in services they use and agreement that currently the Deaf Community is not involved in the design and delivery of public services.

207. Two respondents disagreed there is a need for this Bill. One individual¹⁵⁵ said “claims” surrounding lack of support or access had not been “validated” and for that reason the Bill is not needed. Reflecting on the experiences of his partner who is Deaf, he said he has always been able to access BSL support in the NHS. However, he did raise issues around the use of BSL interpreters.

208. The Welsh Local Government Association (WLGA)¹⁵⁶ were of the view the aims of this legislation are already covered by the Equality Act 2010. They said it would

¹⁵² RNID, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁵³ British Deaf Association, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁵⁴ Care and Repair Cymru, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁵⁵ Mervyn James, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁵⁶ The Welsh Local Government Association, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

be more appropriate to “focus on improved monitoring of compliance of existing legislation and regulations”.

209. Section 4 of the Bill requires listed public bodies to prepare and publish a plan describing how they intend to promote and facilitate the use of BSL. They must also publish a report outlining what has been done to implement the plan and, if the plan has not been implemented, explain why. Both the plan and the report must be made available in BSL.

210. A key concern for some of the listed public bodies was their capacity to deliver the duties as set out in the Bill. The WLGA¹⁵⁷ and Swansea Council¹⁵⁸ highlighted the additional resources local authorities would need to implement the changes, noting this would occur against a back drop of existing financial pressures. The WLGA¹⁵⁹ estimated that preparing BSL plans and conducting performance reviews would cost around £790,000 a year over the first 5 years, although costs would decrease in subsequent years. This estimated cost is explored further in the Regulatory Impact Assessment.

211. Velindre University NHS Trust¹⁶⁰ said it would not yet be able to fully meet these provisions and said they needed to be “applied with proportionality” and should be increased over time in line with the Trust’s capabilities. They also said there should be recognition that many of the provisions of the Bill (such as increasing the BSL workforce) is out of the Trust’s control.

212. The Welsh Ambulance Services University NHS Trust¹⁶¹ said the recruitment and retention of “suitably skilled individuals” to support the provisions set out in the Bill would be challenging. Digital Healthcare Wales (DHCW)¹⁶² noted the impact on current capacity and resource and said additional provisions may need to be considered in the development of digital products and services.

213. A common theme across consultation responses was concern around the lack of availability and access to BSL. Many said the current lack of interpreters is

¹⁵⁷ The Welsh Local Government Association, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁵⁸ Swansea Council, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁵⁹ The Welsh Local Government Association, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁶⁰ Velindre University NHS Trust, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁶¹ The Welsh Ambulance Services University NHS Trust, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁶² Digital Healthcare Wales, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

restricting the ability of Deaf people to communicate in their own language and therefore hampering their ability to access services and support. A significant number of respondents indicated that Deaf people face barriers in accessing a wide range of services, including: Health; Education; Social Care and Transport, with Health and Education being the main areas where barriers existed.

214. There is significant agreement that the Bill should include proposals to promote and facilitate the use of BSL and its tactile forms, and that it should include regional dialects. Just over half agreed that the term ‘BSL users’ should be replaced with ‘BSL signers’ and that the term ‘Deaf BSL signers’ should be used when referring to BSL users/signers who are medically or audilogically deaf. There is significant agreement that currently the Deaf Community isn’t involved in the design and delivery of public services and that they should have a formalised voice in services which they use.

215. In terms of what methods of communications should be included in the Bill, over half said it should contain BSL, with some also indicating that Sign Supported English (SSE) and Video Relay Services (VRS) should also be included. The RNID would like to see a national VRS to ensure all public services are accessible to BSL users, similar to Contact Scotland.

216. There was support for the proposal to establish a BSL Commissioner with some arguing that the role will place BSL on par with the Welsh language, it would ensure the needs of the Deaf Community are met, ensure services are accountable, advocate on behalf of the community and provide guidance to organisations. 92% of respondents (out of 119 responses) agreed the BSL Commissioner and Panel should be fluent BSL users/signers.

217. However, despite support, several respondents including organisations which represent the Deaf Community (the RNID¹⁶³ and National Deaf Children’s Society¹⁶⁴) expressed concerns about the appointment of a BSL Commissioner and suggested alternative options which they felt would make better use of resources. Due to concerns surrounding the role of a Commissioner, the Bill now includes the appointment of a BSL adviser. The reasons for making this change is explored further in the following section.

¹⁶³ Royal National Institute for Deaf People (RNID), [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁶⁴ National Deaf Children’s Society, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

218. There was significant support for the proposal to place a duty on the Welsh Government to prepare and publish a report. The most common reasons, include to ‘monitor and drive improvements, record progress and identify good practice’ and ‘to increase accountability and transparency and allow scrutiny’.

How the final version of the Bill differs from the initial proposals and/or draft Bill

219. In drafting the Bill, careful consideration was given to the informal and formal consultation. There were ongoing discussions with the British Deaf Association throughout the development of the Bill. This has informed the Bill as introduced to the Senedd.

Changes or confirmations arising from the consultation

220. Consideration of the proposals behind the Bill has continued to take place since leave to proceed was secured on 19 June 2024. As a result several changes have been made which departs from the initial Explanatory Memorandum.¹⁶⁵

Appointing a BSL adviser

221. The initial Explanatory Memorandum proposed establishing a BSL Commissioner with the same powers as other minority language Commissioners such as in the in the Welsh Language (Wales) Measure 2011,¹⁶⁶ the Gaelic Language (Scotland) Act 2005,¹⁶⁷ and the Identity and Language (Northern Ireland) Act 2022.¹⁶⁸

222. As set out in the initial Explanatory Memorandum it was expected the BSL Commissioner would:

- formulate BSL standards;
- establish a BSL Advisory Panel;
- produce reports every 5 years in BSL, Welsh and English on the position of BSL in that period;

¹⁶⁵ Mark Isherwood, *MS Explanatory Memorandum: British Sign Language (BSL) (Wales) Bill* (May 2024)

¹⁶⁶ [Welsh Language \(Wales\) Measure Act 2011](#)

¹⁶⁷ [Gaelic Language \(Scotland\) Act 2005](#)

¹⁶⁸ [Identity and Language \(Northern Ireland\) Act 2022](#)

- provide guidance and a process for public bodies to promote and facilitate BSL in their respective domains; and
- establish a procedure for the investigation of complaints.

223. In the consultation there was significant support for the proposal to establish a BSL Commissioner, with some arguing the role will place BSL on par with the Welsh language, ensure the needs of the Deaf BSL community are met, ensure services are accountable, advocate on behalf of the community and provide guidance to organisations. Commenting on the benefits, the Wales Council for Deaf People said:¹⁶⁹

A BSL Commissioner would be a dedicated advocate for the needs and rights of BSL signers ensuring that the Deaf community has a strong voice in decision-making processes. Currently, there is no single person or office focused exclusively on the needs of BSL signers which can result in their concerns being overlooked or inadequately addressed. A BSL Commissioner could act as a champion for their rights, lobbying for more inclusive policies and services.

224. However, several respondents, including organisations which represent the Deaf community (the RNID and National Deaf Children's Society), expressed concerns about the cost of appointing a BSL Commissioner and the representativeness of such a role.

225. The RNID¹⁷⁰ did not believe a BSL Commissioner would be the best use of resources:

While we understand the proposal for establishing a BSL Commissioner, and support the remit of this Commissioner in principle, we don't necessarily believe that a commissioner will be the best use of resource to ensure the Bill is effectively implemented [...] we believe resources could be used alternatively to achieve a bigger impact.

¹⁶⁹ Wales Council for Deaf People, *Response to the consultation on British Sign Language (BSL) (Wales) Bill* (March 2025)

¹⁷⁰ Royal National Institute for Deaf People (RNID) *Response to the consultation on British Sign Language (BSL) (Wales) Bill* (March 2025)

226. A similar point was shared by the National Deaf Children's Society¹⁷¹ who said it comes with significant risks in terms of resourcing. They highlighted the evidence they had collected via engagement with stakeholders which has led them to "[...] suspect that if the Bill were to progress with the Commissioner role still in place it will likely fall".

227. Although cost was a key concern, some made the point that the remit of a BSL Commissioner would be limited to Deaf BSL signers and therefore not inclusive of the Deaf community as a whole and disabled people more generally. Several disabled people's organisations (DPOs) have advocated for a broader Disabled People's Commissioner role. In 2019 the organisation Cardiff People First¹⁷² submitted a petition¹⁷³ calling on the Senedd to appoint a Learning Disability Commissioner for Wales. The Committee agreed to close the petition in light of the fact that the Welsh Government rejected the establishment of a Learning Disability Commissioner post, and the petitioners' previous acceptance of this.

228. Disability Wales has long called for a Disabled People's Commissioner¹⁷⁴ and said they "cannot fully support this call [for a BSL Commissioner] without considering the needs and equity of all disabled people in Wales". They "believe there are wider discussions about the role of a commissioner in protecting the wider rights of Deaf and Disabled People".

229. The WLGA also shared similar concerns, comparing the representativeness of a BSL Commissioner with other Commissioners:¹⁷⁵

A new BSL Commissioner would cover a maximum of 7,300 people according to the Explanatory Memorandum, which is approximately 1.33 per cent of the number of children and young people that are covered by the Children's Commissioner and at most 0.85 per cent of those covered by the Welsh Language Commissioner.

230. Following consideration of the consultation responses and similar legislation in the UK, the British Sign Language (Wales) Bill includes provisions for the

¹⁷¹ National Deaf Children's Society, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁷² Cardiff People First is a self-advocacy organisation run by and for people with a learning disability. There are a number of People First groups across Wales and elsewhere in the UK.

¹⁷³ Senedd Cymru, [Appoint a Learning Disability Commissioner for Wales](#) (July 2019)

¹⁷⁴ Disability Wales, [Bring Us Our Rights: Disabled People's Manifesto](#) (2020)

¹⁷⁵ Welsh Local Government Association, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

appointment of a BSL adviser rather than a BSL Commissioner, as set out in the initial Explanatory Memorandum.¹⁷⁶

The role of the BSL adviser

231. As set out in section 5 of the Bill, the BSL adviser would be appointed by Welsh Ministers and may provide:

- information or advice to the Welsh Ministers in relation to their functions under this Act;
- information or advice, with the Welsh Ministers' agreement, to any person in relation to promoting, or facilitating the use of, BSL in Wales;

232. Reflecting the preferences of consultation respondents of ensuring the appointment is a fluent BSL user/signer, in making the appointment, Welsh Ministers must be satisfied the BSL advisor is able to communicate effectively in and uses BSL.

233. The BSL advisor role is similar to that of the National Adviser appointed under section 3 of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.¹⁷⁷ In accordance with the Act, Welsh Ministers must appoint a National Adviser for Violence Against Women, Gender-based Violence, Domestic Abuse and Sexual Violence (VAVDASV). Like the BSL adviser, this is a statutory role appointed via the public appointment process. The VAVDASV national adviser provides advice and assists the Welsh Ministers in tackling issues related to VAVDASV.

