



LEGAL SERVICES  
**BOARD**

# **Welsh Language Scheme**

**Prepared under the Welsh Language Act 1993**

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*Consultation paper on the draft Welsh  
Language Scheme*



## **Contents**

<b>1. Foreword</b>	<b>4</b>
<b>2. Introduction</b>	<b>5</b>
<b>3. Service Planning and Delivery</b>	<b>7</b>
<b>4. Services Delivered to the Public in Wales</b>	<b>7</b>
<b>4.1. Correspondence</b>	<b>7</b>
<b>4.2. Telephone calls</b>	<b>8</b>
<b>4.3. Meetings</b>	<b>8</b>
<b>4.4. Corporate identity</b>	<b>8</b>
<b>4.5. Publications</b>	<b>9</b>
<b>4.6. Press notices</b>	<b>9</b>
<b>4.7. Recruitment</b>	<b>10</b>
<b>4.8. Publicity campaigns and advertising</b>	<b>10</b>
<b>4.9. Website</b>	<b>11</b>
<b>4.10. Official notices and public notices</b>	<b>11</b>
<b>5. Implementation</b>	<b>11</b>
<b>6. Monitoring the Scheme</b>	<b>12</b>
<b>7. Complaints</b>	<b>13</b>
<b>8. ANNEX A: Criteria for Translating Publications into Welsh</b>	<b>14</b>
<b>9. ANNEX B: Legal Services Board's Welsh Language Scheme Action Plan</b>	<b>15</b>
<b>10. ANNEX C: Responding to this Consultation</b>	<b>21</b>

## **1. Foreword**

This consultation paper contains the Legal Services Board's proposed Welsh Language Scheme. It describes how, when providing services to the public in Wales we will give effect to the principle that in the conduct of the public business and the administration of justice in Wales, we will treat the English and Welsh Languages on a basis of equality, so far as is both appropriate in the circumstances and reasonably practicable.

The scheme has been agreed with the Welsh Language Board prior to publication.

The scheme is being offered for public consultation to seek views on whether what is proposed gives full and proper effect to that key principle of equality. We welcome all views from individuals and groups and look forward with interest to seeing the results of the consultation and to the full implementation of the scheme.

## 2. Introduction

- 2.1. The Legal Services Board (LSB) has adopted the principle that in the conduct of the public business and the administration of justice in Wales, it will treat the English and Welsh Languages on a basis of equality, so far as is both appropriate in the circumstances and reasonably practicable. The Scheme sets out how the LSB will give effect to that principle in the services to the public in Wales for which it is responsible
- 2.2. The Legal Services Board Welsh Language Scheme (the Scheme) has been prepared in accordance with Section 21 of the Welsh Language Act 1993
- 2.3. The Scheme has been adopted by the Legal Service Board and was approved by the Welsh Language Board on X October 2010.
- 2.4. The LSB is responsible for overseeing the regulation of the legal services sector in England and Wales. It is independent of Government and of the legal profession. It oversees eight separate bodies, the Approved Regulators (ARs), which themselves regulate the circa 120,000 lawyers practising throughout the jurisdiction. These Approved Regulators are:
- The Law Society
  - The Bar Council
  - Institute of Legal Executives
  - Council for Licensed Conveyancers (regulatory body for Licensed Conveyancers)
  - Chartered Institute of Patent Attorneys
  - Institute of Trade Mark Attorneys
  - Association of Law Costs Draftsmen
  - Master of the Faculties
- In addition the following bodies are listed as Approved Regulators in relation only to reserved probate activities:
- The Institute of Chartered Accountants in Scotland
  - The Association of Chartered Certified Accountants
- 2.5. The goal of the LSB is to reform and modernise the legal services market place by putting the interests of consumers at the heart of the system, reflecting the objectives of the statute that created us, the Legal Services Act 2007.

✂

2.6. The LSB does not deal with the public or providers of legal services directly – this is the role of the ARs. The Regulatory Rules and guidance that we develop are aimed at ensuring that the ARs have robust internal governance in place and that we are able to enforce these rules effectively.

2.7. The LSB's focus is to deliver the eight regulatory objectives, set out prominently in the Act. These are:

- promoting the public interest
- supporting the constitutional principle of the rule of law
- improving access to justice
- protecting and promoting the interests of consumers
- promoting competition in the provision of services in the legal sector
- encouraging an independent, strong, diverse and effective legal profession
- increasing public understanding of citizens' legal rights and duties
- promoting and maintaining adherence to the professional principles of independence and integrity; proper standards of work; observing the best interests of the client and the duty to the court; and maintaining client confidentiality.

