

Agenda – Children, Young People and Education Committee

Meeting Venue:	For further information contact:
Hybrid – Committee room 4 Tŷ Hywel and video conference via Zoom	Naomi Stocks Committee Clerk
Meeting date: 21 November 2024	0300 200 6565
Meeting time: 09.30	SeneddChildren@senedd.wales

Hybrid

Private pre-meeting

(09.15 – 09.30)

Public meeting

(09.30)

1 Introductions, apologies, substitutions and declarations of interest

(09.30)

2 Scrutiny of Children's Commissioner for Wales Annual Report 2023 – 2024

(09.30 – 11.00)

Rocio Cifuentes, Children's Commissioner for Wales

Rachel Thomas, Head of Policy & Public Affairs

[Children's Commissioner for Wales Annual Report and Accounts 2023 – 2024](#)

Attached Documents:

Research brief



Senedd Cymru
Welsh Parliament

3 Papers to note

(11.00)

3.1 Welsh Language and Education (Wales) Bill

(Pages 1 – 2)

Attached Documents:

Additional information the National Centre for Learning Welsh following the evidence session on 17 October 2024

3.2 Welsh Language and Education (Wales) Bill

(Page 3)

Attached Documents:

Additional information from the Welsh Language Government Association (WLGA) following the evidence session on 9 October 2024

3.3 Health and Social Care (Wales) Bill

(Pages 4 – 15)

Attached Documents:

Response from the Welsh Government to the Health and Social Care Committee Stage 1 report on the Health and Social Care (Wales) Bill

3.4 Welsh Language and Education (Wales) Bill

(Pages 16 – 20)

Attached Documents:

Additional information from the Education Workforce Council following the evidence session on 9th October 2024

3.5 Welsh Language and Education (Wales) Bill

(Pages 21 – 23)

Attached Documents:

Letter to the Chair of Finance Committee from the Cabinet Secretary for Finance and Welsh Language

- 4 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the remainder of this meeting and for the whole of the meeting on 28 November and 4 December**

(11.00)

Break

(11.00 – 11.15)

Private Meeting

(11.00 – 12.15)

- 5 Scrutiny of Children's Commissioner for Wales Annual Report 2023 – 2024 – consideration of the evidence**

(11.15 – 11.25)

- 6 Children and Young People on the margins – consideration of the draft report**

(11.25 – 12.15)

Attached Documents:

Draft Report

Agenda Item 3.1

Welsh Language and Education (Wales) Bill

This document provides a translation of correspondence received from the National Centre for Learning Welsh

Children, Young People and Education Committee

Additional Evidence

The evidence session on 17 October 2024 touched on the plans that the National Centre for Learning Welsh has to support Welsh learning for the Education Workforce.

You enquired about potential methods for implementing a plan to support future Welsh learning for the Education Workforce.

The detail provided here is in addition to what the Committee heard during the evidence session.

Background

In the 2023 winter term, the Centre conducted a study of current opportunities for Welsh language learning and skills development for the Education Workforce. The study was based on an analysis of facts and interviews conducted by a wide range of partners, including the Education Workforce Council, Directors of Education and regional representatives.

The Centre presented the study, and the recommendations, to the Welsh Government's Department for Education at the start of 2024, receiving £500,000 of funding to provide a national programme for Welsh language teaching and development for the Education Workforce for the financial year 2024-25.

The Centre believes that opportunities to learn Welsh and develop Welsh language skills should be considered as a full part of the Professional Learning principle. Improving the Welsh language skills of the Education Workforce is a concrete way of implementing the requirements in the Curriculum for Wales and the Additional Learning Needs Code and a way of raising children and young people's Welsh Literacy standards.

Principles

In drawing up the proposal, a few core principles were decided upon:

- That the offer be available nationally to members of the Education Workforce in every school in Wales
- That an element of the proposal places a greater focus on working with schools/school clusters where linguistic change has been planned through the local authorities' Welsh in Education Strategic Plans (WESPS)
- That the courses focus on learning methodology that could be implemented in a classroom, with the aim of positively influencing children and young people's progress in the Welsh language

- That all courses are based on the Centre's Learning Curriculum, which is aligned with the CEFR and is therefore meaningful in terms of schools and local authorities defining data regarding individuals' standards in Welsh as obtained through the Annual Census of the Education Workforce and the Language Competence Framework for education practitioners

Offer

In terms of content, the 2024-25 offer contains the following types of provision:

- Self-study with tutor support
- A range of courses for Foundation Learning Teaching Assistants
- A whole-school approach to everyday use of Welsh, and the creation of a Welsh-language ethos in schools
- Block learning courses
- Residential courses
- Courses for individual schools or school clusters
- Courses targeted at specific schools, in accordance with the local authority's WESP targets

The offer has also targeted the areas of growth that English-medium schools, in the main, would need for the future e.g. by providing a course on increasing the use of Welsh in Physical Education lessons in the English-medium secondary sector.

The above offer is available from Entry level (A1) up to Refresher level (C1).

The offer is entirely free of charge.

The offer has been presented to a range of stakeholders, and a meeting has been held with each local authority in order to identify needs and organise appropriate provision.