234. While not supporting the appointment of a Commissioner, the WLGA agreed over the importance of appointing an advocate of BSL and referred to the VAVDASV adviser as a potential alternative:

We do however fully recognise that it is important that BSL is more highly represented and promoted and feel that Special Advisors on BSL would allow this to take place. This would also show consistency where key and important areas of focus are required involving those with specialist knowledge, the Special Advisors for Violence Against Women, Domestic Abuse and Sexual Violence (VAVDASV) being one example where this is

¹⁷⁶ Mark Isherwood, MS, *Explanatory Memorandum: British Sign Language (BSL) (Wales) Bill* (May 2024)

¹⁷⁷ *Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015*

currently seen to be working well, providing advice and sharing their specialist knowledge with Ministers, Members of the Senedd and the wider public sector.

235. BSL legislation in other parts of the UK does not include provisions for the appointment of a Commissioner or special adviser. Therefore the appointment of a BSL adviser in Wales will go beyond what is set out in the British Sign Language Act 2022¹⁷⁸ and British Sign Language (Scotland) Act 2015.¹⁷⁹ The role of an adviser is also not included in Northern Ireland's draft Sign Language Bill.¹⁸⁰

An Assisting Panel

236. The initial Explanatory Memorandum¹⁸¹ proposed establishing an advisory panel. The panel would be appointed by the BSL Commissioner and would:

[...] be made up of Welsh BSL signers who understand the issues faced by deaf BSL signers in Wales and in particular, the various regional variations that exist in Wales that must be preserved. The Panel will also be able to provide clear advice to the BSL Commissioner regarding policy, and to provide guidance for Welsh public services on how to engage with Welsh BSL signers and ensure they are involved in their design and delivery.

237. The Neumark Foundation¹⁸² said an advisory panel could strengthen the role of the Commissioner by “bringing lived experiences directly into policy-making”. The National Deaf Children's Society¹⁸³ highlighted the important function of an advisory panel and proposed that the Bill could proceed without a BSL Commissioner, but still include the option of a BSL advisory panel which is independent from the government, to allow it to truly be a “critical friend” when considering government policy.

238. The Bill continues to include provisions for a panel to assist the BSL adviser. In the absence of a BSL Commissioner, Welsh Ministers will have a duty to appoint

¹⁷⁸ [The British Sign Language Act 2022](#)

¹⁷⁹ [British Sign Language \(Scotland\) Act 2015](#)

¹⁸⁰ [Sign Language Bill \(Northern Ireland\)](#)

¹⁸¹ Mark Isherwood, MS, [Explanatory Memorandum: British Sign Language \(BSL\) \(Wales\) Bill](#) (May 2024)

¹⁸² The Neumark Foundation, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

¹⁸³ National Deaf Children's Society, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

panel members. As set out in section 5 of the Bill, the BSL adviser will also have the opportunity to advise Welsh Ministers on the appointment of panel members.

The role of advisory panels in other UK BSL legislation

239. The British Sign Language (Scotland) Act 2015¹⁸⁴ does not include the appointment of an advisory panel. However, in 2016 a BSL National Advisory Group (“the NAG”) was established by the Scottish Government to support the development of the first BSL National Plan.

240. The NAG membership is made up of representatives from public bodies and members of the Deaf Community. The NAG was involved in developing the first BSL Action Plan in 2017.¹⁸⁵ The BSL Progress Report 2021¹⁸⁶ highlights the establishment of additional expert groups, including an expert advisory group in 2019 to develop plans to promote BSL use in schools. The new Action Plan for 2023-2029¹⁸⁷ states that it will establish a BSL National Plan Implementation Advisory Group with representatives from the BSL community to help deliver the 45 actions within the plan.

241. The provisions in the British Sign Language Act 2022¹⁸⁸ does not include the appointment of an adviser. As originally introduced, the long title of the Bill indicated that the Bill would “provide for a British Sign Language Council to promote and advise on the use of BSL”. However, the Explanatory Notes¹⁸⁹ state that the content of the Bill has been revised, with the approval of the sponsoring Member, and that the government will instead establish a non-statutory board.

242. Following the introduction of the Act, a non-statutory BSL Advisory board, was established in March 2023.¹⁹⁰ Made up of mainly BSL users its role is to advise the government on “matters of importance to deaf people and on implementing the BSL Act”.¹⁹¹ Members of the Board will serve up to three years. They were appointed by the Secretary of State for Work and Pensions and chosen following an application process to ensure that the board represents the diversity of the BSL community.

¹⁸⁴ [British Sign Language \(Scotland\) Act 2015](#)

¹⁸⁵ Scottish Government, [British Sign Language \(BSL\): National Plan 2017 to 2023](#) (October 2017)

¹⁸⁶ Scottish Government, [British Sign Language \(BSL\) Progress Report 2021](#) (2021)

¹⁸⁷ Scottish Government, [British Sign Language National Plan 2023-2029](#) (2023)

¹⁸⁸ [British Sign Language Act 2022](#)

¹⁸⁹ [British Sign Language Bill: Explanatory Notes](#)

¹⁹⁰ UK Government, [BSL users appointed to board advising government on key issues for Deaf people](#) (March 2023)

¹⁹¹ UK Government, [The British Sign Language \(BSL\) report, 2023 to 2024](#) (December 2024)

243. The establishment of a BSL Advisory Board in other parliaments has enabled those with lived experience of BSL¹⁹² to work collaboratively in advising the government to ensure its information, communications and services are as accessible as possible. The Advisory Board has advised the government on the guidance detailed in the BSL Act, and its implementation to best represent the Deaf community. It has also provided expert advice¹⁹³ to UK Government departments on issues relating to education, deaf access to sport and input on the content of the Disability Action Plan. Other developments which have arisen as a result of the Act include an NHS England signed and captioned Cancer screening campaign¹⁹⁴ and the UK Government Communication Service (GCS) guidance on planning and producing BSL content.¹⁹⁵

Summary of support for the Bill

244. This chapter demonstrates the strong and widespread support for the proposals behind the Bill. The consultation has shown almost unanimous importance for ensuring Welsh Ministers' and public authorities do all they can to facilitate and promote BSL, with a number of respondents agreeing with the need for Wales to have parity with UK legislation.

245. This extract from Disability Wales' response to the draft/initial Explanatory Memorandum illustrates the importance of this Bill:

This legislation lays the groundwork for addressing systemic barriers faced by BSL signers in Wales. Importantly, the Bill will create a shift toward creating a Wales that values linguistic diversity and access for all.

¹⁹² A lived experience of BSL is the main criteria for membership of the Advisory Board.

¹⁹³ UK Government, *The British Sign Language (BSL) report, 2023 to 2024* (2024)

¹⁹⁴ NHS England, *Don't carry the worry of cancer with you (BSL)*

¹⁹⁵ UK Government, *Guidance published on delivering British Sign Language content* (2023)

6. Power to make subordinate legislation

246. The Bill contains provisions to make subordinate legislation. Table 2 sets out in relation to these:

- the person upon whom, or the body upon which, the power is conferred;
- the form in which the power is to be exercised;
- the appropriateness of the delegated power;
- the applied procedure; that is, whether it is “affirmative”, “negative”, or “no procedure”, together with reasons why that procedure is considered appropriate.

247. The Welsh Government will be expected to consult on the content of the subordinate legislation where this is required, or where it is considered appropriate to do so. The precise nature of the consultation (if any) will be decided when the proposals have been formalised.

Table 2: Summary of powers to make subordinate legislation in the provisions of the British Sign Language (Wales) Bill

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
Section 4(1)(c) BSL Plans	Welsh Ministers	Regulations	<p>Section 4(1) of the Bill places a duty on a listed public body to prepare and publish a plan that—</p> <p>(a) describes how it intends to promote and facilitate the use of BSL in the exercise of its functions; and</p> <p>(b) describes how it intends to follow guidance issued under section 3, or explains why it does not intend to do so;</p> <p>Section 4(1)(c) of the Bill enables Welsh Ministers, by regulations, to prescribe such other information that a listed public body must include in its BSL plan.</p> <p>It would be reasonable to expect that the detail and content of BSL plans may need to change over time to reflect changing circumstances. As such it is appropriate that this should be done through regulations.</p>	Negative	<p>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.</p> <p>Regulations under Section 4(1)(c) cannot change the requirements set out in the Bill.</p> <p>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.</p>

<p>Section 8(2)</p> <p>Meaning of “listed public body”</p>	<p>Welsh Ministers</p>	<p>Regulations</p>	<p>Section 8(2) of the Bill enables the Welsh Ministers to make regulations to alter which bodies are included as “listed public bodies” under Section 8(1) of the Bill. The Regulation making power enables Welsh Ministers to do this by—</p> <ul style="list-style-type: none"> (a) adding a devolved Welsh authority, (b) removing a listed public body, or (c) amending the description of a listed public body. <p>It is reasonable to expect that those “listed public bodies” may need to change over time to react to changing circumstances. As such it is appropriate that this should be done through regulations.</p>	<p>Affirmative</p>	<p>This is a power to amend primary legislation and to alter the “listed public bodies” included within the Act.</p> <p>Therefore, regulations made under this section should be brought to the Senedd’s attention and properly debated via the affirmative procedure.</p> <p>Before making regulations under this section, the Welsh Ministers must also consult with the BSL Adviser and such other persons as the Welsh Ministers consider appropriate.</p>
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Part 2: Regulatory Impact Assessment

This Regulatory Impact Assessment (RIA) considers the options available in respect of the main provisions within the Bill, and analyses how these would meet the policy objectives. In doing so, it considers the associated risks, costs and benefits.

248. The process for developing Member Bills in the Senedd involves selection from a Ballot, and securing the agreement from the Senedd to develop and introduce a Bill. Member Bills differ from other Public Bills, as the selected Member is limited by the process set out in the Senedd's Standing Orders. As that process as a whole is related to the development of a Bill in line with the pre-ballot information, the option of delivering the policy objectives in an alternative way is not open to the selected Member. The RIA therefore includes only two options:

- Do nothing - continue with the Welsh Government's BSL policies;
- Introduce a Bill.

249. The RIA explores the potential for unintended consequences and includes equality considerations. The costs and benefits have been produced using the best information available at the time.

250. This information has been prepared through discussion with key stakeholders, including the Welsh Government, local government representatives and the Future Generations Commissioner's office. In addition, consultations have been undertaken to seek the views of stakeholders including local authorities. These views have been reflected in the RIA.

251. The costs and benefits have been assessed over a ten-year period. The HM Treasury central discount rate of 3.5% has been used throughout this analysis to calculate the present value of the preferred option.

7. Summary of RIA

252. The tables below present a summary of the costs and benefits for the Bill as a whole. The tables have been designed to present the information required under Standing Order 26.6 (viii) and (ix).

