

1. Introduction

This section gives a short introduction to the purpose of this guidance, and the rationale behind Gaelic language plans

1.1 Purpose of this guidance

This guidance has been developed by Bòrd na Gàidhlig under section 8 of the Gaelic Language (Scotland) Act 2005 (“the 2005 Act”) and supersedes the original guidance that was first published in 2007. It specifies areas of Gaelic language service delivery, internal processes, and policy development to be included in Gaelic language plans. These will all contribute to the implementation of the priorities in the National Gaelic Language Plan.

It provides practical advice on the development of Gaelic language plans. It also sets out the key principles underpinning the Gaelic language plans process. There are several supporting documents mentioned in this guidance, and they can all be accessed directly from this guidance document or from the Bòrd’s website at www.gaidhlig.scot

These supporting documents are based on current best practice and advice to help guide the process. As such, they are subject to change, so please check that you are consulting the most recent version before using them. They will each be reviewed annually from the date of publication of this document.

1.2 Purpose of Gaelic language plans

The Gaelic Language (Scotland) Act 2005 was passed with a view to securing the status of Gaelic as an official language of Scotland commanding equal respect to the English language, and the public sector in Scotland has a vital role to play in delivering this aim.

Gaelic language plans assist members of the public who may wish to use Gaelic in conducting their daily business with the public authority and enables employees of the public authority to use Gaelic in the workplace as part of their normal duties.

Gaelic language plans ensure that Gaelic continues to be used and that the linguistic diversity of the whole of Scotland is enriched.

2. The Gaelic Language (Scotland) Act 2005

This section summarises the main points contained within the Gaelic Language (Scotland) Act 2005.

The Gaelic Language (Scotland) Act 2005 (“the 2005 Act”) was passed by the Scottish Parliament on 21st April 2005 with cross-party support and received Royal Assent on 1st June 2005. The introductory text to the 2005 Act reads as follows:-

An Act of the Scottish Parliament to establish a body having functions exercisable with a view to securing the status of the Gaelic language as an official language of Scotland commanding equal respect to the English language, including the functions of preparing a national Gaelic language plan, of requiring certain public authorities to prepare and publish Gaelic language plans in connection with the exercise of their functions and to maintain and implement such plans, and of issuing guidance in relation to Gaelic education.

The 2005 Act has three main, interrelated elements: -

It establishes a statutory body, Bòrd na Gàidhlig (“the Bòrd”), to encourage the use and understanding of Gaelic and to facilitate access to Gaelic and Gaelic culture with the ultimate aim of increasing the number of persons who are able to use and understand the Gaelic language by facilitating access to the language and culture in Scotland, and elsewhere.

It requires the Bòrd to prepare and submit a national Gaelic language plan to Scottish Ministers. The plan includes proposals to promote the use and understanding of Gaelic, Gaelic education and Gaelic culture.

It gives the Bòrd authority to issue a statutory notice to any relevant Scottish public authority, cross-border public authority or the Scottish Parliamentary Corporate Body, requiring that authority to develop a Gaelic language plan, setting out the measures it will take in relation to the use of the Gaelic language.

The full version of the 2005 Act can be accessed [here](#).

3. Key principles

This section, based on experience and language planning expertise, highlights important principles that should underpin Gaelic language plans.

3.1 Equal respect

The Gaelic Language (Scotland) Act 2005 was passed with a view to securing the status of Gaelic as an official language of Scotland commanding equal respect to the English language.

Bòrd na Gàidhlig works to secure equal respect between Gaelic and English, and expects that public authorities will demonstrate in their plans how the principle will be achieved and maintained in practice.

Public authorities should not take a minimalist approach to Gaelic development but should be positive and proactive in identifying the most appropriate ways in which they can help raise the profile of the language and encourage and enable people to interact with them in Gaelic.

At an individual public authority level, equal respect means that where a service is available in Gaelic, it should be on an equal basis to the equivalent English service.

The following actions are examples of what should be avoided to ensure that Gaelic services aren't devalued:-

- Delayed introduction of the Gaelic service, compared with the equivalent service in English
- Lack of promotion and publicity for the Gaelic service, compared with the equivalent service in English
- The Gaelic service suffers from reduced quality compared with the equivalent service in English – for example in customer service, written content and graphic design
- The Gaelic service has a slower response time compared to the same English service – for example responding to communications
- The Gaelic service is under-resourced in comparison with the equivalent service in English

3.2 Active offer

The Bòrd is committed to the principle that all Gaelic language plans will clearly outline how public authorities will make an active offer of their Gaelic services to the public and their employees. This will ensure that where Gaelic services are available, Gaelic users are made aware of their existence, and are actively encouraged to use them. This will take responsibility away from the person to ask for the service, whilst providing a more customer-centred approach. It will empower customers by giving them confidence in knowing that their needs will be met in their preferred language. Gaelic services should be as accessible as English language services.