The Centre has also worked with Initial Teacher Training providers this year. In response to Estyn's thematic report on the provision to develop prospective teachers' language skills, the Centre has created a specific Learning Resource for the sector. The Resource meets the criteria to provide 35 hours of personal language skills development during the course and has been drawn up at all levels of the Learning Welsh curriculum (A1-C1). Securing a relationship with Welsh learning courses at the start of a career is an effective way of maintaining contact with prospective teachers to offer them more opportunities throughout their career.

Next steps

Initial response to the programme has been very positive, with over 800 members of the Education Workforce already registered for the courses since September 2024. The aim of the plan is to provide for up to 2,000 members of the Education Workforce by September 2025.

Summer 2025 will be an opportunity to evaluate the scheme's effectiveness in its first year, and for further reform to meet schools' requirements. Firm foundations have already been laid to allow the provision to be further developed into the future.

While the offer is free to the Education Workforce, schools face an increasing challenge in terms of releasing teachers and assistants from their duties for them to benefit from the offer. As the middle tier review progresses and new arrangements are developed, there will need

to be clarity that Local Authorities' Welsh in Education Grant element has sufficient funding to support staff release time.

The Centre is confident that further growth of the scheme is possible and that it thereby meets the needs of higher numbers from the Education Workforce, and in turn would achieve the goals of the WESPs and the Welsh Language and Education Bill (Wales).

Agenda Item 3.2

Welsh Language and Education (Wales) Bill

Additional information from the Welsh Local Government Association (WLGA) following the evidence session on 9 October 2024

The WLGA agreed to provide further information on whether all local authorities agree with the Bill's statutory target of a million Welsh speakers.

Yes, the WLGA can confirm that all local authorities agree with the Bill's statutory target of a million Welsh speakers.

Agenda Item 3.3

Dawn Bowden AS/MS
Y Gweinidog Plant a Gofal Cymdeithasol
Minister for Children and Social Care



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA-DB-10629-24

Russell George MS
Chair
Health and Social Care Committee
Senedd Cymru
SeneddHealth@senedd.wales

25 October 2024

Dear Russell,

Thank you once again for your consideration of the Health and Social Care (Wales) Bill during Stage 1. I am pleased that the majority of your Committee supports the general principles, and I thank Committee Members for this, and for their recommendations.

I have set out below my response to the recommendations.

I hope that the attached information helps to inform your further scrutiny as the Bill progresses through Stage 2. I look forward to continuing to work with Committee Members on the details of the legislation in the near future.

I am copying this letter to the Chairs of the Finance Committee, the Legislation, Justice and Constitution Committee and the Children, Young People and Education Committee.

Yours sincerely,



Dawn Bowden AS/MS
Y Gweinidog Plant a Gofal Cymdeithasol
Minister for Children and Social Care

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Health and Social Care (Wales) Bill

Responses to the Health and Social Care Committee's recommendations

Recommendation 1:

A majority of the Committee recommends that the Senedd supports the general principles of the Health and Social Care (Wales) Bill.

I note this recommendation.

The Welsh Government welcomes this support for the general principles of the Bill.

Recommendation 2:

The Welsh Government should continue to work with partners to explore business models currently not provided for in the Bill that would promote the principles of social enterprise whilst still being not-for-profit.

I accept this recommendation.

The Welsh Government will continue to work with partners to consider whether any further not-for-profit business models can be included within the Bill.

However, it will be important to ensure that any further proposed models do not allow profit of any sort to be extracted even where these are types of organisation that the Welsh Government would encourage more broadly, in order to achieve the aim of eliminating private profit from the care of looked after children. It will also be important to ensure that any further proposed models have the welfare of children or such other public good as the Welsh Ministers may prescribe as their primary purpose/objects.

Recommendation 3:

The Welsh Government should amend the Bill to include regulation-making powers to enable the Welsh Ministers to take steps to close any loopholes enabling extraction of private profit from the care of looked after children, should they become apparent in the future. Such regulations should be subject to the affirmative procedure.

I reject this recommendation.

I agree with the Committee's concern that the legislation should not allow organisations to circumvent the restrictions on extracting private profit. However, the Welsh Government believes that the provisions currently in the Bill strike the right balance between providing clarity for providers and ensuring that practices which undermine the intention to eliminate private profit from the care of looked after children can be addressed. As such I do not think that adding further provision of this kind is desirable.

I believe that the principle behind the recommendation is that Welsh Ministers should have some ongoing power to curtail novel behaviours that aim to extract profit in unexpected ways. I would like to reassure the committee and Members on that point

by referring you to the Bill's provisions which provide that unreasonable or disproportionate financial arrangements entered into by those not-for-profit entities which are restricted children's services, would be evidence to which Ministers must have regard when deciding if a provider is a fit and proper person. If the Welsh Ministers are no longer satisfied a person is fit and proper, they may cancel the person's registration.

Recommendation 4:

The Welsh Government should prepare and publish a detailed offer of the guidance and support that it will make available to private and independent providers wishing to transition to a not-for-profit model. This should be done as a matter of urgency, and should be accompanied by a communication plan.