Table 3: Total cost of the preferred option (£)

British Sign Language (Wales) Bill		
Preferred option: Option 2: introduce a Bill to promote and facilitate the use of BSL in Wales.		
Stage: Introduction	Appraisal period: 10 years from Bill implementation	Price base year: 2025-26
Total Cost: Present value: Range: 3,759,800 to 4,140,600	Total Benefits Present value: Not quantified	Net Present Value (NPV): Range: £2,813,000 to £3,145,000

Table 4: Summary of the overall costs of the British Sign Language (Wales) Bill (over a 10 year period) (£)

	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	Total
Welsh Government Costs											
Adviser	127,400	111,600	111,600	111,600	111,600	111,600	111,600	111,600	111,600	111,600	1,131,800
Assisting Panel	45,900	30,200	30,200	20,100	20,100	20,100	20,100	20,100	20,100	20,100	247,000
Prepare first National BSL Strategy and guidance	41,000	65,100									106,100
Report on Strategy				5,500	21,800		5,500	21,800		5,500	60,100
Updated BSL Strategy							20,500	44,100			64,600
Total	214,300	206,900	141,800	137,200	153,500	131,700	157,700	197,600	131,700	137,200	1,609,600
Listed Public Bodies Costs (LPBs)											
BSL Plan – higher range		458,800	633,900								1,092,700
BSL Plan – lower range		305,900	406,000								711,900

Reporting on BSL Plan				363,200						363,200	726,400
Review / updating of BSL Plan								305,900	406,000		711,900
Total LPBs – high		458,800	633,900	363,200				305,900	406,000	363,200	2,531,000
Total LPBs – low		305,900	406,000	363,200				305,900	406,000	363,200	2,150,200
Total – high	214,300	665,700	775,700	500,400	153,500	131,700	157,700	503,500	537,700	500,400	4,140,600
Total – low	214,300	512,800	547,800	500,400	153,500	131,700	157,700	503,500	537,700	500,400	3,759,800

Unquantified costs and disbenefits

253. As outlined in chapter 4 of this Explanatory Memorandum, the detail of what will be contained in the National BSL Strategy, associated guidance and the BSL plans is not included on the face of the Bill itself. It will be for Welsh Ministers to determine the content of the National BSL Strategy and the guidance. It will be for each of the listed public bodies to determine the contents of its own BSL plan. Each of the listed public bodies will have the greatest understanding of their own needs, whether that be within their defined local authority or health board areas, or more nationally for those listed public bodies that have a national role.

254. The National BSL strategy and the BSL plans will be the primary documents that will determine how BSL is promoted and its use facilitated in Wales. Without knowing the full detail of what those key documents will contain, the costs attributed to implementing them must be counted as unquantified.

Benefits

255. The benefits of the Bill are set out in more detail throughout the Explanatory memorandum, in particular in Chapter 3, which sets out the purpose and intended effect of the Bill.

256. Research cited in this Explanatory Memorandum and the contributions from all those responding to the consultation all recognise the important role that BSL plays in the lives of Deaf people. Yet too often, Deaf people are not able to access vital public services because they are unable to communicate in their first language – BSL.

257. Not only does this mean they are not able to access their rights, this places them at a huge disadvantage, whether that be in the way they access health and social care services, their educational attainment, in their employment opportunities or their ability to use public transport.

258. The Bill will help address these barriers by introducing a specific legal requirement to promote and facilitate the use of BSL in Wales, ensuring greater equity for Deaf BSL signers in Wales. Consultation on the proposals behind the Bill indicates strong support and agreement that this legislation is needed.

259. The Bill will therefore result in significant benefits for the Deaf community across public services, and across all parts of Wales. However, as set out above, as the detail and content of the National BSL strategy and the BSL plans are not known at this time it is not possible to fully assess the impact of the Bill and what its full benefits will be.

Key evidence, assumptions and uncertainties

260. This Regulatory Impact Assessment has been informed by formal conversations and a variety of informal discussions with representative groups and organisations who will be impacted upon by the Bill. Additional assumptions have been made following liaison with Welsh Government officials and the Welsh Local Government Association and also from approaches and assumptions made by the Welsh Government in recent impact assessments. Throughout the RIA, assumptions are set out as to how costs have been calculated.

8. Option 1: Do nothing - continue with Welsh Government's BSL policies

This is the baseline option, as such there are no additional costs associated with this option. It is not possible to quantify the current expenditure in terms of internal administration within the Welsh Government to develop, implement and assess current policies in relation to BSL. Similarly, it is not possible to estimate the current internal expenditure by any of the listed public bodies on their policies in relation to BSL.

261. The need to improve access to all public services for Deaf people has been strongly called for over many years. The current policies in place across public bodies in Wales in relation to BSL are deemed to be inadequate, and do not do enough to remove the barriers that Deaf people face in accessing vital public services such as health and social care, education or transport.

262. The consultation on the proposals behind the Bill indicated strong support and agreement that legislation is needed to help address the inadequacies faced by Deaf people. Chapter 3 of the Explanatory Memorandum provides more detail on why the Bill is needed and the benefits it will have. As set out earlier, 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. 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.

263. The main purpose of the Bill is therefore to promote and facilitate the use of British Sign Language in Wales. The Bill does so by imposing various new duties on the Welsh Ministers and on certain public bodies.

264. The key provisions within the Bill include requirements for:

- 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;
- 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;
- Welsh Ministers and the listed public bodies to report on progress made in promoting and facilitating BSL under the provisions of the Bill;
- Welsh Ministers to appoint someone as their BSL adviser, and appoint a panel of people to assist the BSL adviser.

Current Welsh Government actions in relation to BSL

Disabled People's Rights Plan

265. As set out in paragraphs 131 to 136 of this Explanatory Memorandum, regarding the Disabled People's Rights Plan, the British Deaf Association carried out an audit of BSL provision by the Welsh Government against the format of the BSL Charter. The Welsh Government said the Disability Rights Taskforce, particularly its Access to Services Working Group, will consider the findings.

266. In May 2025, the Welsh Government published its draft Disabled People’s Rights Plan.¹⁹⁶ The plan acknowledges the challenges faced by BSL signers and sets out a commitment to furthering “the use, knowledge and expertise of the language in Wales” The Plan compliments the purpose of the Bill which is to promote and facilitate the use of BSL.

BSL Stakeholder Group

267. Following the Senedd debate on the proposed British Sign Language (Wales) Bill, in November 2024 the Welsh Government announced it would establish a task and finish BSL Stakeholder Group,¹⁹⁷ which will develop key recommendations to inform the Welsh Government’s production of a BSL policy route-map.

268. The intention for the ‘route-map’ is to set out the actions that Welsh Government is taking to promote and facilitate BSL and improve outcomes for the deaf BSL signing community of Wales. The group will advise on BSL priorities, it will consider where there are language barriers and the actions required to ensure equity of access to information and services for deaf BSL signers across a broad range of cross-government policy. The BSL route-map will sit alongside the disabled people’s rights plan, recognising BSL with its own unique cultural, historical and linguistic identity.

269. The full outcome of the Welsh Government’s work on the Disabled People’s Rights Plan, or the outcome of the work of the BSL Stakeholder Group is not yet known. As such it is not possible to say at this time what impact this work will have on the Deaf community in Wales.

Summary

270. It is clear that Welsh Government is undertaking work to develop a ‘route-map’ which will set out the actions that Welsh Government is taking to promote and facilitate BSL and improve outcomes for the deaf BSL signing community of Wales. The BSL route-map will sit alongside the disabled people’s rights plan, recognising BSL with its own unique cultural, historical and linguistic identity.

271. However, as highlighted above, it is not clear what outcomes will be achieved from either of these actions.

¹⁹⁶ Welsh Government, Draft Disabled People’s Rights Plan: 2025 to 2035 (May 2025)

¹⁹⁷ Welsh Government, Written Statement: British Sign Language (BSL) Policy Update (November 2024)

272. The ‘do nothing’ option would have the following negative impacts:

- 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;
- A continued reliance on current policies that, based on the evidence provided during the development of the Bill, do not adequately meet the needs of Deaf people;
- Without a national BSL strategy there would be a lack of a coherent and structured approach to promoting and facilitating the use of BSL across public bodies in Wales;
- There would be no statutory office holder (i.e. the BSL adviser) to provide direct advice to Welsh Government on the exercise of their functions.

9. Option 2: introduce a Bill

273. The main purposes of the Bill, and why the Bill is needed, are set out in Part 1 of the Explanatory Memorandum, and summarised in Option 1 above. The BSL Bill will establish a framework under which a coherent and structured approach for promoting and facilitating the use of BSL in Wales can be effectively managed.

274. Under the Bill it will be for the Welsh Government to develop a National BSL Strategy with input from a BSL adviser and an assisting panel, which will set the direction for local BSL plans to be developed by the listed public bodies. The detail of the BSL strategy and the BSL plans is not set out on the face of the Bill, rather it will be for Welsh Ministers and the listed public bodies to determine their content. How these are finalised will impact on how BSL policy is then implemented across public bodies and consequentially the costs and savings that will be realised.

275. While in general terms we know that the aim of the strategy and the BSL plans are to promote and facilitate the use of BSL in the exercise of the functions of the bodies, it is not possible to quantify the costs of implementing the strategy or BSL plans without having a clear idea as to what those documents will contain.

276. In general, the costs of the Bill relate to Welsh Government administrative costs. The additional resource needed will be determined by how much additional input is needed on top of the Welsh Government's policy work and planning to the point at which the Bill receives Royal Assent. These costings have been estimated following discussions with and taking advice from Welsh Government officials. Calculations have been rounded to the nearest hundred pounds.

277. Welsh Government staff costs have been based on the latest average gross costs for staff pay bands 2023-24, as set out in the Welsh Government's Pay Policy Statement 2024, published in December 2024, using a 52-week year and five-day working week. The standard working week is considered 37 hours a week as per the National Agreement 'Green Book'. Average costs for Welsh Government staff include additional employment costs, such as pension and national insurance contributions.

278. Local government staff costs are based on National Joint Council for Local Government Services pay scales for 2024-25, with National Insurance and pensions contributions added. As a proxy, an assumption has been made that

staff pay working on administrative duties in local health boards will have similar pay to those working on the same tasks in local government.

279. All costs and benefits quantified are based on information and data available to the Member in charge leading up to publication of this document.

280. It is not possible to estimate the current staffing resource that goes into administration of Welsh Government BSL policy in order to estimate current status quo costs. Therefore, it is not possible to calculate how resource currently used could be reassigned or, therefore, any administrative savings for the Welsh Government that would arise from this Bill.

BSL Adviser

281. The Bill requires the Welsh Ministers to appoint a person to be their BSL adviser. In appointing the BSL adviser, the Welsh Ministers must be satisfied that the person appointed to that role is able to communicate effectively in and uses BSL. It is absolutely essential that to be able to undertake a role as the BSL adviser, that person must be able to communicate effectively with the Deaf community.

282. The costs associated with the appointment of a BSL Adviser will fall to the Welsh Government. The costs mainly relate to the BSL Adviser's salary but there will also be transitional costs associated with recruitment to the post.

283. As a best estimate, we have used the costs of a similar recruitment exercise in Welsh Government legislation: the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Bill (the 'VAWDASV Bill').¹⁹⁸ This Bill included the requirement to appoint a Ministerial Adviser, the recruitment cost of which was estimated to be £11,000. This included the cost of advertising the position in the local and national press, appointing an Independent Assessor to oversee the process, establishing a selection panel, providing administrative support throughout the process and candidates' expenses.