2.8. The Board will also oversee the new organisation being established to handle consumer complaints about lawyers, the Legal Ombudsman.

2.9. The Legal Services Board has appointed a Consumer Panel whose role is to provide independent advice about the interests of users of legal services. The Consumer Panel is responsible for its own communications activity and will adopt the policies set out in this Welsh Language Scheme. More details about the Panel can be found on its website: [www.legalservicesconsumerpanel.org.uk](http://www.legalservicesconsumerpanel.org.uk).

2.10. The LSB is based in London; it does not have any offices in Wales. Our website is [www.legalservicesboard.org.uk](http://www.legalservicesboard.org.uk). Contact details are provided at the end of this document

will there  
be  
bilingual  
point(s) of  
contact?

✂ remove abbreviations  
wherever possible (as this is a doc  
for public consumption)

### 3. Service Planning and Delivery

- 3.1. We will ensure that colleagues and advisers involved in policy formulation and the preparation of compliance material and rules are aware of the Scheme and our responsibilities under the Welsh Language Act. As we consider and develop new policies, or review existing policies in the usual course of business, we will:
- assess the linguistic consequences of policies affecting services provided to the people in Wales and ensure that new policies and initiatives are consistent with and do not undermine this Welsh Language Scheme;
  - promote and facilitate the use of Welsh wherever possible and as far as is practicable;
  - implement the principle of equality at every opportunity, so far as is both appropriate in the circumstances and reasonably practicable.
- 3.2. The LSB is not normally directly involved in the provision of specific services to the public. These are typically delivered by Approved Regulators. We will, in so far as is within our responsibilities:
- remove obstacles which prevent them using Welsh when delivering services to the public in Wales, such as amending forms, amending regulations, rules or procedures, or allowing services to be organised and delivered in a way which facilitates the use of Welsh by organisations and by the public;
  - consult them, as described above, as we develop policies and initiatives to ensure that full account is taken of the implications for the provision of these services in Wales.
- 3.3. We will ensure that any arrangements that we make with third parties that relate to the provision of services to the public in Wales are consistent with the terms of the Scheme and are implemented accordingly.

### 4. Services Delivered to the Public in Wales

#### 4.1. Correspondence

- 4.1.1. We will respond in Welsh to any correspondence sent to us in Welsh within the same timescale as other correspondence<sup>1</sup>.
- 4.1.2. We will initiate correspondence with individuals, groups or organisations in Welsh if we know that this is their preferred language. A database will be established of those organisations who wish to deal in Welsh.

<sup>1</sup> The LSB are currently developing service standards for responding to correspondence.

Will 3rd parties adhere to this scheme when providing service on LSB's behalf?

4.1.3. The same policies will apply to email communications as to other forms of written communication.

4.1.4. Any circular or standard letters issued to the public in Wales will be issued bilingually.

4.1.5. The services of a qualified translator will be contracted to provide a translation service when required and all colleagues will be issued with guidance on the use of the translation service before the Scheme comes into effect.

*what denotes a qualified? One recommended by (CC)*

#### 4.2. Telephone calls

4.2.1. The LSB is located in central London and we have only limited direct contact with the general public. Therefore it is not practicable for us to offer a Welsh Language telephone service. We will offer those who call us and who wish to speak in Welsh the option of writing to us in Welsh or continuing the conversation in English.

*or emailing*

*not sure about this isn't treat both lang equally.*

#### 4.3. Meetings

4.3.1. If we hold public meetings in Wales, these will be publicised in both Welsh and English and we will make it clear that participants will be welcome to contribute in Welsh and English. In order to assist with arrangements we will:

- when issuing notice of the meeting, make it clear that we will respect the right of persons attending to speak in Welsh or English;
- invite everyone proposing to attend to inform us in advance of their preferred language;
- issue guidance to colleagues to help them decide whether translation facilities are needed having regard to the subject to be considered, the location of the meeting and who is likely to attend, as well as whether there has been prior indication that both languages will be used by participants.

4.3.2. Due to our location and the fact that the majority of our face-to-face, closed, meetings are held at our office in London, it would not be practicable for us to conduct these meetings in Welsh.