I accept this recommendation in part.

The Welsh Government will continue to work with stakeholders to consider what guidance and support could be made available to private and independent providers wishing to transition to a not-for-profit model. This will build on funding made available earlier this year through Business Wales to provide bespoke support to a number of providers to start planning for transition.

A communication plan has been developed under the Eliminating Profit Programme Board and we are currently working with members to finalise a series of targeted communications to support different parts of the sector to understand the key Bill provisions, and their expected impacts. We will publish these once members have had an opportunity to input and seek wider sector input where appropriate.

Recommendation 5:

The Welsh Government should make a clear commitment to the level of future funding and support it will make available to local authorities beyond the transition period to support the 'eliminate profit' agenda. As a minimum, this should set out funding for the next five years, which will be a crucial time for local authorities in developing their own provision.

I accept this recommendation in part.

This commitment is a priority for the Welsh Government and we intend to continue prioritising our financial support to local authorities to implement the eliminating profit commitment, whilst recognising the need to manage the overall Welsh Government budget within the outcome of the current and future budget planning rounds. Officials are currently meeting individually with each local authority to discuss planning for implementation in their areas, and their expected level of revenue and capital funding required for future years. Once completed these discussions will inform our consideration of the arrangements for, and amount of, funding in future financial years.

Recommendation 6:

The Minister should write to us, within six months of publication of this report, with details of:

- **the work undertaken by the Eliminating Profit Programme Board in monitoring and evaluating the implementation of the ‘eliminate profit’ policy so far;**
- **the more formal evaluation of the Bill proposed by the Minister, including who will be involved in this review, its terms of reference and how frequently it will report.**

I accept this recommendation.

I will write to the Committee by 11 April 2025 updating on the Eliminating Profit Programme Board’s monitoring of the policy so far, and any initial thoughts on evaluation to date. Within that response I will also set out my thoughts on how formal evaluation will be conducted.

Recommendation 7:

The Minister should consider and respond to the recommendation from the Children, Young People and Education Committee, based on its extensive scrutiny of this policy area, “that the Bill be amended to make it mandatory for foster carers to register with Social Care Wales in order to provide foster placements for looked after children, thereby accelerating progress towards a national register of foster carers”.

I accept this recommendation.

I am happy to consider and respond to the recommendation from the Children, Young People and Education Committee. I have already made clear that I am happy to explore how a national register of foster carers would work and how it could add value.

However, introducing such a change would require consultation with all parts of the sector. Appropriate time will be needed to do this properly. I do not therefore consider that this Bill is the right vehicle for progressing this work.

Recommendation 8:

The Minister should review the evidence from stakeholders setting out their significant concerns about the transition timescales proposed by the Welsh Government, and their potential to exacerbate existing sufficiency problems, in order to assure herself that the policy is deliverable within the timescales proposed, without having a detrimental effect on looked after children and young people.

I accept this recommendation.

The Welsh Government continues to carefully consider the evidence received, alongside information gathered from our own engagement with stakeholders.

Recommendation 9:

The Minister should prepare and publish a report on progress with the transition to a not-for-profit model. This should include an update, by local authority, on the number of placements leaving the market and the number of new placements created, and should reflect on the stability of existing placements. It should also include details of the consultation with children and young people directly affected by the Bill and the numbers taking up the active offer of advocacy. This should be done at six monthly intervals, starting from the date of the Stage 1 debate.

I accept this recommendation.

I will arrange for publication of a six-monthly progress report with intended publication of the first report by 22 April 2025 (6 months after the general principles debate).

Recommendation 10:

The Minister should ensure that any guidance or Code of Practice issued in relation to section 13 confirms that the Bill does not prevent local authorities from placing a child in a supplementary placement prior to Ministerial approval being granted, and that Welsh Government officials are able to act on behalf of Welsh Ministers to approve placements, if necessary. Such guidance should emphasise that the use of supplementary placements should not become the default position, particularly during challenging times.

I accept this recommendation.

The Welsh Government will ensure that the Code of Practice or guidance provides clarity on these issues.

Recommendation 11:

The Minister should prepare and publish an annual report on supplementary placements approved by the Welsh Ministers under the Bill. This report should include anonymised data on matters including, but not limited to, the age-bracket of the child; local authority; the type of placement requested (for profit foster, for profit, residential, out-of-county, out-of-Wales, unregistered); whether the child was already in the placement, cost bracket). An exception must apply to any report produced in line with this recommendation, to the effect that the report must not include any data which, when read in conjunction with any other publicly available information, would enable any individual to be identified. The Minister should include provision for this on the face of the Bill.

I accept this recommendation in part.

While I do not consider this requirement is necessary to be included within the primary legislation, I will update the Senedd periodically on the position regarding Welsh Ministers' approval of supplementary placements.

Recommendation 12:

When correcting paragraph 55 of the Explanatory Notes to remove the term ‘unregistered’ placement, the Minister should make it explicit that placements which are not registered with Care Inspectorate Wales are unlawful and must not be used as ‘supplementary placements’ or under any other circumstances.

I accept this recommendation in part.