284. The Welsh Ministers must be satisfied that the person appointed as adviser is able to communicate effectively in and uses BSL. Given this requirement, the recruitment process will include a BSL translator, with the related costs including BSL services for two days. The day rates used are based on quotes, provided to the Member's Bill team, for providing BSL services (£315 for a whole day and £195 for a

¹⁹⁸ The VAWDASV Bill was subsequently passed by the then National Assembly for Wales in March 2015. Costs in this Explanatory Memorandum are based on those set out for the VAWDASV Bill as introduced.

half day, plus VAT). Total recruitment costs, which are one-off or transitional, are estimated to be £15,800.

285. The Welsh Government wish to attract candidates with the experience and expertise to provide informed advice to the Welsh Ministers to enable them to set the agenda and develop policy in this area. The BSL Adviser will need to work confidently with Ministers and senior officers across Welsh Government departments. A similar approach to the cost estimates for the VAWDASV Bill was taken. As with this role, the Ministerial Adviser included in the VAWDASV Bill, was not a civil service post, but the salary for the post needs to take account of the demands of the role. It set the Ministerial Adviser's salary in the Executive Band 1 (Grade 6) of the Welsh Government pay scale, with on-costs (including National Insurance contributions, pension, IT costs and travel and subsistence costs associated with carrying out functions and duties).

286. As it is anticipated that the BSL Adviser role will be located in a Welsh Government building, no additional office facilities will be required, and the administration support provided by Welsh Government staff is included in the cost estimates of the other requirements of the Draft Bill. Therefore, no further resource will be required.

287. VAWDASV Bill estimates have been updated by inflation from March 2015 to March 2025 to calculate the costs set out in Table 4.

Table 5: Cost of the BSL Adviser per year (£)

Adviser	Year 1	Year 2	Year 3	Year 4	Year 5
Pay	111,600	111,600	111,600	111,600	111,600
Recruitment	15,800				
Total	127,400	111,600	111,600	111,600	111,600

288. The recurrent costs are assumed to continue for years 6 to 10, as in the overall summary tables. The Bill does not specify a term of office for the BSL Adviser.

BSL assisting panel

289. The Bill requires the Welsh Ministers to appoint persons to be members of a panel to assist the BSL adviser.

290. The panel members will be appointed by the Welsh Ministers via the formal public appointments process. The Schedule also makes provision about how the

Welsh Ministers may pay the adviser and panel members and gives them the discretion to provide the adviser with facilities if and to the extent that they consider that to be necessary.

291. The size of the BSL assisting panel will be for the Welsh Government and BSL adviser to decide. However, a typical publicly appointed advisory board, to which the panel will be closely aligned, has six to eight members. As another example, the Scottish Government's BSL Implementation Advisory Group lists six organisations, whereas the UK BSL advisory board has 17 members. Neither of these groups are appointed by the formal public appointments process, which is the case with this Bill.

292. The Welsh Government will be able to draw on BSL groups, that are either in existence or planned, to form the membership of the BSL assisting panel. This will help reduce the cost of establishing the panel. For example, in November 2024, the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip announced the Welsh Government would, during 2025, establish a BSL Stakeholder Group. This stakeholder group is intended to develop key recommendations to inform the Welsh Government's production of a BSL policy route-map.

293. The recruitment costs of members of the BSL assisting panel has been increased compared to the BSL Adviser process. While production of materials and publicity will be the same there will be additional processing costs given there would be a number of appointees.

294. In terms of the costs of supporting the BSL assisting panel, consideration was given to the costs included in the VAWDASV Bill. The Welsh Government had already established the Violence against Women, Domestic Abuse and Sexual Violence Advisory Group with a membership of key stakeholders. As such, there were no direct costs associated with the running of the Group. Additional annual secretarial costs to support the Board of £1,200 were included.. The Welsh Government BSL Task and Finish Group is not permanent and details of the planned BSL stakeholder group are not available yet, so it is not possible to estimate the current, or status quo, costs. Therefore, the current costs of supporting Welsh Government BSL stakeholder groups have not been netted off the RIA estimates.

295. The BSL assisting panel is assumed to ordinarily meet four times a year. In the first year, we have assumed it will meet three times since it will take time for the BSL Adviser to be appointed before recruiting Members to the BSL assisting panel. In years two and three, the BSL assisting panel will meet more frequently,

assumed to be six times a year, reflecting its anticipated workload over that period.

296. As well as those about the frequency of the number of meetings, the cost estimates reflect other assumptions about the costs of the BSL assisting panel. It is assumed eight persons on the group (at a day rate of £112 for the chair and £92 for the rest of the group, in line with Welsh Government Working with Public Bodies guidance, with the input of 2 days per meeting to include preparation). It has been assumed that meetings would be likely to be hybrid, average expenses per person are assumed to be £50 for each meeting. Each meeting will require BSL services, estimated as support for four half days, two BSL signers and two palantypists, plus one day to provide materials in BSL. Staff administrative support, which falls to the Welsh Government, for each meeting has been assumed as requiring 10 days of staff time at Executive Officer grade and one day at Grade 7 for the Welsh Government. These are assumed to be opportunity costs.

Table 6: Cost of the BSL assisting panel (£)

	Year 1	Year 2	Year 3	Year 4	Year 5
Assisting Panel	8,600	17,300	17,300	11,500	11,500
Recruitment Cost	30,900				
Staff Time	6,400	12,900	12,900	8,600	8,600
Total	45,900	30,200	30,200	20,100	20,100

297. Fixed costs are assumed to continue at the same level as in year 5, for years 6 to 10, as shown in the overall summary tables. The estimates do not include the costs associated with rotating of members of the BSL assisting panel since this is considered as business as usual.

Developing the National Strategy and associated guidance

298. Section 2 of the Bill places a duty on the Welsh Ministers to prepare and publish a national BSL strategy. That strategy does two main things:

- Firstly, the BSL strategy must describe how Welsh Ministers themselves intend to promote and facilitate the use of BSL in the exercise of their functions.

- Secondly, the BSL strategy must describe how Welsh Ministers intend to encourage certain public bodies to promote and facilitate the use of BSL in the exercise of their functions. Section 8 of the Bill lists those public bodies (referred to in the Bill as “listed public bodies”).

299. The first national BSL strategy must be published by the Welsh Ministers within 18 months beginning with the day after the date the Act comes into force. Before publishing the BSL strategy the Welsh Ministers must first consult the BSL adviser, and any other persons they consider appropriate.

300. The BSL strategy must be reviewed at least once in every six years from the date it was first published, though it can be reviewed at any time within that period. If, following any review, Welsh Ministers wish to revise the strategy, they must also then publish the revised version of it.

301. Alongside the BSL strategy prepared and published by Welsh Ministers, Section 3 of the Bill also requires Welsh Ministers to issue guidance to the listed public bodies on how they may promote and facilitate the use of BSL in exercising their functions. As with the BSL strategy, the detail of the guidance will be for Welsh Ministers to determine.

302. The Strategy will build on work underway, such as the work announced in November 2024 to inform development of a Welsh Government BSL “route map”. While likely in practise to draw on the work of the BSL Stakeholder Group, the extent to which this will be the case is not known. Nor are the costs relating to the BSL Stakeholder Group known. As such, the estimates do not assume this to be the case and they reflect staff time to consult and develop a National Strategy and associated guidance in the first 18 months.

303. The Welsh Government will benefit from advice from the BSL adviser and the BSL assisting panel. In terms of the administrative time, we have taken into account the additional higher graded staff input that will be required given the complexities of organising, preparing and analysing consultations in this area.

304. Following meetings with stakeholders and given the issues raised in the Bill consultation, this Regulatory Impact Assessment assumes and includes administrative time to produce guidance alongside the national BSL strategy. This will assist understanding of the strategy and the requirements on public sector organisations which are covered by the Bill.

305. In the main, the costs relate to Welsh Government administrative costs. The additional resource needed will be determined by how much additional input is needed on top of the Welsh Government’s policy work and planning to the point

at which the Bill receives Royal Assent. These costings have been estimated using advice from Welsh Government officials to adapt approaches in relevant legislation.

306. To ensure the best possible estimate for the administrative costs, regard was paid to costs of preparing a national strategy as set out in Bills introduced in Wales and Scotland. The Violence against Women, Domestic Abuse and Sexual Violence (Wales) Bill included £11,100 of administrative costs to prepare a national strategy, and the Social Partnership and Public Procurement (Wales) Bill included £37,200 to produce statutory and supplementary guidance.¹⁹⁹ The British Sign Language (Scotland) Bill estimated administrative costs for the Scottish Government to prepare, consult and publish an initial National Plan to be in the range of £40,000 to £80,000. The Food (Wales) Bill estimated the cost of providing a national strategy to be £41,920.

307. There are examples where the costs of producing guidance has been set out in impact assessments, which have also been used to inform these estimates. The Food (Wales) Bill, which included a wider scope to produce and lead on advising on the formulation of policy, set food goals, provide guidance and training materials, estimated the associated cost to be £64,350.

308. The costs relate to Welsh Government staff time, which are assumed to be the opportunity costs. Taking into account the estimates above accompanying previous legislation, taking into account the requirements of this Bill, and following discussions with Welsh Government officials, these include the cost of two days input from a Deputy Director to sign off the Strategy and guidance, 80 days of a civil service Grade 7, 60 days of a senior policy officer at Senior Executive Officer grade and 160 days of a Higher Executive Officer. Advice from the BSL Adviser is included and has been identified separately.

309. Consultation costs have been taken from the VAWDASV Bill, which included £10,050. This has been uprated by inflation. While it would be expected that responses to the consultation would be fewer in number than for the VAWDASV Bill, we assess the estimated cost to be reasonable for this Bill. This is due to the complexities of potentially analysing responses in BSL. Also, additional costs have been included for BSL services, with the cost of two BSL signers and one note taker for half a day included for a consultation event, two sets of pre-consultation BSL materials, based on around 3,000 words each. Each 3,000 word output

¹⁹⁹ The VAWDASV Bill and Social Partnership Bill were subsequently passed by the National Assembly for Wales / Senedd. Costs in this Explanatory Memorandum are based on those set out for those Bills as introduced.

requiring one day BSL translation, one day chromakey filming, one day editing and two-thirds of a day for Welsh and English subtitles.

310. Publication costs are based on similar cost included in the Food (Wales) Bill for a national strategy (Table 7.1), £1,000 per document published, uprated by inflation. The cost of translating two documents of around 4,500 words each has been calculated at approximately £70 per 1,000 words. VAT has not been included for this cost as it is assumed it will be an opportunity cost, undertaken by staff in the Welsh Government. It would be good practice to produce an easy read version of the Strategy, of around 2,000 words, cost of publication around £500 additional plus translation.

311. The Strategy and guidance would be provided in BSL. Costs are included based on cost assumptions for BSL outputs as used elsewhere. Each 4,500 document would require translation to BSL, one and a half days, chromakey filming, one and a half days, editing, one and a half days, Welsh and English subtitles, one day. The easy read version of the strategy would require translation to BSL, one day, chromakey filming, one day, editing, one day, Welsh and English subtitles, half a day.