Regular, pro-active promotion and encouragement are crucial to the success of the active offer. Language preference should be identified as an integral part of high-quality service.

3.3 Data

Consideration of the most recent census and Gaelic education data is an important part of the development of Gaelic language plans.

For the most recent Gaelic census figures, please consult the National Records of Scotland dedicated website for Scotland's census data [here](#).

For the most recent Gaelic education figures, please consult the Bòrd na Gàidhlig website [here](#).

3.4 Mainstreaming

The mainstreaming of Gaelic as part of the day to day fabric of modern Scottish life is a key aim. Public authorities' Gaelic language plans are crucial in achieving this as they work towards incorporating Gaelic into public life in Scotland through their respective remits.

3.5 Potential for developing the use of Gaelic

This is an important consideration for public authorities, as although user numbers may currently be low, the potential for growth is a crucial part of the process of language revitalisation. The implementation of Gaelic language plans will create a virtuous circle by which Gaelic will become more valued, confidence will be strengthened and demand for services will grow.

Potential to develop the use of Gaelic is closely linked to the concept of active offer and where there is an opportunity for people to engage with the public authority in Gaelic, that people are made aware of this, for example via the organisation's website, at reception desks or on the telephone.

3.6 Reasonable and proportionate

The 2005 Act recognises that individual Gaelic language plans will differ depending on the functions of individual public authorities, where they operate in Scotland, the number of Gaelic speakers they serve, and the potential for the development of Gaelic in their area.

It is important to remember that Gaelic speakers live in every part of Scotland and Bòrd na Gàidhlig expects that Gaelic language plans will reflect this.

Gaelic language plan commitments should be reasonable and proportionate, according to individual circumstances.

3.7 Incremental growth

Gaelic language plans must be reviewed, amended and submitted to the Bòrd no later than 5 years after the date of approval of the current plan. The Bòrd expects that the reviews will grow Gaelic provision over time, and therefore it is vital that public authorities are clear from the outset that their plans are based on a long-term vision.

3.8 Employment and recruitment

Gaelic language plans are greatly enhancing the value of the language within the labour market as an additional skill, creating opportunities for Gaelic speakers to use their language in the workplace, for non-Gaelic speakers to learn the language and for people to interact with the public authority through the medium of Gaelic.

To ensure that Gaelic language plans are implemented, new posts have been established, where Gaelic language skills are identified as an essential or desirable, providing the services committed to in plans. Bòrd na Gàidhlig has compiled a guidance document on Gaelic as a skill within the recruitment process and this can be accessed [here](#).

Whilst it is acknowledged in the short term that some public authorities may have difficulties in recruiting and /or retaining staff in some areas of the labour market e.g. teachers and translators, it is vital that Gaelic language plans continue to support and grow Gaelic language opportunities in the workplace as a valued skill.

In the medium to long term, it is expected that the supply of skilled staff will grow to meet demand. Workforce planning activities should reflect the commitment to strengthen and develop Gaelic language services within the public authority.

3.9 Linguistic Development

A great deal of work has been undertaken within the education sector to create Gaelic terminology, grammar and usage standards that are consistent. It is vital that Gaelic language plans commit to the same standards and remain cognisant of Gaelic corpus developments.

In practical terms, the Bòrd will require that all Gaelic language plans adhere to the current Gaelic Orthographic Conventions (GOC) and Gaelic place-naming standards.

Details of the current Gaelic Orthographic Conventions (GOC) can be found [here](#).

A link to the Gaelic Place-Names of Scotland database can be found [here](#).

4. The Gaelic language plan process

This section explains the process of creating, implementing and renewing a Gaelic language plan. This includes the issuing of a statutory notice, plan preparation, consultation, formal approval, implementation, monitoring and renewal.

4.1 Practical help and advice

Under section 8(9) of the 2005 Act, Bòrd na Gàidhlig is required, on the request of a relevant public authority, to provide advice and assistance, free of charge.

Each public authority is assigned a language plans officer at Bòrd na Gàidhlig to provide practical help and advice throughout the whole process.

In addition, the language plans team has developed a range of resources to help public authority officers with the preparation of Gaelic language plans and these are available via the Bòrd na Gàidhlig website [here](#).