Placements that are not registered with Care Inspectorate Wales do not come within the scope of ‘supplementary placements’ and therefore could not be the subject of an application by a local authority for approval under section 81B. While we do not consider the Explanatory Notes to be the appropriate avenue to clarify this we will ensure we make this clear to local authorities when we begin detailed work on guidance to support operation of the supplementary placement process.

Recommendation 13:

The Welsh Government should commit to producing accessible resources aimed at informing children and young people about the Bill and how to make known their views on it.

I accept this recommendation.

As part of our planned communications aimed at different parts of the sector, the Welsh Government has produced a draft document for children and young people explaining the key elements of the Bill and what it means for them. We are currently reviewing this with Eliminating Profit Programme Board members and expect to publish this in the coming months. We will continue to work with those organisations that represent children and young people to ensure their voices can be heard and ongoing communication needs considered.

Recommendation 14:

The Minister should amend the Bill to include provision for an active offer of advocacy for children and young people whose care arrangements may be affected by the Bill.

I accept this recommendation in part.

I accept that children should have an active offer of advocacy for all placement types and locations. Advocacy for all children looked after is already a statutory requirement, therefore the Bill does not need to include this provision.

Section 178 of the Social Services and Well-being (Wales) Act 2014 outlines the local authority’s duty to provide advocacy services to specified persons. This duty extends to children who are looked after, ensuring that these children have access to advocacy services if they need help to:

- Express their views (whether on a specific issue, care plan, or day-to-day decisions).
- Understand their rights (regarding care arrangements or legal proceedings).
- Participate fully in decisions about their care and well-being.
- The local authority is obliged to ensure that children looked after can access advocacy services to support their involvement in decisions about their care.

This is an active offer, meaning that advocacy services must be proactively offered to these children, rather than waiting for them to request it.

Recommendation 15:

The Minister should amend section 10 of the Bill to make it explicit that:

- **placing a child “near to” the local authority’s area means a bordering or adjacent local authority, and**
- **the use of this provision should be exceptional circumstances.**

I reject this recommendation, although I do commit to reviewing the Explanatory Notes for clarity.

I accept that it may be helpful to have some additional text in the Explanatory Notes to help the reader understand how “near to” should be interpreted. I do not think it would be helpful to restrict use of the provision to exceptional circumstances without defining what these might be and we do not think it plausible to do so where there is potential for such a wide range of circumstances specific to the cases of individual children.

Members will also note that the phrase “is near to” is inserted into the general duty for a local authority to secure sufficient accommodation of the relevant sort, not a duty about placing individual children, so it is unclear that an amendment would work in the way envisaged.

Recommendation 16:

The Minister should set out the actions being taken by the Welsh Government in relation to awareness-raising of mandatory reporting, by organisations, of child sexual abuse. She should do this in time to allow Members to consider her response and be able to table amendments to the Bill if they do not believe these actions are sufficient.

I accept this recommendation.

We will provide a written response to the Committee about the awareness raising of existing organisational duties to report, detailing what we have undertaken and continue to undertake in Wales.

We wholly agree with the Independent Inquiry into Child Sexual Abuse, that where there has been disclosure, witnessing or observation of other evidence that a child is experiencing or is at risk of sexual abuse, this must be reported without delay. Our existing duties, and well-established procedures, support this and aim to help protect and to prevent all harms to children, and adults with care and support needs.

In Wales we have been focusing on close collaboration with key partners, with the purpose of strengthening and improving compliance with safeguarding requirements, already in place, across our regulated childcare, education, health and social care settings.

We have also published revised National Minimum Standards for Childcare, enhancing the standard in relation to safeguarding; and published a draft Quality Framework for Early Childhood Play, Learning and Care, which includes a quality standard around safeguarding babies and young children from all forms of harm.

The new National Framework for Commissioning Care and Support will further highlight the responsibilities of local authorities and health boards to ensure that services provided on their behalf safeguard and promote the well-being of children and adults; and will prompt them to promote the Wales Safeguarding Procedures in their commissioning activities.

During the remainder of this Senedd, we intend to engage widely and further explore views on how best to ensure that others who provide services or offer activities for children and adults, who may be experiencing or at risk of abuse, have proportionate and effective safeguarding arrangements in place.

A series of roundtable discussions with stakeholders will begin in November to test out stakeholder views on placing mandatory reporting duties on individuals.

Given the nature of such a serious change it is important that stakeholders are central to that journey.

Recommendation 17:

The Minister should provide an update on progress with the development of the central hub to support the implementation of direct payments for continuing healthcare. This should include details of its current operational status, staffing numbers, operating costs and the number of people receiving advice and support. It should be produced within six-months of the Stage 1 debate, and annually thereafter.

I accept this recommendation.

The Welsh Government will provide these updates on the development of the central hub as it is being established.

Recommendation 18:

The Minister should amend the Bill to make provision for a ‘right to information, advice and support’ for individuals seeking to take up direct payments for continuing healthcare. Any guidance issued under this provision should include information about transitions between social care and CHC, and should promote continuity of care as far as possible.

I accept this recommendation in part.