Table 7: Costs to produce the National BSL Strategy and guidance (£)

	FTE Cost	Time Input Days	Cost
Deputy Director	124,020	2	1,100
BSL adviser	-	-	-
Grade 7	80,085	80	29,100
Senior Policy Officer	62,156	60	17,000
Higher Executive Officer	49,243	160	35,800
Translation			800
Publication			2,600
Consultation			14,000
BSL output			5,700
Total			106,100

Welsh Government reporting

312. Welsh Ministers will have to publish a report to assess progress made in promoting and facilitating the use of BSL at least once every 3 years after the BSL strategy is first published. In preparing this report, it is assumed that the Welsh Government will consult the BSL Adviser and any other persons considered appropriate.

313. In terms of the administrative time for Welsh Government reporting, we have taken into account the additional higher grade staff input, reflecting the BSL complexities of organising, preparing and analysing consultations in this area.

314. For other sources of administrative costs, regard was paid to the estimates of comparable activity. The Social Partnership and Procurement Bill estimated the cost of processing and analysing reports under the Social Partnership duty to be £22,000, The Scottish Government BSL Bill estimated the costs of developing and publishing a performance review to be between £40,000 and £60,000. This includes the cost of monitoring activity, producing and publishing a report, the scope of which includes three and a half times more listed bodies (116), compared to the 34 listed in this Draft Bill. The Violence against Women, Domestic Abuse and Sexual Violence (Wales) Bill did not provide a separate estimate for reporting duties.

315. The estimated staff time required for reporting will be opportunity costs for the Welsh Government. Taking into account the estimates above accompanying previous legislation, taking into account the requirements of this Bill, and following discussions with Welsh Government officials, this will include one day input from a deputy director to sign off the report, 20 days of a civil service Grade 7, 20 days of a senior policy officer at Senior Executive Officer grade and 40 days of a member of staff at higher executive officer grade. Advice from the BSL Adviser is costed separately.

316. Publication costs are based on similar cost included in the Food (Wales) Bill for a national strategy (Table 7.1), £1,000, uprated by inflation. Translation costs are based on translating a document of around 6,000 words at approximately £70 per 1,000 words, VAT is not added as this would be expected to be undertaken by staff in the Welsh Government. Cost assumptions for BSL outputs are as used elsewhere. A 6,000 document would require translation to BSL, two days, chromakey filming, two days, editing, two days, Welsh and English subtitles, one and a half days, costs include VAT.

Table 8: Cost of Welsh Government reporting on BSL (£) – done every three years

	FTE Cost	Time Input Days	Cost
Deputy Director	124,020	1	600
BSL adviser	-	-	-
Grade 7	80,085	20	7,300
Senior Policy Officer	62,156	20	5,700
Higher Executive Officer	49,243	40	9,000
Translation			500
Publication			1,300
BSL output			2,900
Total			27,300

317. There is an argument that the amount of resource input into reporting on plans would reduce in subsequent years, as a standard procedure would have been established for reporting. However, data may need to be taken from different sources as reports by local authority may perhaps be included through existing reporting mechanisms. Therefore, costs for the second iteration of reporting is assumed to continue at the same rate as in the first reporting cycle.

Listed public bodies BSL plans

318. Section 4 of the Bill requires the listed public bodies to prepare and publish a BSL plan. Those BSL plans must:

- describe how the body intends to promote and facilitate the use of BSL in exercising their functions;
- describe how that body intends to follow the guidance issued by Welsh Ministers under Section 3 of the Bill; and
- contain any other information that the Welsh Ministers may set out in regulations.

319. The 34 listed public bodies comprise the 22 local authorities, 7 Local Health Boards, 3 NHS Trusts and 2 Special Health Authorities (Digital Health and Care Wales (DHCW) and Health Education and Improvement Wales (HEIW)).

320. As with the National BSL Strategy, the detail of what should be in those plans is not included on the face of the Bill. It will be for each of the listed public bodies to determine the contents of its own BSL plan, with the only requirement being that it must include the detail set out above. Each of the listed public bodies will have the greatest understanding of their own needs, whether that be within their defined local authority or health board areas, or more nationally for those listed public bodies that have a nation role.

321. While the Bill requires the listed public bodies to prepare and publish a BSL plan, the Bill does not prevent public bodies from working in collaboration to prepare their plans. There are many areas in which we know public bodies work closely together to deliver services in a joined up way. If it was considered appropriate, that approach could be taken in the preparation of the BSL plans.

322. The BSL plans prepared by the listed public bodies must be published within 12 months of the day on which the National BSL Strategy is published. The listed public bodies must also review their plan if directed to do so by Welsh Ministers or if the Welsh Ministers revise the National BSL Strategy. If the Welsh Ministers do direct a listed public body to revise its plan, the reasons for giving that direction must be stated. If the listed public body decides to revise its plan following a review, it must publish the revised version of the plan as soon as is reasonably practicable.

323. Before publishing its plan or any revised version of it, the listed public body must consult any persons it considers appropriate. The listed public body must also send any BSL plan it has prepared and published to the Welsh Ministers. As with the BSL strategy and guidance, listed public bodies must also ensure that their BSL plans are available in BSL.

324. The cost of producing public authority plans will include staff time to develop and consult on a draft plan, as well as publication and distribution of the final plan. Publication costs will vary depending on the type of publication chosen. The costs associated with publication online are minimal. There is a requirement to publish plans in BSL format.

325. Costs for individual listed public bodies to produce and publish a plan will also vary considerably by size of population they serve and their type of organisation. It is intended that listed public authorities will benefit from collaboration in terms of planning and consulting on plans. The guidance provided by Welsh Ministers will be important in terms of helping facilitate this improved planning. Given the limited number of representative bodies and the number of consultations that would be taking place at the same time on plans, it

would be inefficient and confusing for stakeholders if local authorities, health boards and trusts did not collaborate, particularly where they are serving the same areas and populations.

326. A cost range is given for listed public authorities, assigning time resource to staff on the basis of the National Joint Council for Local Government Services payscales for 2024-25. It has been assumed that NHS organisations will have the same resource input and use staff on equivalent pay scales. The high cost figure assumes all organisations will require 20 days of a point 48 member of staff, 40 days of a point 40 and 40 days of a point 25. These assumptions have been calculated for consistency with estimates provided in the British Sign Language (Scotland) Bill and reporting requirements in the Food (Wales) Bill. It has been assumed that all listed bodies produce a plan and a BSL version.

327. Consultation costs include both the BSL translation of materials, added to this are BSL costs of half a day's cost of two BSL signers and one notetaker, calculated to be £3,259 per listed organisation. Publication costs are £500 per listed organisation, uprated by inflation. The estimates assume plans will be around 2,000 words which will need to be translated to Welsh and to BSL. The latter requires one day BSL translation, one day chromakey filming, half a day editing and half a day Welsh and English subtitles. As an example, Aberdeenshire Council's BSL Local plan 2018-24 content was just under 2,000 words.

328. The high range of costs assumes these costs hold for all listed public bodies. A lower range of costs is included, where staff costs allow for more variance in terms of size of body, linked to experience in the BSL (Scotland) Bill and with public authorities collaborating with their consultation, meaning 11 consultation events are run, rather than 34. This impacts on the cost of staff time only since, although they may have collaborated on consultation, each public authority will be required to publish its own plan.

Table 9: Cost of BSL plans by listed public bodies (£)

Listed Public Bodies	Staff Costs	Consultation	Publication	Translation	BSL	Total
Year 3	917,500	110,800	18,000	4,800	41,600	1,092,700
Lower Range	611,700	35,800	18,000	4,800	41,600	711,900

329. There is a requirement for listed bodies to review plans within 12 months of the publication of any revised national BSL strategy by Welsh Ministers. It is

estimated that the costs of revising plans for listed bodies which decide to update their plans following the review will be the same as the lower range estimated previously in this section. These costs are assumed to fall in years 8 and 9.

330. The cost of implementing the plans is not included in this impact assessment. This will be dependent on the actions that are required in the national BSL strategy, which will be produced by Welsh Ministers, building on current plans and provision with advice from the BSL adviser and BSL assisting panel, and informed by a public consultation.

Reporting on listed body plans

331. There is a requirement for listed bodies to prepare and publish a report describing what they have done to implement their plans and why they may not have actioned elements of their plan.

332. It has been assumed that this will take 11 days of a member of staff on point 48 of the NJC scales, 11 days of a point 40 and 11 days of a point 25. Based on an example of a large local authority report in Scotland, BSL cost estimates are for a report of up to 2,000 words. It has been assumed that reports will be published on the listed bodies website.

Table 10: Listed public bodies cost of reporting on BSL plans

Listed Public Bodies	Staff costs
Year 4 plus	316,800
BSL publication costs	46,400
Total	363,200

Benefits of the BSL (Wales) Bill

333. It is not possible to quantify benefits of the bill as these will be dependent on the content of the national BSL strategy and the BSL plans – together with how they are implemented across Wales. However, the practical benefits of the Bill will be significant. These benefits are set out in more detail in Chapter 3 of the Explanatory Memorandum.

10. Specific Impact Assessments

A) Justice System Impact Assessment (Standing Order 26.6 (xii))

334. This Justice Impact Assessment (JIA) has been prepared in accordance with Section 110A of the Government of Wales Act 2006 and Standing Order 26.6(xii).

335. Neither the GoWA or Standing Orders specify what a JIA must contain, or the format it should take, only that it is a requirement that a JIA is undertaken. In considering the detail of the JIA for this Bill, I have considered in detail the Ministry of Justice's 'Justice impact tests guidance', together with the relevant test form. I have also considered guidance from Welsh Government on Justice System Impact Identification.

336. While both sets of guidance are aimed primarily at Government Departments, they form a good reference for how to approach the JIA for this Bill.

337. The guidance from both Ministry of Justice and Welsh Government set out two key questions that must be considered when establishing whether a full Justice Impact Test has to be undertaken. The MoJ guidance states:

"Do I need to complete a JIT?"

A JIT needs to be completed for all new policy proposals that could potentially have an impact on any aspect of the justice system. Even if the impacts are expected to be minimal, this must be supported by evidence and agreed between MoJ and the policy-owning department via the JIT process.

The key questions that policy-makers should ask themselves are:

- Is it possible that the policy will increase or decrease the volume of cases going through the courts or tribunals? and/or*
- Will the policy change the way that cases are dealt with by the justice system?*

If the answer to either question is yes, there will be a justice impact however small the change in volume or process might be."

338. I have considered the potential impacts on the justice system of the proposals set out in the British Sign Language (BSL) (Wales) Bill, including on:

- a. courts (criminal and civil);
- b. non-devolved tribunals;
- c. devolved tribunals;
- d. legal aid;
- e. the judiciary;
- f. prosecuting bodies; and
- g. prisons, youth justice and probation services.