#### 4.4. Corporate identity

4.4.1. We will present a fully bilingual corporate identity on all LSB correspondence, documents and publications to be used in Wales, and in line with paragraph 4.5. That includes the Welsh form of the title for the Legal Services Board (Bwrdd Gwasanaethau)



Cyfreithiol). These documents will also be made available on the LSB website ( [www.legalservicesboard.org.uk](http://www.legalservicesboard.org.uk) ).

- 4.4.2. Any correspondence addressed to a member of the public or an organisation in Wales will be on bilingual headed paper, regardless of whether the letter is written in Welsh or not.

#### 4.5. Publications

- 4.5.1. Our publications include reports, consultation papers and Regulatory Rules relating to our responsibilities throughout England and Wales. Publications will be available for the public in Wales either through the LSB website or on request.

- 4.5.2. The LSB will produce either a bilingual version of the entire document or a bilingual version of the Executive Summary of a publication based on the criteria for translating publications into Welsh (Annex A).

- 4.5.3. We will provide an electronic PDF version of these documents which will be available to download at the same time as the English where this is practicable. If a Welsh or bilingual version is not provided, translation on request will remain an option.

- 4.5.4. The LSB will welcome responses to consultations in the Welsh Language. If a response is submitted in Welsh, the LSB will also publish a Welsh version of the Consultation Response Report Executive Summary. If no responses are received in Welsh then only an English version will be published. Translation on request will remain an option.

- 4.5.5. When other organisations, such as Approved Regulators, Legal Sector and Third Sector Organisations, distribute information on our behalf, we will encourage them to do so in accordance with the above.

*each request will be considered individual*

*principles*

#### 4.6. Press notices

- 4.6.1. Where deadlines permit, press releases to both the Welsh and English language press and broadcasting media in Wales will be issued bilingually.

- 4.6.2. These press notices will also be made available on the LSB website ([www.legalservicesboard.org.uk](http://www.legalservicesboard.org.uk))

*Simultaneously?*

Equality?



#### **4.7. Recruitment**

- 4.7.1. Since our offices are mainly located in London, we recruit nationally and advertise in the English language. We do not expect to change this practice.
- 4.7.2. If the LSB places colleague recruitment advertisements in English language newspapers (or similar media) distributed mainly or wholly in Wales, they will be bilingual, or appear as separate Welsh and English. Notices will be in Welsh in Welsh language publications.
- 4.7.3. The Welsh and English versions will be equal in terms of format, size, quality and prominence – whether produced as a single bilingual version, or as separate Welsh and English notices.
- 4.7.4. The LSB does not generally provide services direct to Welsh speakers, and this position is very unlikely to change. Therefore the recruitment of Welsh-speaking staff is not a crucial factor in delivering the Scheme.

#### **4.8. Publicity campaigns and advertising**

- 4.8.1. If the LSB undertakes any publicity, exhibition and advertising activities aimed at the general public in Wales, all supporting material will be produced fully bilingually, or as separate Welsh and English versions. If the Welsh and English versions have to be published separately, both versions will be equal with regard to size, prominence, and quality. Both versions will be available simultaneously and will be equally accessible.
- 4.8.2. If we issue a general advertisement, that is not for recruitment purposes, a bilingual version will be placed in the Welsh press if it relates to:
- matters of major significance to Great Britain as a whole;
  - matters of a particular interest in Wales.

#### 4.9. Website

4.9.1. When designing a new website, or redeveloping our existing website, we will take into account the Welsh Language Board's *Bilingual Software Guidelines and Standards* and any other guidance issued by the Board with regard to developing websites.

4.9.2. We will implement a programme to increase the Welsh Content on our website over the next three years. This will include:

- Year One:
  - Ensure availability of all Welsh LSB publications
  - Develop a Welsh version of the LSB website homepage
- Year Two:
  - Extend Welsh Language website content to a 'Contact Us' page
- Year Three:
  - Consider, based on feedback from consumers whether further Welsh content is required.

2010-12?

4.9.3. Whenever we post English Language publications on our website, any Welsh Language versions will be posted as soon as practically possible.

#### 4.10. Official notices and public notices

4.10.1. All official notices and public notices published or posted in public places in Wales will be issued bilingually or in both Welsh and English language versions.

### 5. Implementation

5.1. The measures in the scheme have been agreed by our Board and carry the full authority of the organisation in their implementation.