We are committed to ensuring that information, advice and support is available to support take-up of direct payments for continuing health care. An information booklet for individuals, families and carers was published in 2022 upon the publication of the current Continuing NHS Healthcare Framework. This will be refreshed to include

information about the availability of direct payments for individuals who are, or may be, entitled to CHC. There is also already a power in the new section 10C (to be inserted into the 2006 Act by section 24(2) of the Bill) which will enable health boards to be required to arrange for information, advice and other support in connection with direct payments. I therefore do not consider that an amendment is needed.

In addition, provision of information, advice and support for individuals is already planned through the introduction of a support Hub for direct payments for CHC. The Hub will raise awareness of the availability of direct payments, as well as providing information, advice and support to those interested in receiving direct payments for CHC.

The transition from social care to CHC direct payments will be a particular focus for the provision of information, advice and other support. Links will be maintained to local authority and third sector support which is provided for social care direct payment recipients, to ensure that there are also familiar and trusted contacts for those transitioning to NHS direct payments for CHC.

Recommendation 19:

The Minister should give further consideration to the concerns of stakeholders that, in rural areas in particular, direct payments can sometimes be the only available option in the absence of other services. She should work with partners to consider how any service limitations in these areas can be managed and how best to support the individuals affected by them.

I accept this recommendation.

The Welsh Government will give further consideration to these concerns and will work with partners to consider how any service limitations in rural areas can be managed and how best local health boards and other partners can support those affected.

Recommendation 20:

The Minister should provide an update periodically setting out her assessment of the progress being made to prepare health boards for their new responsibilities in this area. This should be done on a six-monthly basis, and should start following completion of the Stage 1 debate. As part of this, the Minister should ensure that health boards are actively working with local authorities to learn from their experiences and best practice.

I accept this recommendation.

I will provide these updates on the progress being made by health boards as they prepare to take on these new responsibilities.

Recommendation 21:

The Minister should write to us in six months with an update on progress with the development of the new performance framework and implementation plan for CHC in Wales. This should include guidance on safe delegation of

appropriate tasks and details of the metrics developed specifically for direct payments to enable progress and success to be measured.

I accept this recommendation.

The Welsh Government is working on an action plan that will identify and address known issues with the current National CHC Framework. This action plan includes the redevelopment and roll out of the performance framework.

The Welsh Government is also exploring the requirements of guidance for the safe delegation of tasks.

Recommendation 22:

The Minister should:

- **monitor the spend by health boards over the initial three years of the policy, and report back at the end of this period on the financial position of health boards as regards their ability to continue to fund and deliver direct payments for continuing healthcare, and**
- **continue to monitor and review spending by health boards on this policy going forward.**

I accept this recommendation in part.

The Welsh Government will monitor the spend and financial impact of the delivery of direct payments for health boards over the initial three years of the policy as part of the evaluation.

Beyond that period the Welsh Government's approach will be informed by the outcome of the evaluation.

Recommendation 23:

The Minister should work with relevant Cabinet colleagues and wider partners to promote the role of Personal Assistant (PA), to drive up the numbers of applications and to improve retention of staff longer term. Appropriate training will be an important part of this work.

I accept this recommendation.

Following research commissioned by the Social Care Fair Work Forum, the current Welsh Government-led PA Stakeholder Group was established and earlier this year agreed to take forward actions relating to: Pay; Terms and Conditions; Training and Development; Promoting Trade Unions and promote the support and information available for PAs. The PA Stakeholder Group includes representation from Government, Trade Unions, Social Care Wales and employer representatives for PAs.

In addition, last year an "All Wales PA Working Group" was developed with representatives from each local authority aiming to drive forward better terms and conditions for PA's and bring parity across the local authorities. These two groups

are working closely together to ensure clear links and understanding of what work is taking place to improve the role for PAs.

Some actions already being taken forward include the inclusion of PAs in the development of the Social Care Workforce Pay and Progression Framework, which will ensure PAs are considered in relation to pay and progression as part of the wider workforce moving forward. In addition, the Stakeholder Group has commissioned a survey which is currently being undertaken by Social Care Wales across Local Authorities to establish what training is available for PAs and consistency in approach to training across Wales. We expect the results of this survey shortly and will consider how the Welsh Government can ensure a fair and national approach to training for PAs moving forward.

We recognise the value of our PAs and are committed to improving their terms and conditions to encourage more people to take up the role, but to also retain those dedicated workers already in place.

Recommendation 24:

The Minister should update the Committee, upon completion of the CHC framework review, highlighting any changes and additional eligibility guidance that have been provided as a result of the review.

I accept this recommendation.

The Welsh Government will provide a briefing on what elements of the CHC Framework have changed following a review.

Recommendation 25:

The Minister should ensure that the UN Convention on the Rights of Disabled Persons features prominently in guidance issued on Part 2 of the Bill.

I accept this recommendation.

Paragraph 65 of the Social Services and Well-being (Wales) Act 2014 Part 2 Code of Practice: General Functions sets out that “when exercising social services functions in relation to disabled people who need care and support and disabled carers who need support, local authorities must have due regard to the United Nation Convention on the Rights of Persons with Disabilities.” Any guidance issued on Part 2 of the Bill relating to direct payments in continuing healthcare would similarly highlight the importance of the UN Convention on the Rights of Disabled Persons.