339. The British Sign Language (BSL) (Wales) Bill does not create any new offences, sanctions or penalties I am satisfied that it will have no impact on the justice system in England and Wales. The answer to the two key questions set out in the governmental guidance is a clear no.

B) Children's Rights Impact Assessment (CRIA)

Introduction

340. This Children's Rights Impact Assessment (CRIA) considers the effect of the British Sign Language (Wales) Bill on children in Wales and their rights under the United Nations Convention on the Rights of the Child (UNCRC).²⁰⁰

341. It has been informed by both the Children's Commissioner for Wales' Right Way CRIA Framework²⁰¹ and the Welsh Government's CRIA template: guidance for staff.²⁰²

342. In preparing the Bill, children's rights have been considered in terms of what the Bill seeks to achieve and how it will impact children and the articles of the UNCRC in the way it is delivered.

Summary of the Bill's impact on children's rights

343. In summary, this Bill gives further effect to and has a significant positive impact on children's rights in Wales and their entitlements under the United Nations Convention on the Rights of the Child.

²⁰⁰ Unicef, UN Convention on the Rights of the Child

²⁰¹ Children's Commissioner for Wales, The Right Way: CRIA questions for public bodies in Wales

²⁰² Welsh Government, Children's rights impact assessments: guidance for Welsh Government staff

344. In supporting this legislation, the Welsh Government would be delivering its statutory duties under the Rights of Children and Young Persons (Wales) Measure 2011²⁰³ and its duty to have due regard to the UNCRC in everything it does.

345. The impact on Deaf children and young people who are BSL signers has been considered, and where necessary, the proposals have been adapted to ensure the Bill has as positive an impact as possible without causing detriment to any particular groups. Potential risks and unintended consequences for children and young people have been considered, which has influenced both the content of the Bill itself and consideration of how it will be implemented.

What does the Bill do and how does this relate to children?

346. The Bill aims to promote the use and recognition of BSL across public services. This has significant implications for Deaf children and children of Deaf adults (CODAs), enhancing their ability to access rights, education, and participate in public life on an equal footing with those who speak English or Welsh.

347. While the Bill primarily relates to the promotion of and use of sign language, it has implications for children's rights under the UNCRC. These are outlined in the following sections.

How have children and young people been consulted on the proposals behind the Bill?

348. As discussed below, Article 12 of the UNCRC gives children the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. The main intended beneficiaries of the Bill are Deaf BSL signers, therefore the consultation sought to engage with the Deaf community more generally, rather than specific groups of BSL signers such as children. However, many responses to the consultation focussed on the needs of Deaf children and young people, with responses from the Children's Commissioner for Wales,²⁰⁴ the National Deaf Children's Society²⁰⁵ and the Neumark Foundation²⁰⁶ and individual responses from those with a lived experience of BSL. Responses were also received from education providers

²⁰³ [Rights of Children and Young Persons \(Wales\) Measure 2011](#)

²⁰⁴ The Children's Commissioner for Wales, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

²⁰⁵ The National Deaf Children's Society, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

²⁰⁶ The Neumark Foundation, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

including Swansea Council Deaf Education Team,²⁰⁷ National Education Union Cymru²⁰⁸ and NASUWT Cymru (the Teachers' Union).²⁰⁹ A summary of the consultation has been published.²¹⁰ It must also be noted that organisations such as the British Deaf Association and RNID represent the needs of all BSL signers, including children and young people.

349. There were also five meetings held by the Senedd's Citizen Engagement Team with people that have lived experience of BSL, including parents and their children. Further details are available in the engagement summary.²¹¹

350. The findings from the consultation and engagement with those with lived experience informed the draft Bill²¹² that was published on 30 May 2025. The views of organisations representing Deaf children and young people have informed considerations throughout the development of the proposals and the Bill itself.

How does the Bill give effect to the articles of the UNCRC?

351. A number of the articles of the UNCRC are supported and given effect to by the provisions of the Bill.

Article 2 (non-discrimination): States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

352. The article ensures that all rights apply to every child without discrimination. The Equality Act 2010 provides a framework which offers protection from discrimination. However, the lack of a dedicated BSL Act in Wales means Deaf children who are BSL signers may still face discrimination due to inconsistent support across Wales. Additionally in comparison with Deaf children who are BSL

²⁰⁷ Swansea Council Deaf Education Team, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

²⁰⁸ National Education Union Cymru, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

²⁰⁹ NASUWT Cymru, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

²¹⁰ Mark Isherwood MS, [Summary of consultation on proposed British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

²¹¹ Mark Isherwood MS, [Engagement findings on the British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

²¹² [Draft British Sign Language \(Wales\) Bill 2026](#)

signers in England and Scotland, where there is legislation to promote and facilitate the use of BSL, Deaf children in Wales may be placed at a disadvantage.

353. While the Bill in itself cannot solve all of this, it does advance the interests of Deaf children. By facilitating and promoting the use of BSL, the Bill will support the rights of Deaf children. It will ensure the Welsh Government and public bodies have to set out what they are going to do to address the needs of Deaf BSL signers. The Bill supports non-discrimination by ensuring Deaf children and BSL signers are not excluded from public services or denied information due to language barriers. It promotes inclusion and equality for Deaf children who use BSL as their first or preferred language.

Article 3 (best interests of the child): The best interests of the child must be a top priority in all decisions and actions that affect children.

354. The Bill's provisions can be seen as serving the best interests of Deaf children by facilitating and promoting the use of BSL. Access to communication in a child's natural language is crucial for their cognitive, emotional and social development. The Bill can help ensure that children who rely on BSL do not experience linguistic deprivation which can negatively affect their development and lifelong outcomes.

355. The consultations undertaken highlighted many of the barriers facing children and their families in accessing BSL and the negative impact that has on both their access to services and consequently life outcomes in health, education and employment.

356. The Bill's requirement on Welsh Ministers' and listed public authorities to prepare and publish a plan and report on progress will lead to a greater focus on the needs of children who are BSL signers. In Scotland's BSL National Plan 2023 – 2029²¹³ the priority area for children, young people and their families covers 12 of the 45 goals across the plan.

Article 12 (Respect for the views of the child): Every child has a right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously.

357. As the first language of many deaf and hard of hearing children and young people, BSL is a medium through which they can communicate effectively and be fully involved in the decisions that affect them. The aim of the Bill, to promote

²¹³ Scottish Government, BSL National Plan 2023 – 2029 (November 2023)

and facilitate the use of BSL, will empower Deaf BSL signers to express their views more effectively and therefore participate more meaningfully in public life. It may also help to promote a sense of Deaf identity and pride in the language, which could instil a confidence in children who are BSL signers to share their views, feelings and wishes to those bodies who will be required to promote and facilitate the use of BSL.

358. In response to the consultation, the Children's Commissioner for Wales²¹⁴ states that the Bill would affirm the rights of Deaf children to have the opportunity to share their views. Additionally she said consideration should be given to how children and young people can be represented and how their voices can be heard. One individual respondent said it is important to promote the needs of families through the inclusion of parents of deaf children. The Bill would lead to the establishment of a BSL adviser and panel who can reflect the voices of children and young people and their families.

Article 13 (freedom of expression): Every child must be free to express their thoughts and opinions and to access all kinds of information.

359. BSL is integrated into the Curriculum for Wales and is taught as part of the Languages, Literacy, and Communication Area of Learning and Experience. This integration allows Deaf and hard-of-hearing learners to develop BSL as a first or second language, while also providing opportunities for hearing learners to learn BSL as a third or subsequent language.

360. Deaf children in Wales often face barriers in accessing information due to insufficient BSL provision in public services (see consultation and engagement). This can be caused by several factors, including, the poor understanding of the language needs of Deaf BSL signers and the lack of BSL interpreters and translators.

361. Through the duty to promote and facilitate the use of BSL the Bill enhances children's right to express themselves in their own language and in a culturally and linguistically appropriate way. The Bill places a duty on listed public bodies to plan how they will meet the needs of BSL signers. This should lead to the creation of channels of communication between Deaf children and their families and service providers as has happened in legislation in other parliaments.

²¹⁴ The Children's Commissioner for Wales, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

Article 23 (Rights of children with disabilities): A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families.

362. Some Deaf BSL signers do not regard themselves as having a disability but rather as members of a linguistic and cultural minority. A Deaf person using BSL may be considered disabled because they cannot access communication-friendly environments where BSL interpreters are not provided, despite their natural ability to communicate through BSL.

363. The intention behind the Bill is to ensure Welsh Government and public bodies in Wales do all they can to promote and facilitate the use of BSL and, in doing so, directly addresses the need for accessible language across public services.

Article 24 (health and health services): States Parties recognise the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. To ensure that parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition [...] To develop preventive health care, guidance for parents and family planning education and services.

364. Currently, Deaf BSL signers face significant barriers when accessing health. This is primarily due to a lack of effective communication systems and booking options and inconsistent interpretation services. The health barriers facing BSL signers was highlighted by over half of those responding to the general consultation.

365. The Bill requires both Welsh Ministers and listed public bodies to facilitate the use of BSL. This could be through addressing the shortage of BSL interpreters overall but could also include ensuring greater understanding and awareness of how to access BSL interpretation and translation. Where improvements are made in the use of BSL, this could have a significant positive impact on how children and their parents access health services.

Article 28 (right to education) Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child.

366. Deaf children are disproportionately affected by educational attainment gaps. Statistics indicate that in 2019 deaf learners were 10.7% less likely to achieve

A*-C grades in the core subjects of English/Welsh language and Maths combined, in comparison to their hearing peers.²¹⁵ This highlights the need for targeted support and resources to ensure they are able to access education.

367. The shortage of Teachers of the Deaf (TODs) in Wales impacts the quality of education for D/deaf children. As discussed in Chapter 3, the number of TODs has declined, raising concerns about the future of the workforce due to many approaching retirement age.

368. The Bill does not legislate on educational provision, however by requiring local authorities to plan for the promotion and facilitation of BSL, the Bill will have a positive impact on the use of BSL in schools.

Article 29 (goals of education) Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and others cultural identity, language and values

369. The Bill is a significant symbol, recognising the cultural identity of Deaf BSL signers and sending out an important message to BSL signers that their language is valued and their rights to linguistic access recognised. This will increase awareness of teaching professionals of BSL and increase the confidence of BSL signers to express their cultural identity, language and values.

370. In response to the consultation, the Children's Commissioner for Wales²¹⁶ expressed concern that Articles 28 and 29 rights are currently not being met. She viewed the Bill as presenting "opportunities to improve the educational attainment of Deaf learners and improve their access to fundamental rights as set out within the UNCRC".

Could the Bill have any potential negative effects on children and how can these be mitigated?

371. It is intended that the BSL Bill will have a positive effect on children and young people who are Deaf BSL signers who, as a result of the Bill, will have their language needs recognised, will be less marginalised and face less barriers when accessing services and support.