5.2. The Corporate Director is ultimately responsible for ensuring that this scheme is implemented across the organisation however on a day to day basis managers will have responsibility for implementing relevant aspects of the scheme into their work and considering the scheme when initiating a new project.

taking into account

5.3. The scheme will be publicised internally to our colleagues and publically via our website.

5.4. Desk guidance will be produced for colleagues to ensure that they are *aware* fully cognisant of the terms of the scheme and understand how to implement its measures. The desk guidance will include:

- handling correspondence in the Welsh language;
- when to consider issuing bilingual or both Welsh and English language documents, publications and publicity material;
- the implications of the Scheme for those procuring services from third parties;
- checks in the policy and procurement processes, to ensure the Welsh language dimension is taken into account at the right time.

5.5. We will, as appropriate, arrange briefing and training sessions for colleagues to increase awareness of the scheme and to explain how it will affect their day-to-day work.

5.6. We will ensure that we only use qualified translators or interpreters to help with the delivery of aspects of this scheme.

*relevant*

## 6. Monitoring the Scheme

6.5. We will monitor our progress in delivering this scheme against the targets set out in the accompanying action plan

6.6. Progress on implementing the arrangements outlined in this scheme will be incorporated into our existing performance monitoring and reporting procedures.

6.7. The Chief Executive will have overall responsibility for monitoring and reviewing the scheme.

6.8. Each July we will provide the Welsh Language Board with an annual report in a form approved by them, describing progress in implementing the measures in this scheme against the approved timetable in the action plan.

6.9. From time to time we may need to review this scheme, or propose amendments to it, because of changes to our organisation. No changes will be made to this scheme without the Welsh Language Board's approval.

## 7. Complaints

- 7.1. Complaints or suggestions for improvement should be directed to Julie Myers, Corporate Director, at the following address:

Julie Myers  
Legal Services Board  
7<sup>th</sup> Floor  
Victoria House  
Southampton Row  
London WC1B 4AD

Or by e-mail to: [julie.myers@legalservicesboard.org.uk](mailto:julie.myers@legalservicesboard.org.uk)

## **8. Annex A: Criteria for Translating Publications into Welsh**

When considering whether to translate material into Welsh the following criteria should be used:

### **1. The target audience or status**

Is the material aimed at:

- the general public and relating to the provision of services in Wales
- a particular sector representing Welsh speaking individuals
- individuals representing specific Welsh speaking groups

### **2. Subject matter**

Would publishing the document in English specifically exclude access to the information by Welsh speakers?

### **3. Media Interest**

Is the publication likely to attract considerable media attention from Welsh language-only media?

### **4. Consultation documents**

If the publication is a consultation document?

- Is the document only relevant to stakeholders in Wales?
- Is the document particularly relevant to stakeholders in Wales?
- Does the document relate to the provision of services in Wales?

## 9. Annex B: Legal Services Board Welsh Language Scheme Action Plan

Section	Action	Success Criteria	Target Date
3. Service Planning and Delivery	<ul style="list-style-type: none"> <li>• We will introduce checks into the policy development process to ensure that the Welsh Language is taken into consideration and to ensure that there are no obstacles to prevent the Approved Regulators using Welsh when delivering services to the public in Wales.</li> </ul>	<ul style="list-style-type: none"> <li>• Policies, initiatives and services are consistent with commitments made in the Welsh Language Scheme</li> </ul>	November 2010
4.1. Correspondence	<ul style="list-style-type: none"> <li>• We will issue guidance to colleagues on all aspects of our duties outlined in the Welsh Language Scheme. This will include, in respect of correspondence received in Welsh:               <ul style="list-style-type: none"> <li>○ The requirement to respond in Welsh to any correspondence sent in Welsh within the same timescale as other correspondence.</li> <li>○ That we will initiate correspondence with individuals, groups or organisations in Welsh if we know that this is their preferred language.</li> </ul> </li> <li>• A database will be established of those organisations who wish to deal in Welsh.</li> <li>• Correspondence received in Welsh will be logged in our existing Correspondence Register and the time taken to respond will be monitored.</li> </ul>	<ul style="list-style-type: none"> <li>• Welsh correspondence is responded to in Welsh within the same timescales as other correspondence</li> </ul>	November 2010  October 2010 October 2010 -on-going monitoring