Recommendation 26:

The Minister should:

- **ensure that the post-implementation review of the Bill considers the awareness, amongst social care users, about the new option of direct payments for CHC;**
- **agree to request from LHBs and then make available the datasets from LHBs which are intended to provide a picture of take-up of direct payments for CHC across Wales, and**
- **provide details of the timescales for the post-implementation review.**

I accept this recommendation.

The evaluation of the introduction of CHC direct payments will consider awareness among social care users of the option of direct payments for CHC.

The evaluation will also include acquiring the datasets from LHBs which will be used to understand take-up of CHC direct payments in Wales.

Timescales for the evaluation have not yet been fixed but the Welsh Government will provide an update on this as part of a future update on implementation.

Agenda Item 3.4

[Welsh Language and Education \(Wales\) Bill](#)

Response to the CYPE Committee's further questioning resulting from the Education Workforce Council's (EWC) oral evidence provided on 9 October 2024.

The EWC thanks the Committee for the opportunity to provide additional evidence as part of its inquiry into the Welsh Language Education Bill. As requested, this note discusses some of the key factors that we believe are significant in influencing prospective teachers considering joining the profession. Our evidence is informed by intelligence from a range of sources, including the unique data we hold on the Register of Education Practitioners and the regular engagement that we undertake with registrants, stakeholders, and prospective teachers.

Key factors influencing individuals to join the profession:

Intrinsic motivation/passion to teach

Many teachers join the profession on the basis of a passion to make a positive impact upon society and the future of children in particular. A love for their subject and for inspiring children in education, can also be key motivators. For many entering the profession, teaching is a rewarding career, offering job satisfaction, where they feel they can 'make a difference'.

Job security

Teaching is widely perceived as a stable and secure profession. There will always be a need for teachers and there are clear and well-established career pathways for those wanting to progress to formal leadership roles. In the 2021 National Education Workforce Survey (conducted by the EWC in partnership with Welsh Government, trade unions, employers and key bodies representing education professionals), when school teachers were asked where they saw themselves in three years' time, 62.6% answered that they saw themselves continuing to develop and strengthen their practice whilst 20.9% stated that they intended to progress to a more senior role and 16.1% would like to mentor or support less experienced colleagues. This indicates that the majority of those entering the profession are seeking longevity in their career choice.

Welsh Government initiatives

It is important to note the number of positive initiatives that Welsh Government has put in place to attract prospective teachers in recent years, notably:

- the reform of Initial Teacher Education (ITE) in Wales stemming from Professor John Furlong's report Teaching Tomorrow's Teachers. The reform which sought to provide

consistent, high quality ITE, has included regulatory changes for the accreditation of ITE programmes and the introduction of Criteria for accreditation. The Criteria set out the vision for ITE in Wales, a vision for student teacher learning, the requirement for joint ownership and accountability of programmes of ITE with a central role for schools and a clear role for universities, and the necessary structures, processes and inputs

- the replacement of the requirement for individuals to have achieved a GCSE B grade in English or Welsh and in Mathematics to study a PGCE (now grade C)
- a marked increase in the number of salaried PGCE places available within Primary/Secondary education
- the introduction of part-time routes into teaching
- the Initial Teacher Education (ITE) Priority Subject Incentive Scheme (providing a grant of £15,000 to study an ITE programme in specific priority subjects)
- the Ethnic Minority Incentive Scheme (aiming to increase the number of ethnic minority teachers through providing a £5000 grant)
- the Iaith Athrawon Yfory Scheme (providing a £5000 incentive to students studying to teach through the medium of Welsh or to teach Welsh as a subject)
- the inception of Educators Wales in 2019, capitalising on the EWC's legislative function to promote careers in education

Potential constraints to teacher recruitment:

Employer competition for graduates

University graduates, especially those specialising in ITE priority subjects, have a range of choice when deciding which career path to take, with salary and benefits being factors in their decisions. Many organisations employing graduates are able to offer significant benefits not available in teaching, including (sometimes substantial) monetary bonuses, flexible working, rapid pay progression, company cars and overseas working opportunities.

The CIBYL Graduate Research UK survey lists technology companies Google, Amazon, and Microsoft within the top five most popular employers in the UK, as voted for by students and graduates. These companies are able to attract graduates by offering inclusive flexibility, creativity freedom and a non-bureaucratic work environment where ideas are embraced and nurtured. They also offer a range of employee 'perks' such as hybrid car subsidies, company-based shares, access to free health, dental and wellbeing treatment, games areas and 'nap pods'. Furthermore, salaries within these companies are also attractive with clear pay progression aimed at retaining and developing staff.

Workload

70.4% of school teachers responding to the 2021 National Education Workforce Survey, either disagreed or strongly disagreed that their workload was manageable within their agreed working hours. The survey indicated that during a working week, a full-time school teacher worked, on average, 56 hours.