4.2 Issuing of statutory notices by Bòrd na Gàidhlig

Section 3 of the 2005 Act gives Bòrd na Gàidhlig authority to issue a statutory notice to any relevant public authority requiring it to prepare a Gaelic language plan. The notice will take the form of a letter sent by the Bòrd to the Accountable Officer of the public authority.

4.3 Statutory criteria

In deciding which public authorities will be issued with notices, there are 5 defined statutory criteria that the Bòrd must consider. These are set out in section 3(3) of the 2005 Act and are outlined below:-

❖ *The most recent National Gaelic Language Plan*

Gaelic language plans are one of the principal mechanisms to implement the National Gaelic Language Plan. The 2005 Act requires the Bòrd to have regard to the current National Gaelic Language Plan when issuing public authorities with statutory notices and the Bòrd will consider the role that public authorities can play in the delivery of priorities within it. The most recent version of the National Gaelic Language Plan can be accessed [here](#).

❖ *The extent to which Gaelic is used in the authority's area of operation*

The Bòrd must have regard to the extent to which Gaelic is used by people in the authority's area of operation. The Bòrd will consider both demography and function in respect of the issuing of statutory notices.

❖ *The potential for the authority to develop the use of Gaelic*

This is an important consideration, as although current use may be at a low level, the potential for growth may be considerable. Gaelic language plans will create a “virtuous circle” by which Gaelic will become more valued, confidence will be strengthened, and demand for services will grow over time.

All public authorities have a role to play in safeguarding the future of the Gaelic language, and all have potential to develop the use of Gaelic within their functions, with the rate and extent of growth being unique to each.

❖ *Representations made in relation to the use of the Gaelic language*

The 2005 Act requires that the Bòrd takes into account any representations made to it in relation to the use of the Gaelic language by the public authority.

❖ *Guidance by Scottish Ministers*

The 2005 Act requires the Bòrd to take into account any guidance given by Scottish Ministers when considering whether a relevant public authority will be required to prepare a plan.

4.4 High-level aims

Bòrd na Gàidhlig will work with the public authority to co-produce a set of high-level aims, which will be issued along with the statutory notice. The intention is that these aims will provide a focus on where the public authority can most effectively contribute to delivery of the current National Gaelic Language Plan.

Once the draft high-level aims have been agreed between the public authority and Bòrd officers, they will be considered by the board of Bòrd na Gàidhlig and then by the Minister with Responsibility for Gaelic, before they are formally issued along with the statutory notice.

4.5 Corporate service aims

Based on experience to date, Bòrd na Gàidhlig has developed a set of standardised corporate service aims which will be issued as part of the formal notice. A copy of the corporate service aims can be accessed [here](#).

Bòrd na Gàidhlig fully understand that different public authorities will be at different stages in the delivery of these corporate service aims, but believe that all should be working towards achieving these.

Subsequent editions of Gaelic language plans should show incremental progress towards delivery of the corporate service aims over time.

5. Review of, and appeal against, notices

This section explains the process that a public authority should follow if it feels that the timescale set for the submission of the plan is unreasonable, or it feels that it has been unreasonably asked to produce a statutory Gaelic language plan.

5.1 Review of timescale

If a public authority believes that the specified date for the submission of its Gaelic language plan is unreasonable, section 4 of the 2005 Act provides that it may ask the Bòrd to review the date.

5.2 Appeals against having to prepare a Gaelic language plan

Section 4(8) of the 2005 Act provides for a public authority to appeal directly to the Scottish Ministers against having to prepare a Gaelic language plan.

6. Preparing a Gaelic language plan

This section includes practical guidance based on the most effective means to develop a Gaelic language plan, based on the Bòrd's experience to date.

6.1 Gaelic language plans template

Bòrd na Gàidhlig has developed a Gaelic language plan template. This is a current best practice guide, based on feedback and experience to date and we strongly advise that it is used. The template can be found [here](#).

6.2 Public authority lead officer

It is strongly recommended that public authorities identify a senior lead officer at an early stage in the process, who will act as the first point of contact for the Bòrd and who will liaise with the Bòrd's officer from the outset and throughout.

It is strongly recommended that the public authority lead officer for the plan has a clear line of communication with, or is part of the corporate management team, and that a senior manager is identified as having overall responsibility for the plan from the outset. It is advised that overall responsibility for the plan lies with the accountable officer.

6.3 The Gaelic language plan is a corporate plan

Gaelic language plans have significant policy implications across the public authority. It is important that staff with responsibility for key services across the public authority are involved in the preparation of the plan.