4.2. Telephone Calls	<ul style="list-style-type: none"> <li>We will issue guidance to colleagues on all aspects of our duties outlined in the Welsh Language Scheme. This will include, in respect of dealing with telephone calls in Welsh: <ul style="list-style-type: none"> <li>The requirement to offer those who wish to speak in Welsh the option of writing to us in Welsh or continuing the conversation in English.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Colleagues will have a clear understanding of how to handle telephone calls in Welsh.</li> </ul>	November 2010
4.3. Meetings	<ul style="list-style-type: none"> <li>We will issue guidance to colleagues on aspects of our duties outlined in the Welsh language Scheme. This will include, in respect of holding meetings in Welsh: <ul style="list-style-type: none"> <li>Public meetings held in Wales must be publicised in Welsh and English and attendees asked to inform us in advance of their preferred language</li> <li>Guidance to help colleagues decide whether translation facilities are needed for public meetings held in Wales</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Colleagues have a clear understanding of the translation facilities that should be offered at meetings in Wales.</li> </ul>	November 2010
4.4. Corporate Identity	<ul style="list-style-type: none"> <li>We will develop fully bilingual templates and headed paper to use in Wales and for documents that are used in Wales.</li> </ul>	<ul style="list-style-type: none"> <li>A consistent corporate identity is presented on all documentation presented in Welsh or English</li> </ul>	October 2010



<p>4.5. Publications</p>	<ul style="list-style-type: none"> <li>We will issue guidance to colleagues on all aspects of our duties outlined in the Welsh Language Scheme. This will include, in respect of translating publications into Welsh: <ul style="list-style-type: none"> <li>Guidance for determining which publications should be translated into Welsh.</li> <li>Ensuring that when new policies are being formulated or documents drafted the linguistic consequences of potential translations are considered.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Colleagues have a clear understanding of when a document should be translated into Welsh and that a consistent approach is applied across the organisation.</li> <li>Documents that have been translated into Welsh are issued in a bilingual format or at the same time as the English version where this is practicable.</li> <li>Documents presented in Welsh are presented to the same standard as the English versions.</li> </ul>	<p>November 2010</p>
<p>4.6. Press Notices</p>	<ul style="list-style-type: none"> <li>We will put in place procedures to ensure that, where time permits, press releases to the Welsh and English language press and broadcasting media in Wales will be issued bilingually where deadlines permit.</li> </ul>	<ul style="list-style-type: none"> <li>Colleagues have a clear understanding of when press releases should be issued in Welsh or bilingually and a consistent approach is taken across the organisation.</li> </ul>	<p>November 2010</p>

*Simultaneously?*

4.7 Recruitment	<ul style="list-style-type: none"> <li>• We will ensure that our commitments in the Welsh Language Scheme are reflected in our recruitment policy. This will include: <ul style="list-style-type: none"> <li>○ If the LSB places recruitment advertisements in English language newspapers (or similar media) distributed mainly or wholly in Wales, they will be bilingual, or appear as separate Welsh and English.</li> <li>○ Place Welsh notices in Welsh language publications.</li> <li>○ The requirement to ensure that the Welsh and English versions will be equal in terms of format, size, quality and prominence.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• The commitments made in the Welsh Language Scheme are reflected in our recruitment policy.</li> <li>• Colleagues are aware and understand our recruitment responsibilities under the Welsh Language Scheme.</li> </ul>	November 2010
4.8. Publicity Campaigns and Advertising	<ul style="list-style-type: none"> <li>• We will issue guidance to colleagues on aspects of our duties outlined in the Welsh language Scheme. This will include, in respect of launching publicity campaigns and Advertising in Welsh: <ul style="list-style-type: none"> <li>○ That all supporting material will be produced fully bilingually, or as separate Welsh and English versions. Both versions will be available simultaneously and will be equally accessible.</li> <li>○ General advertisements, that are not for recruitment purposes and are of specific interest to the public in Wales or of major significance to the public of great Britain , will be issued as a bilingual version in the Welsh press</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Colleagues will understand when it is necessary to produce material in Welsh and a consistent approach is adopted across the organisation if publicity campaigns and advertising are launched in Welsh.</li> </ul>	November 2010