Responding to the 2021 National Education Workforce Survey, 38.7% disagreed and 11.9% strongly disagreed that they usually had enough time to cover the curriculum content and ensure learners were fully supported. Since this survey was undertaken, the introduction of other priorities will have likely impacted these perceptions further, notably the rollout of the new Curriculum for Wales and the introduction of the ALN system.

Flexibility/work-life balance

Many graduates favour professions in which they will be able to maintain a healthy work-life balance, including a manageable workload and reasonable expectations for working outside normal 'office hours'. More flexible working offers significant benefits in relation to those with other commitments, such as caring responsibilities. Although there may be options for teachers to compress their hours or explore part-time working, other professions are able to attract graduates with benefits such as flexible hours, accrual of flexi leave and (particularly post-COVID 19) the option to work from home. Teachers benefit from generous holiday allowances but many argue that they are required to spend a significant amount of time during holiday periods undertaking planning, marking and other paperwork. This allows only limited time to undertake reflection, evaluation, research, and professional development which in turn affects job satisfaction.

Accountability

Teachers face high levels of expectation in relation to educational standards, student outcomes, maintaining parents' and the public's confidence, and adhering to the curriculum. They also face frequent evaluations, inspections, and other forms of scrutiny such as the publication of exam results. Such scrutiny can be stressful and time consuming, adding to teacher workload and limiting individual autonomy. This culture may deter potential teachers from entering what is perceived as a high-pressure environment in which success is sometimes narrowly defined and often linked to factors beyond the control of teachers, such the socio-economic background of pupils and resource issues. Such stress factors can also impact on the motivation to progress into leadership roles or seek additional professional responsibilities.

Behaviour

School teachers have a right to a safe working environment, but numerous research studies and surveys by teaching unions have indicated that teachers regularly experience physical and verbal abuse within the classroom and are increasingly needing to allocate more time on targeting disruptive behaviour amongst pupils. Due to budgetary pressures, the resource available and pressure on teachers to target such behaviour is further exasperated by the increase in class sizes which continues to steadily grow (674 pupils (0.7%) were in unlawfully large infant classes of over 30 pupils in January 2024, up from 302 pupils (0.3%) in January 2023).

Often linked to behavioural issues, pupil absenteeism continues to be a challenge faced by schools affecting teachers' abilities to adopt and maintain effective classroom management

techniques. During the period between September 2023 and January 2024, 10.3% of pupils met the persistent absence threshold of 10% of sessions missed for the academic year. OECD research states “Students’ motivation and self-beliefs affect the quality of learning, the degree and continuity of engagement and the depth of understanding reached. It is only when students are physically present, and are mentally ready and willing to learn, that they can make the most of the opportunities that schools provide...Student truancy not only hurts the individual student, but when it is pervasive, it contributes to a disruptive learning environment and hurts the entire class.”

These challenges and high-profile examples of bad behaviour in schools are widely publicised in the press, thereby affecting the perception of the teaching profession, with one of the most prominent examples being the recent stabbing incident in Ysgol Dyffryn Aman in Carmarthenshire.

Salary and benefits

The recently announced 5.5% uplift took the starting salary for new teachers, in Wales, up to £32,433 (from September 2024 from £30,742 in 2023-24). Teachers also benefit from membership of a competitive pension scheme (TPS). This is competitive with many other graduate salaries, with the Institute of Student Employers (ISE) Student Recruitment Survey (2024) reporting that the median starting salary for graduates in Wales of £28,000 (£32,000 for the UK as a whole). However, starting salaries for teachers are still significantly lower than those on offer in many other graduate professions (such as law, engineering, financial services, and IT).

Pay progression

The rate of pay progression for teachers with between one and five years of experience can lag behind that of graduates employed in other professions, with the pay of mid-career teachers sometimes significantly lower than that of professionals in areas such as law and accounting. Teachers can earn more by taking on roles such as TLR positions, which come with added responsibilities and workload. However, there are limited numbers of these positions within a school and some teachers may not be interested in taking on managerial roles (preferring to concentrate on teaching). It is also challenging for school teachers to secure permanent teaching contracts, limiting opportunities for pay progression at the beginning of their career. EWC data indicates that, of those who disclosed details of their employment contract, only 22% of current NQTs are undertaking their induction period with a permanent employment contract in place.

Portrayal of teaching

Media coverage of teaching/teachers is often negative. Key themes that are frequently highlighted include workload, stress, long hours, and administrative burdens. Behaviour and safety challenges are also increasingly being highlighted (particularly in the aftermath of the COVID-19 pandemic). Coverage also often focusses on discontent over pay and school funding. The recent consultation regarding plans to change the school holidays, although

not progressed, may have also negatively impacted perceptions of the workforce, reinforcing the myth that the primary motivator to becoming a teacher is to benefit from the school holidays (without recognition of the additional stressors and pressures faced by the workforce).

Negative experiences within the existing teaching workforce often translate into discouraging messages for prospective teachers, which permeate through the media, friends and family, and even through teachers speaking negatively about the profession to their students.