²¹⁵ National Deaf Children's Society, [note on Welsh Government figures on educational attainment data in 2019](#) (Wales) (August 2019)

²¹⁶ The Children's Commissioner for Wales, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

372. The BSL Bill does have limitations. As it mainly focuses on the promotion and facilitation of BSL in public services, it does not create specific, enforceable duties on public bodies to provide BSL. For example the Bill does not guarantee BSL provision in schools, so access to education in a child's first language is still not assured as a result of this Bill. Without these obligations and consistent support from interpretation and translation services, children and young people who are BSL signers may still face barriers accessing healthcare, education and social care services. Without proper funding, staff training, or monitoring, improvements for children may not materialise.

373. The Bill's provisions however place a duty on the Welsh Government to promote and facilitate BSL, to publish a national strategy and guidance and report on progress. The Bill also places a duty on listed public bodies to report on what they have done to implement their plan and, in the event that they have not implemented something, to explain why they have not done so. Therefore the consideration of issues around the provision of BSL interpretation and translation services will certainly be one of the top priorities of both the Welsh Government and those listed public bodies.

Could some children be impacted by the Bill more than others?

374. The main objective of this Bill is to promote and facilitate the use of BSL. With this in mind, the Bill focuses on the needs of Deaf BSL signers, meaning Deaf children who use BSL as their first language will be most directly impacted. These children will benefit most from increased facilitation and promotion of BSL.

375. As the Bill is specific to the needs of children who are BSL signers, this may leave other D/deaf children who use other forms of communication at a disadvantage. This issue was highlighted by one individual²¹⁷ who opposed the goals of the Bill on the grounds it is non-inclusive and "omits" those with hearing loss.

376. The Bill does not cover disabled children and those with additional complex needs, and who use a mix of BSL, Makaton or other forms of communication. It does not include any provisions to improve other forms of communication.

377. While the focus of the Bill is the facilitation and promotion of BSL, the Bill will ensure the Welsh Government and public bodies think about the needs of the D/deaf community more widely. The appointment of a BSL Adviser and panel will

²¹⁷ Mervyn James, [Response to the consultation on British Sign Language \(BSL\) \(Wales\) Bill](#) (March 2025)

help open a space for advocacy of all Deaf children, those experiencing hearing loss, including those using other forms of communication.

C) Equality Impact Assessment

Introduction

378. The Equality Act 2010 requires employers and service providers to make reasonable adjustments to remove disadvantages faced by disabled people. This duty ensures that disabled individuals have equal access to services, employment, and public functions. Failure to make these adjustments may be considered unlawful discrimination.

379. As part of the Welsh Government duties under the Equality Act, the Welsh Government has 7 National Equality Objectives,²¹⁸ these are:

- **National Equality Objective 1:** We will create a Wales where everyone has opportunities to prosper in line with our organisational goal to reduce poverty.
- **National Equality Objective 2:** We will create a Wales where everyone can be aware of their human rights, and where those rights are protected, promoted, and underpin all public policy.
- **National Equality Objective 3:** We will create a Wales where everyone can be aware of and has equitable access to high quality public services.
- **National Equality Objective 4:** We will create a Wales free from discrimination, victimisation, harassment, abuse, hate crime and/or bullying against all people.
- **National Equality Objective 5:** We will create a Wales where everyone from the full diversity of backgrounds can participate in public life, have their voices heard and see themselves reflected in leadership positions.
- **National Equality Objective 6:** We will create a Wales with fair and equal opportunities to gain employment and for fair and equal treatment in the workplace, including fair pay and conditions.

²¹⁸ Welsh Government, The National Equality Objectives 2024-28 (March 2024)

- **National Equality Objective 7:** We will create an environmentally sustainable Wales with the capacity to both ensure our journey to net zero is fair and to respond to the inequitable impacts of climate change.

380. In preparing the Bill, the national equality objectives have been considered in terms of what the Bill seeks to achieve and how it will impact on protected characteristics as set out in the Equality Act 2010. However, it is worth noting that the focus of the BSL Bill is on the promotion and facilitation of BSL, the intention is that the production of BSL plans will raise the profile of the language and as a consequence its use in the delivery of services. The Bill does not go as far as imposing an express statutory requirement on authorities to provide BSL interpreters or translation services, nor does it expressly require those listed public bodies to deliver specific services to Deaf BSL signers.

381. The impact on people with protected characteristics has been considered and, where identified as necessary, these proposals have been adapted to ensure the Bill has as positive impact as possible without causing detriment to any particular groups. Potential risks and unintended consequences for people with protected characteristics have been considered, which has influenced both the content of the Bill itself and consideration of how it will be implemented.

382. Welsh Ministers have a duty under the Public Sector Equality Duty (“PSED”) in section 149 of the Equality Act 2010 (“the 2010 Act”) to consider how their policies affect those who have a relevant protected characteristic. Disability is one of the protected characteristics. Successful implementation of the BSL Bill helps Welsh Government to deliver duties laid down in the Equality Act and within the National Equality Objectives.

Disabled people

383. In preparing the Bill, disabled people’s rights have been considered in terms of what the Bill seeks to achieve and how it will impact disabled people and the articles of the UNCRDP in the way it is delivered. While the UNCRDP has not been incorporated into Welsh law, the Welsh Government has set out its commitment to do so.

384. The Bill’s aim is to promote the use and facilitation of British Sign Language across public services. This will have significant implications for BSL signers, enhancing their ability to access services including education and health and participate in public life in their own language.

385. In summary, this Bill gives further effect to and has a significant positive impact on disabled people's rights in Wales and their entitlements under the United Nations Convention on the Rights of Disabled People in relation to Article 21 (recognising and promoting the use of sign language and Article 30 (recognising the cultural and linguistic identity of Deaf people)).

Impact on different age groups

386. The aim of the Bill is to improve access to BSL provision for all BSL signers. This will create a positive impact on BSL signers of all ages.

Gender Reassignment (the act of transitioning and Transgender people)

387. The Bill will facilitate and promote the use of BSL across all public services, including in healthcare. This could have a positive impact on trans people who are BSL signers. Easier access to information and advice may help ensure trans BSL signers are better informed about the support that is available to them and more confident in accessing Gender Identity Services.

Pregnancy and maternity

388. The Bill will facilitate and promote the use of BSL across public services, including in healthcare. This will have a positive impact on those BSL signers who are accessing pregnancy and maternity services.

Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)

389. The Bill promotes and facilitates the use of British Sign Language. Given sign language is not international, it may mean those who speak a different sign language will not have their language needs directly addressed by this Bill. However, it will lead to an increasing awareness of the needs of all those who are signers and could have a positive impact on ethnic minorities, migrants, asylum seekers and refugees who use sign language.

Religion, belief and non-belief

390. The Bill aims to create a positive impact for all BSL signers and is inclusive of all whatever their religion, belief and non-belief, therefore there are no perceived impacts as a result.

Sex/gender

391. While the Bill is language based, not gendered, it will have a positive impact on all genders.

Sexual orientation (Lesbian, Gay and Bisexual)

392. The Bill aims to create a positive impact for all BSL signers and is inclusive of all whatever their sexual orientation. It could however lead to positive impact on Lesbian, Gay and Bisexual BSL signers who are empowered by the Bill to seek support via public services

Marriage and civil partnership

393. The Bill does not address partnership status and there are no perceived impacts as a result.

Children and young people up to the age of 18

394. A separate CRIA has been completed.

Low-income households

395. In Wales, employment rates for disabled people aged 16 to 64 are 31 percentage points lower than non-disabled people (2023 to 2024).²¹⁹ Many disabled people who want work cannot access it; barriers include a lack of accessible workplaces and support when in work, which prevents them from earning a fair wage and achieving job fulfilment. Despite legal requirements set out in the Equality Act, many employers still fail to understand the necessary accommodations required to support disabled people into employment.

396. Consultation respondents highlighted the barriers Deaf people face in the workplace. Some highlighted issues relating to the length of time it takes to get support through the 'Access to Work' scheme (a UK-wide scheme which provides resources to enable people to work). Disability Wales highlighted the inaccessibility of workplaces for BSL signers. They explained that many in the Deaf community want to work but face barriers and called for "improved employer education, stronger policies, public sector leadership, and collaborative efforts".²²⁰

²¹⁹ Welsh Government, *Draft Disabled People's Rights Plan: 2025 to 2035* (May 2025)

²²⁰ Disability Wales, *Response to the consultation on British Sign Language (BSL) (Wales) Bill* (March 2025)

Many participants who took part in the engagement expressed frustration at being unable to enter the workforce due to systemic barriers.²²¹

397. The BSL Bill ensures the Welsh Government and listed public bodies promotes and facilitates the use of BSL. This will have a positive effect on BSL signers in accessing health, social care, education and other public services such as transport. Addressing these barriers could have a significant impact on outcomes of BSL signers, including their employment opportunities. It could also have a positive impact on those listed public bodies who, as a result of the Bill, could look to address employment barriers which exist for Deaf people in their own organisations.

D) Impact on the Welsh Language

Purpose of the Bill

398. The aim of the British Sign Language (Wales) Bill is to promote the use of BSL in Wales. It does so by imposing various new duties on the Welsh Ministers and on certain public bodies.

399. The Welsh Ministers will be required, under the Bill, 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 (known as listed public bodies) to do so. The Bill will also require Welsh Ministers to issue those listed public bodies with guidance about promoting and facilitating the use of BSL. Certain public bodies listed in the Bill will be required to produce plans describing how they intend to promote and facilitate the use of BSL.

400. Both the Welsh Ministers and the listed public bodies will be required to report on progress made in promoting BSL under the provisions of the Bill.

401. The Bill also requires Welsh Ministers to appoint someone as their BSL adviser, together with a panel of people to assist the adviser.

General observations

402. Public consultations on the proposals, including consultation on a draft Bill, did not result in any consultee outlining a way these proposals could harm the

²²¹ Mark Isherwood MS, *Engagement findings on the British Sign Language (BSL) (Wales) Bill* (March 2025)

Welsh language. The proposals will not affect the sustainability of Welsh speaking communities or Welsh medium education and Welsh learners of any ages.

403. While the provisions of the Bill may not impact directly on Welsh Government policies on the Welsh Language, there could be a number of positive impacts flowing from the introduction of a Bill relating to another recognised language in Wales.

404. As stated above, the Bill includes provisions that require Welsh Government to prepare and publish a national BSL strategy, and to issue guidance to specified 'listed public bodies' in how they intend to promote and facilitate the use of BSL. In delivering on these duties the Welsh Government has a statutory obligation to fully consider the effects of its work on the Welsh language.

405. The Welsh Ministers and the listed public bodies in the Bill also have statutory Welsh language duties.

406. Although the proposals set out in the Bill do not directly link with the Welsh Government's strategy for the Welsh language, all correspondence and publicity relating to the introduction of the Bill was done in line with the Senedd's Official Languages Scheme.

E) Other impact assessments

407. The policy objectives of the Bill will have a direct impact on many areas of life. The benefits and implications of this are covered in detail in the main body of the Explanatory Memorandum.

408. The specific impact on different areas are covered in Part 1, Chapter 3: Purpose and intended effect of the Bill; and Part 2: Regulatory Impact Assessment. These areas include the impacts on, and benefits to, areas that include health and well-being.

11. Explanatory Notes

Explanatory Notes For The British Sign Language (Wales) Bill

Introduction

409. These Explanatory Notes have been prepared to assist the reader of the British Sign Language (Wales) Bill (“the Bill”).