Experience to date demonstrates that plans are more successful when there has been substantive involvement of senior officers from across the public authority. It is not advisable to leave the preparation of the plan solely to more junior staff, or staff that already have responsibility for Gaelic matters.

6.4 The Gaelic language plan is unique to your organisation

It is important to note that Gaelic language plans are unique to each public authority in the context of the functions they undertake, and as such each will be assessed by the Bòrd on its own merits.

6.5 Co-operation and shared services

Although each plan is unique, the Bòrd recognises that there is a place for co-operation when implementing plans between public authorities that exercise similar functions and as such may face many of the same opportunities and challenges in providing services to the public in Gaelic and in using Gaelic in their internal processes.

Co-operation may result in useful information exchanges, the sharing of best practice and the identification of economies of scale, such as through recruitment of staff, production of forms, information brochures, leaflets, training schemes etc. The Bòrd believes that a concerted approach by a range of public authorities, for example via the Community Planning Partnership or Regional Improvement Collaborative frameworks, can have a positive effect on the use and development of Gaelic and will help to implement priorities within the National Gaelic Language Plan.

6.6 Internal Gaelic capacity audit

A key requirement of all Gaelic language plans is to undertake an audit of existing internal Gaelic capacity and relate this to commitments in the plan. This should be undertaken as part of the preparation of the plan or within the first year following approval of the plan, and the Bòrd should be provided with a copy of this audit report along with the draft plan.

The Bòrd's language plans team will be happy to provide advice on conducting an internal Gaelic capacity audit.

6.7 Statutory guidance on Gaelic education

Changes to the 2005 Act legislated by the Education (Scotland) Act 2016 require Bòrd na Gàidhlig to publish guidance in relation to the provision of Gaelic education and the development of such provision.

Local authorities and other public authorities with education remits should be cognisant of the statutory guidance on Gaelic education when preparing their Gaelic language plan. This is available [here](#).

6.8 Consultation

Section 3(6) of the 2005 Act states that, in preparing a Gaelic language plan, a relevant public authority must consult persons appearing to it to have an interest.

It is accepted that each public authority will have its own internal procedures on conducting consultations, but the following steps are recommended to satisfy Bòrd na Gàidhlig that the requirements of Section 3(6) of the 2005 Act are being met: -

- A Gaelic and English draft of the plan published and freely available to the public and employees in electronic, and hard copy format (on request)
- A consultation period of between 6 and 12 weeks to ensure that members of the public and employees have sufficient time and opportunity to make their views known
- A bilingual press release announcing the beginning of the consultation process, brought to the attention of all relevant media outlets, and to the Bòrd
- A public meeting and an employee meeting, to discuss the draft plan, with evidence of effective advertising in advance and a note of the meetings

Public authorities must provide a report on the consultation exercise, how it was carried out and a summary of the outcomes and the main themes that emerged. The consultation report will assist the Bòrd when considering whether to approve, or to suggest modifications to a draft plan.

7. Submission and formal approval of a Gaelic language plan

This section provides guidance on the formal approval process that is undertaken once a public authority has submitted their Gaelic language plan to Bòrd

7.1 Submitting the Gaelic language plan to Bòrd na Gàidhlig

A public authority should submit its Gaelic language plan by the deadline as stipulated in the statutory notification letter.

It is recommended that public authorities submitting revised Gaelic language plans do this before the end date of the previous iteration. All public authorities must have submitted their revised plans by no later than 5 years after the date of Bòrd approval.

In assessing the draft Gaelic language plan, the Bòrd will consider whether it is reasonable and proportionate; whether the public authority has had regard to this guidance document and whether or not the public authority has made a genuine attempt to propose Gaelic language provision that is appropriate to their circumstances and that will help to deliver the National Gaelic Language Plan.

7.2 Approval of a Gaelic language plan

A satisfactory Gaelic language plan will receive approval from a meeting of the full board of Bòrd na Gàidhlig, after which a letter confirming approval will be sent to the public authority.

Once the plan has been approved by Bòrd na Gàidhlig, the approval date becomes the legislative start date which will run for a maximum of 5 years.

7.3 Modifications

Rather than approval, the Bòrd may propose modifications to the draft plan in which case it will provide written notification of these. Full details of this process is contained within sections 5(3) to (8) of the 2005 Act.

If an agreement cannot be reached between Bòrd na Gàidhlig and the public authority regarding modifications, then the matter will be referred to the Scottish Ministers to make a decision.

7.4 The Role of the Scottish Ministers

If a draft Gaelic language plan is referred to Scottish Ministers, they must either approve the plan as originally submitted, or approve the plan subject to any modifications they consider appropriate, having regard to the matters mentioned in section 3(5)(a) to (c) in the 2005 Act.