<p>4.9. Website</p>	<ul style="list-style-type: none"> <li>• When designing a new website, or redeveloping our existing website, we will take the Welsh Language Board's <i>Bilingual Software Guidelines and Standards</i> into consideration and any other guidance issued by the Welsh Language Board with regard to developing websites.</li> <li>• Whenever we post English language publications on our websites, if they have been produced, the Welsh versions will be posted at the same time or as soon as practically possible.</li> <li>• We will agree with the Welsh Language Board a programme to increase the Welsh content on our website.</li> </ul>	<ul style="list-style-type: none"> <li>• Welsh language publications will be available on the website.</li> <li>• Pages will be ??</li> <li>• If appropriate the website will reflect the Welsh Language Boards <i>Bilingual Software Standards</i></li> </ul>	<p>November 2010</p> <p>In line with LSB timetable for IT/website development.</p>
<p>4.10 Official Notices and Public Notices</p>	<ul style="list-style-type: none"> <li>• All official and public notices published or posted in public places in Wales will be issued bilingually or in both Welsh and English language versions.</li> </ul>	<ul style="list-style-type: none"> <li>• Staff will have a clear understanding of their responsibilities when issuing official or public notices in public places in Wales.</li> </ul>	<p>November 2010</p>

more than 1 way  
be appropriate

aware

<p>5. Implementing the Scheme</p>	<ul style="list-style-type: none"> <li>Internal guidance will be produced for colleagues to ensure that they are fully cognisant of the terms of the scheme and understand their duties under it.</li> <li>A training session will be arranged for colleagues to increase awareness of the scheme and to explain how it will affect their day-to-day work.</li> <li>Correspondence received in Welsh will be logged in our existing Correspondence Register and the time taken to respond will be monitored.</li> <li>We will contract the services of a fully qualified translator to help with delivering aspects of the scheme.</li> <li>Requests for telephone conversations and the number of times the option to use Welsh at a meeting in Wales is taken up will be logged so that we are able to monitor the number of instances these requests have been made and review the Welsh Language Scheme as appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>Internal guidance will be produced and issued to staff.</li> <li>Colleagues will fully understand their responsibilities under the Welsh Language Scheme</li> <li>The commitments made in the Welsh Language Scheme will be applied consistently across the organisation by each colleague.</li> </ul>	<p>November 2010</p> <p>December 2010</p> <p>October 2010</p> <p>October 2010</p> <p>October 2010</p>
<p>6. Monitoring the Scheme</p> <p>how often?</p>	<ul style="list-style-type: none"> <li>We will monitor our performance in meeting the commitments made in the Scheme and record the demand for Welsh language services, including any demand for services that go beyond the commitments we have made.</li> <li>Each July the LSB will provide the Welsh Language Board with a completed assessment form evaluating performance in implementing the Scheme. The report will be presented to the SMT and Board before being submitted to the Welsh language Board.</li> </ul>	<ul style="list-style-type: none"> <li>Progress in implementing the commitments made in the Welsh Language Scheme will be incorporated into the LSB performance management process.</li> <li>The LSB will submit an annual report to the Welsh Language Board in an agreed format and on time.</li> </ul>	<p>Monthly from November 2010</p> <p>Annually in October</p>

## **10. ANNEX C: Responding to this Consultation**

We welcome views and comments on all aspects of our draft Welsh Language Scheme by 5pm on 16 August 2010.

We are also keen to engage in other ways and we would welcome contact with stakeholders during the consultation period.

Copies of the Scheme are available either by e mail or hard copy on request by contacting Michelle Jacobs.

Comments are requested to be sent to Michelle Jacobs. We would prefer to receive responses electronically (in Microsoft Word format), but hard copy responses by post or fax are also welcome.

Responses should be sent to:

E-mail: [consultations@legalservicesboard.org.uk](mailto:consultations@legalservicesboard.org.uk)

Post: Michelle Jacobs  
Legal Services Board  
7<sup>th</sup> Floor  
Victoria House  
Southampton Row  
London  
WC1B 4AD

Fax: 020 7271 0051

If you want to discuss any aspect of this consultation, or need advice on how to respond, please contact the LSB by telephone (020 7271 0050) or by one the methods described above.

We will intend to publish all responses to this consultation on our website unless a respondent explicitly requests that a specific part of the response, or its entirety should be kept confidential. We will record the identity of the respondent and the fact that they have submitted a confidential response in our summary of responses.

A copy of all comments will be maintained and will inform the final Scheme that will be submitted to the Welsh Language Board for approval and publication by October 2010.