Mark Drakeford AS/MS
Ysgrifennydd y Cabinet dros Gyllid a'r Gymraeg
Cabinet Secretary for Finance and Welsh Language



Llywodraeth Cymru
Welsh Government

Peredur Owen Griffiths MS
Chair
Finance Committee

12 November 2024

Dear Peredur,

Welsh Language and Education (Wales) Bill

I am writing to you following my attendance at your Committee on 23 October, to provide evidence in relation to the Welsh Language and Education (Wales) Bill. I trust the Committee found the session to be informative.

At the Committee I undertook to providing further information to:

- clarify the cost of late immersion education and when in the appraisal period these costs will fall; and
- in relation to support and funding for the provision of Welsh language learning outside of schools, following the discussion about youth services.

Cost of late immersion education

In the Regulatory Impact Assessment's (RIA) narrative, late immersion costs (Table 8) and workforce costs (Table 7) are discussed together. Workforce costs will fall between years 3-10. This is noted in Table 7 and is aligned with the overall cost table (Table 18). Late immersion costs should fall between years 4-10. The cost estimate is correctly based on years 4-10, which is aligned with the overall cost table (Table 18). However, there is a typographical error in Table 8 – 'years 2-10' should read 'years 4-10'. My officials will correct the RIA before it is laid before the Senedd prior to Stage 3 proceedings.

Support and funding for the provision of Welsh language learning outside of schools

The Welsh Government supports and encourages a number of networks to offer opportunities for children and young people to use the Welsh language outside the school setting. At the Committee Members referred to opportunities provided via youth work and the Mentrau Iaith.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Youth work has a vital role to play in enabling all young people to use their Welsh with their peers in the community and online, building young people's confidence in using more of their Welsh. The Cabinet Secretary for Education recently published proposals for a new statutory framework for youth work in Wales. These proposals include a new youth work entitlement for young people, including clear expectations for youth work delivered in Welsh, as well as a revised strategic planning and reporting mechanism for youth work. There are clear links between these planning and reporting mechanisms and the proposals set out in the Bill, and these will need to be realised in order to provide rich opportunities for young people to use and enjoy the language.

The network of Mentrau Iaith provide a wide range of activities and support to help children and young people to use the Welsh language in informal settings, outside school. These activities include live music events, theatre workshops, sports and nature activities as well as numerous cultural and art activities. It is a requirement that all of the recipients of the grant to promote and facilitate the use of the Welsh language work closely together to plan and support and complement each other's work on a local basis. These discussions are undertaken in language forums which are mainly held in each local authority area. The Welsh Government provides a core grant of £2.4m to Mentrau Iaith Cymru.

Additionally, we provide annual grant funding of almost £125,000 to Wales' Young Farmers Clubs to create Welsh-medium activities for young people. These activities include a variety of agricultural and non-agricultural programs and events, such as the national Young Farmers Eisteddfod and local rallies. We also collaborate with a range of other external organisations across the youth work sector to promote the use of Welsh in youth work throughout Wales, providing more opportunities for young people to use Welsh within their communities.

I have also taken the opportunity in writing to you to clarify further matters, which were raised at the Committee session on 23 October:

- (i) Paragraphs 58 and 59 of the transcript state:

Mike Hedges: Diolch, Cadeirydd. The RIA sets out transitional costs in Parts 1 to 5 of the Bill, which relate to Welsh Government staff time. Is it going to be new staff or is it opportunity costs of existing staff doing something different?

Mark Drakeford: These are opportunity costs.

I wish to clarify that there are some additional Welsh Government staff costs in relation to Part 5 of the Bill, it is a transitional cost for staff who will be working on establishing the new body. These costs are outlined in Tables 15 and 16 of the RIA.

- (ii) Paragraphs 87 and 88 of the transcript state:

Peredur Owen Griffiths: When it comes to workforce planning—and you've made the assumption that the headteacher will be doing this—and when it comes to additional support within the implementation of this, can you talk a little bit about how you've costed that into the RIA? And is most of it going to come from existing staff, or are you looking at creating new roles that will help support, or help with that workforce pressure?

Mark Drakeford: Well, the workforce pressure at the school level, Chair—we assume, as I said, that all the help that is currently available within the system will continue. And there are a whole series of programmes that the Welsh

Government already provides, primarily through my colleague Lynne Neagle. So, we have costed into the RIA the cynllun pontio. We have included the Welsh-medium workforce capacity development grant. We have included our plans—or the Cabinet Secretary's plans—to introduce a teacher retention bursary in the Welsh language field. We've assumed that the Open University's work—which is another way in which we are able to widen the pool of people who can come into the profession—continues.

The wider programmes referenced in my contribution above are programmes that the Welsh Government already provides. Therefore, these costs have not been included in the RIA as these costs do not arise from the provisions of the Bill. The key workforce language support elements costed within the RIA are the current sabbatical scheme and the grants to the National Centre for Learning Welsh which relate to school practitioners. These equal £4.37m per annum.

I thank the Committee for their interest in this Bill and look forward to considering the Committee's report, in due course.

I am copying this letter to Buffy Williams, Chair of the Children, Young People and Education Committee.

Yours sincerely,



Mark Drakeford AS/MS

Ysgrifennydd y Cabinet dros Gyllid a'r Gymraeg
Cabinet Secretary for Finance and Welsh Language