7.5 Post approval

On approval of a Gaelic language plan by the Bòrd or the Scottish Ministers, the public authority must:

- Publish it in Gaelic and English, within 3 months of the approval date
- Remove any draft copies from the organisation's website
- Send a hard copy to Bòrd na Gàidhlig
- Implement the measures in accordance with the plan.

Public authorities may make minor alterations to their Gaelic language plan without the approval of the Bòrd, such as correcting an error or updating factual information that has changed, provided that the change does not alter the plan substantially. It is advised that the Bòrd is consulted on this on a case-by-case basis.

8. Monitoring a Gaelic language plan

This section provides guidance on the process that the Bòrd will follow in monitoring Gaelic language plans.

8.1 Monitoring Arrangements

Section 6 of the 2005 Act allows the Bòrd to request a monitoring report from a public authority where at least 12 months have elapsed from the date of approval of the plan, and on an annual basis thereafter.

Where the Bòrd requests an annual monitoring report from a public authority, the authority must comply with the request within three months.

A monitoring report template has been developed and is available [here](#).

Where the Bòrd considers that a public authority is failing to adequately implement measures in its Gaelic language plan, it may submit to the Scottish Ministers a report setting out its reason for that conclusion. Full details of this process can be found in the 2005 Act.

8.2 Independent assessment of Gaelic language plan implementation

In addition to the annual monitoring arrangements, the Bòrd may from time-to-time commission independent assessments of progress towards the implementation of Gaelic language plans.

9. Statutory review of Gaelic language plan

This section provides guidance on the process that the public authorities should follow during the statutory review of their Gaelic language plans, as required in the 2005 Act.

9.1 Review of Plans

From the outset of the plans process it is important to note that Section 7 of the 2005 Act requires that public authorities review and make any amendments to their Gaelic language plans no later than 5 years after the date of the Bòrd's formal approval of the plan.

The Bòrd anticipates that the review process will grow Gaelic provision within public authorities over time. It is therefore important that public authorities are clear from the outset that their plans have a longer-term vision, with the review process driving progress towards achieving this.

A reviewed and amended edition of the new Gaelic language plan must be submitted to the Bòrd no later than 5 years after the date of approval for the previous edition, in accordance with section 7(2) of the 2005 Act.

This is a statutory requirement and failure to do so will result in the public authority becoming out of compliance with the terms of the 2005 Act.

Bòrd na Gàidhlig is unable to provide any extension beyond 5 years after the date of approval.

10. Gaelic Language Act Implementation Fund (GLAIF)

This section provides guidance on the Gaelic language Act implementation fund (GLAIF) that is specifically aimed at public authorities to help them implement the early stages of their Gaelic language plans.

To assist public authorities in expanding their level of Gaelic language provision, Scottish Ministers have provided Bòrd na Gàidhlig with ring-fenced funding, known as the Gaelic Language Act Implementation Fund (GLAIF). For as long as the Bòrd has access to this funding stream, public authorities that are issued with a notice to prepare a Gaelic language plan will be eligible to bid for assistance from the fund in line with the Bòrd's criteria for its use.

Projects should be in support of commitments in public authority's Gaelic language plans and in support of priorities in the National Gaelic Language Plan.

The funding is not available for any costs involved in developing the plan itself.

The latest GLAIF guidelines and application form can be accessed via the Bòrd na Gàidhlig website.

11. Voluntary Gaelic language plans

This section outlines the arrangements for public authorities not yet issued with a statutory notice and bodies other than relevant public authorities volunteering to undertake the preparation of a Gaelic language plan.

11.1 Public authorities not yet issued with a formal notice

In the case of public authorities that have not yet been issued with a statutory notice from the Bòrd, such bodies are encouraged to proactively develop Gaelic policies or plans using this guidance as a basis for doing so. The Bòrd's Gaelic language plan template is available [here](#).

Such provision will serve as a useful prelude to the development of a formal Gaelic language plan.

11.2 Other organisations

Under the 2005 Act, the Bòrd has authority to request Gaelic language plans from Scottish public authorities and cross-border public authorities with regards their functions in Scotland (except for powers reserved to Westminster).

However, the Bòrd recognises that private sector firms (e.g. banks, transport operators, telecommunications companies, retailers and care providers), voluntary sector organisations (e.g. churches and charities) and UK Government departments can all make an important contribution to Gaelic development.

Organisations such as this are welcome to use the Bòrd's Gaelic language plan template as a framework for their own plan and the Bòrd will also be happy to offer help and advice subject to the availability of staff resource.