410. The Notes should be read in conjunction with the Bill. They do not form part of the Bill. They are not, and are not meant to be, a comprehensive description of the Bill. Where a section, or part of a section, does not seem to require any explanation or comment, none is given.

Summary And Background

411. British Sign Language (BSL) is a language that uses gestures, handshapes, facial expressions and body language to convey meaning and which, in its tactile forms, can also use touch. The aim of the Bill is to promote its use in Wales. The Bill does so by imposing various new duties on the Welsh Ministers and on certain public bodies.

412. The Bill requires 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. The Welsh Ministers must issue those public bodies with guidance about promoting and facilitating the use of BSL. And the Welsh Ministers must appoint someone as their BSL adviser, together with a panel of people to assist the adviser.

413. Certain public bodies listed in the Bill are required to produce plans describing how they intend to promote and facilitate the use of BSL.

414. Both the Welsh Ministers and the listed public bodies are required to report on progress made.

415. The Bill has 11 sections and one Schedule.

Commentary On Sections

Section 1 – Welsh Ministers’ Duty To Promote BSL

416. Section 1 places a duty on the Welsh Ministers to promote and facilitate the use of BSL.

Section 2 – National BSL Strategy

417. Subsection (1) places a duty on the Welsh Ministers to prepare and publish a national BSL strategy that describes, first, how they themselves intend to promote and facilitate the use of BSL and, secondly, how they intend to encourage certain public bodies to do the same (subsection (1)(b)). Section 8 lists those public bodies (referred to in these explanatory notes as “listed public bodies”).

418. The Welsh Ministers must publish the national BSL strategy within 18 months beginning with the day after the date the Act comes into force (subsection (2)(a)), and review it at least once every six years (subsection (2)(b)). The strategy (including any revised versions) must be laid before Senedd Cymru (subsection (3)(a)); it must be made available in BSL (subsection (3)(b)) and the Welsh Ministers must consult before publishing it (subsection (4)).

Section 3 – BSL Guidance

419. Section 3 requires the Welsh Ministers to issue guidance to the listed public bodies on how they may promote and facilitate the use of BSL in exercising their functions. This guidance must be made available in BSL (paragraph (b)).

Section 4 – BSL Plans

420. Section 4 requires the listed public bodies to prepare and publish plans describing (a) how they intend to promote and facilitate the use of BSL in exercising their functions, (b) how they intend to follow the guidance issued by Welsh Ministers under section 3, and (c) any other information the Welsh Ministers set out in regulations.

421. The listed public bodies’ plans must be published within 12 months beginning with the day after publication of the national BSL strategy (subsection (2)). A listed public body must review its plan if directed to do so by Welsh Ministers (subsection (3)(a)) or if the Welsh Ministers revise the national BSL strategy (subsection (3)(b)). The listed public body must consult before publishing the plan (subsection (6)), ensure it is made available in BSL and send it to the Welsh Ministers (subsection (7)).

Section 5 – BSL Adviser

422. Subsection (1) requires that the Welsh Ministers appoint someone as their BSL adviser, and persons to be members of a panel to assist the adviser (subsection (1)). The Welsh Ministers must be satisfied that the person appointed as adviser is able to communicate effectively in and uses BSL (subsection (2)).

423. The Welsh Ministers must consult the BSL adviser before appointing a person as a member of the panel (subsection (3)).

424. The adviser may provide information and advice to the Welsh Ministers about their functions under the Bill (and must do so if requested by Welsh Ministers) (subsections (4) and (6)). And, as long as the Ministers agree to this, the adviser may also provide information or advice to other people in Wales about promoting and facilitating the use of BSL (subsection (4)).

425. The Welsh Ministers are also required to consult the adviser about the following things:

- a. the national BSL strategy (see section 2(4));
- b. the Welsh Ministers' progress reports under section 7 (see section 7(4));
- c. making regulations that change which bodies are "listed public bodies" (see section 8(3)).

426. Subsection (9) gives effect to a Schedule which provides that the BSL adviser, and panel members assisting the adviser, will be appointed by the Welsh Ministers (which will be done via public appointments processes) and will hold office in accordance with terms specified by the Ministers. The Schedule also makes provision about how the Welsh Ministers may pay the adviser and panel members and gives them the discretion to provide the adviser with facilities if and to the extent that they consider that to be necessary.

Section 6 – Reports by Listed Public Bodies

427. Listed public bodies must publish reports detailing what they have done to implement their plans, and if they have not implemented something, explaining why not (subsection (1)).

428. The reports must be published within 12 months beginning with the day after the listed public body publishes its plan under section 4; they must be made available in BSL and sent to the Welsh Ministers (subsection (2)).

Section 7 – Reports by the Welsh Ministers

429. The Welsh Ministers must publish a report assessing the progress made in promoting and facilitating the use of BSL in accordance with the Bill (subsection (1)). This will include assessing both what the Welsh Ministers have done pursuant to their duties under the Bill, and also the progress that has been made in Wales more generally. The report must be published at least once in every period of three years beginning with the day after the BSL strategy is published.

430. The report must be laid before Senedd Cymru and be available in BSL (subsection (2)). In preparing the report, Welsh Ministers may require a listed public body to provide them with information (subsection (3)) and must consult (subsection (4)).

Section 8 – Meaning of “Listed Public Body”

431. Subsection (1) sets out the listed public bodies to whom various duties described in these explanatory notes apply. The Welsh Ministers may make regulations that alter which bodies are on this list (subsection (2)).

Section 9 – Regulations

432. Section 9 explains how powers to make regulations under the Bill (under sections 4(1)(c) and 8(2)) are to be exercised and sets out the applicable procedure of Senedd Cymru to be followed in making those regulations. For regulations made under section 4(1)(c), this will be the Senedd annulment procedure (meaning that the statutory instrument containing the regulations becomes law when it is made but can be annulled by the Senedd), and for regulations made under section 8(2), this will be the Senedd approval procedure (meaning that the instrument containing them only becomes law if it is approved by a vote in the Senedd).

Section 10 – Coming Into Force

433. Section 10 provides that the whole of the Bill comes into force on the day after the day it receives Royal Assent.

Section 11 – Short Title

434. This Bill may be referred to as the British Sign Language (Wales) Act 2026 or Deddf Iaith Arwyddion Prydain (Cymru) 2026.

12. Index of Standing Order requirements

435. Standing order 26.6 requires certain documentation to accompany a Bill. The following Index sets out where these can be found in the Explanatory Memorandum.

Table 11: Index of Standing Order requirements

Standing order		Section	Page
26.6(i)	Statement that the provisions of the Bill would be within the legislative competence of the Senedd.	Member's declaration	Title Page
26.6(ii)	Set out the policy objectives of the Bill.	Chapter 3 - Purpose and intended effect of the legislation	Pages 4 to 43
		Chapter 4 - What the Bill does and why	Pages 44 to 51
26.6(iii)	Set out whether alternative ways of achieving the policy objectives were considered and, if so, why the approach taken in the Bill was adopted.	Part 2 – Regulatory Impact Assessment	Pages 66 to 88
26.6(iv)	Set out the consultation, if any, which was undertaken on: (a) the policy objectives of the Bill and the ways of meeting them; (b) the detail of the Bill, and (c) a draft Bill, either in full or in part (and if in part, which parts).	Chapter 5 – Support for the Bill and public consultation	Pages 52 to 62
26.6(v)	Set out a summary of the outcome of that consultation, including how and why any draft Bill has been amended.	Chapter 5 – Support for the Bill and public consultation	Pages 52 to 62
26.6(vi)	If the Bill, or part of the Bill, was not previously published as a draft, state the reasons for that decision.	Not applicable for this Bill as it was previously published as a draft.	N/A

Standing order		Section	Page
26.6(vii)	Summarise objectively what each of the provisions of the Bill is intended to do (to the extent that it requires explanation or comment) and give other information necessary to explain the effect of the Bill.	Chapter 11 – Explanatory Notes	Pages 104 to 107
26.6(viii)	Set out the best estimates of: (a) the gross administrative, compliance and other costs to which the provisions of the Bill would give rise; (b) the administrative savings arising from the Bill; (c) net administrative costs of the Bill’s provisions; (d) the timescales over which such costs and savings would be expected to arise; and (e) on whom the costs would fall.	Part 2 – Regulatory Impact assessment	Pages 66 to 88
26.6(ix)	Any environmental and social benefits and dis-benefits arising from the Bill that cannot be quantified financially. *note: no environmental and social disbenefits arising from the Bill have been identified, and as such are not covered in the Explanatory Memorandum.	Chapter 3 - Purpose and intended effect of the legislation	Pages 4 to 43
		Chapter 4 – What the Bill does and why	Pages 44 to 51
		Part 2 – Regulatory impact assessment	Pages 66 to 88

Standing order	Section	Page
<p>26.6(x) Where the Bill contains any provision conferring power to make subordinate legislation, set out, in relation to each such provision:</p> <p>(a) the person upon whom, or the body upon which, the power is conferred and the form in which the power is to be exercised;</p> <p>(b) why it is considered appropriate to delegate the power; and</p> <p>(c) the Senedd procedure (if any) to which the subordinate legislation made or to be made in the exercise of the power is to be subject, and why it was considered appropriate to make it subject to that procedure (and not to make it subject to any other procedure).</p>	Chapter 6 - Power to make subordinate legislation	Pages 63 to 65
<p>26.6(xi) Where the Bill contains any provision charging expenditure on the Welsh Consolidated Fund, incorporate a report of the Auditor General setting out his or her views on whether the charge is appropriate.</p>	<p>The Bill contains no provision that would charge expenditure on the WCF and therefore the requirement of Standing Order 26.6(xi) does not apply to this Bill</p> <p>Letter received from the Auditor General to confirm that position.</p>	N/A
<p>26.6(xii) Set out the potential impact (if any) on the justice system in England and Wales of the provisions of the Bill (a “justice impact assessment”), in accordance with section 110A of the Government of Wales Act 2006.</p>	Chapter 10(A) Justice System Impact Assessment	Pages 89 to 90

Standing order		Section	Page
26.6A	The Explanatory Memorandum to the Bill must state precisely where each of the requirements of Standing Order 26.6 can be found within it, by means of an index or otherwise.	Annex: Index of Standing Order Requirements	This Chapter
26.6B	Where provisions of the Bill are derived from existing primary legislation, whether for the purposes of amendment or consolidation, the Explanatory Memorandum must be accompanied by a table of derivations that explain clearly how the Bill relates to the existing legal framework.	No provisions contained in the Bill are derived from existing primary legislation. Therefore the table of derivations set out in Standing Order 26.6B is not required.	N/A
26.6C	Where the Bill proposes to significantly amend existing legislation, the Explanatory Memorandum must be accompanied by a schedule setting out the wording of existing legislation amended by the Bill, and setting out clearly how that wording is amended by the Bill.	No provisions contained in the Bill propose to significantly amend existing legislation. Therefore the schedule set out in Standing Order 26.6C is not required.	N/A