

Agenda – Children, Young People and Education Committee

Meeting Venue:

Hybrid – Committee room 2 Senedd
and video conference via Zoom

Meeting date: 17 July 2024

Meeting time: 09.30

For further information contact:

Naomi Stocks

Committee Clerk

0300 200 6565

SeneddChildren@senedd.wales

Hybrid

Public meeting

(09.30)

1 Introductions, apologies, substitutions and declarations of interest

(09.30)

2 Papers to note

(09.30)

2.1 Information from Stakeholders

(Pages 1 – 3)

Attached Documents:

Letter from Chief Investigator, Sunproofed Study at the School of Medicine,
Swansea University to the Welsh Government

2.2 Information from Stakeholders

(Pages 4 – 6)

Attached Documents:

Letter from the Cabinet Secretary for Education to the Chair of the Children,
Young People and Education Committee



2.3 P-06-1358 Review the inadequate funding for Schools in Wales

(Pages 7 – 8)

Attached Documents:

Joint letter from Education Unions to the Chair of the Petitions Committee

2.4 Implementation of education reforms

(Pages 9 – 14)

Attached Documents:

Letter from the Cabinet Secretary for Education to the Chair of the Children, Young People and Education Committee

2.5 Health and Social Care (Wales) Bill

(Pages 15 – 16)

Attached Documents:

Letter from the Chair of the Children, Young People and Education Committee to the Chair of the Health and Social Care Committee

2.6 Mental Health support in Higher Education

(Pages 17 – 18)

Attached Documents:

Letter from the Cabinet Secretary for Education and the Minister for Mental Health and Early Years

2.7 Teacher recruitment and retention

(Pages 19 – 21)

Attached Documents:

Letter from the Chair of the Children, Young People and Education Committee to the Cabinet Secretary for Education

2.8 Welsh Government Draft Budget 2024–25

(Pages 22 – 24)

Attached Documents:

Letter from the Chair of the Culture, Communications, Welsh Language, Sport and International Relations Committee to the Cabinet Secretary for Culture and Social Justice

2.9 The Food (Promotion and Placement) (England) Regulations 2021

(Page 25)

Attached Documents:

Letter from the Cabinet Secretary for Health and Social Care to the Chair of the Children, Young People and Education Committee

2.10 Information from Stakeholders

(Pages 26 – 29)

Attached Documents:

Letter from the Head of the Equality and Human Rights Commission to the Chair of the Children, Young People and Education Committee

2.11 Welsh Government Draft Budget 2024–25

(Pages 30 – 31)

Attached Documents:

Letter from the Cabinet Secretary for Education to the Chair of the Culture, Communications, Welsh Language, Sport, and International Relations Committee

2.12 Children and Young People on the margins

(Pages 32 – 33)

Attached Documents:

Letter from the Chair of the Children, Young People and Education

Committee to the Chair of the Association of Directors of Education in Wales

2.13 Children and Young People on the margins

(Pages 34 – 35)

Attached Documents:

Letter from the Chair of the Children, Young People and Education

Committee to the British Transport Police

2.14 Children and Young People on the margins

(Pages 36 – 37)

Attached Documents:

Letter from the Chair of the Children, Young People and Education

Committee to the Chair of Policing in Wales

2.15 Children and Young People on the margins

(Pages 38 – 39)

Attached Documents:

Letter from the Chair of the Children, Young People and Education

Committee to the Chair of Welsh Chief Officer Group

2.16 Children and Young People on the margins

(Pages 40 – 41)

Attached Documents:

Letter from the Chair of the Children, Young People and Education

Committee to the Chair of Youth Offending Team Managers Cymru

2.17 Children and Young People on the margins

(Pages 42 – 43)

Attached Documents:

Letter from the Chair of the Children, Young People and Education
Committee to the Chief Executive, NHS Health Boards

2.18 Children and Young People on the margins

(Pages 44 – 45)

Attached Documents:

Letter from the Chair of the Children, Young People and Education
Committee to the Principal Public Health Practitioner (Policy & Advocacy),
Public Health Wales

2.19 Children and Young People on the margins

(Pages 46 – 47)

Attached Documents:

Letter from the Chair of the Children, Young People and Education
Committee to the Head of Oversight (Cymru), Youth Justice Boards (Wales)

2.20 Children and Young People on the margins

(Pages 48 – 49)

Attached Documents:

Letter from the Chair of the Children, Young People and Education
Committee to the Directors, Youth Justice Legal Centre

2.21 Welsh Government Draft Budget 2025–26

(Pages 50 – 52)

Attached Documents:

Letter from the Chair of Finance Committee to the Cabinet Secretary for
Finance, Constitution and Cabinet Office

2.22 Welsh Language and Education (Wales) Bill

(Pages 53 – 98)

Attached Documents:

Letter from the Cabinet Secretary for Economy, Energy and Welsh Language to the Chair of the Children, Young People and Education Committee

3 Motion under Standing Order 17.42(xi) to resolve to exclude the public from the remainder of this meeting

(09.30)

Private meeting

(09.30 – 11.45)

4 Welsh Language and Education (Wales) Bill – Technical Briefing

(09.30 – 10.30)

Bethan Webb, Deputy Director, Cymraeg 2050

Gethin Davies, Senior Legislation Officer, Welsh Language and Education Bill

Iwan Roberts, Welsh Government Lawyer

Sioned Tobias, Welsh Government Lawyer

Under Standing Order 17.49 Members of the Culture, Communications, Welsh Language, Sport and International Relations Committee have been invited to attend this item.

Break

(10.30 – 10.45)

5 Welsh Language and Education (Wales) Bill – consideration of the scope and approach

(10.45 – 11.15)

(Pages 99 – 109)

Attached Documents:

Scope and approach Paper

6 Health and Social Care (Wales) Bill – consideration of draft letter

(11.15 – 11.45)

(Pages 110 – 125)

Attached Documents:

Draft letter

Agenda Item 2.1

Cyngor Cyllido Addysg
Uwch Cymru
Higher Education Funding
Council for Wales

hefcw



Dr Julie Peconi
Senior Research Officer
Chief Investigator, Sunproofed Study
School of Medicine, Swansea University
Singleton Park, Swansea
SA3 5PR

10 June 2024

Lynne Neagle MS, Cabinet Secretary for Education
Huw Irranca-Davies MS, Cabinet Secretary for Climate Change and Rural Affairs
Eluned Morgan MS, Cabinet Secretary for Health and Social Care
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear Ms Neagle, Mr Irranca-Davies, and Ms Morgan,

Skin cancer prevention is an area that cuts across climate, health and education. And it's a problem that's not going away.

Latest figures published by Public Health Wales show that skin cancer, including both melanoma and non-melanoma, accounted for 46 per cent of all cancers in Wales in 2019. Rates are increasing by approximately 8% a year. And perhaps most strikingly, the UK population now has at least a 1 in 5 chance of developing the disease. Unfortunately, climate change will continue to worsen the issue, with increased temperatures associated with increased time spent outdoors without protective clothing.

However, there is good news: the majority of skin cancers can be prevented with safer behaviours in the sun. Children, especially, should take extra care as severe sunburn as a youngster more than doubles the chance of developing skin cancer later on.

The World Health Organisation recommends sun safety in schools as the cornerstone to skin cancer prevention. In England in 2020, schools' physical health and mental wellbeing statutory guidance was amended to require that pupils at the end of primary school (Year 6) know about safe and unsafe sun exposure, and how to reduce the risk of sun damage, including skin cancer.



In Wales as you may know, sun safety is recommended as part of Public Health Wales' Welsh Network for Healthy Schools Scheme, but this is not enforced.

Back in 2012, the National Assembly's Children and Young People's Committee ran an inquiry into sun protection in schools with several recommendations, including:

Recommendation: As part of schools' broader health and safety policy, they should be required to have a document which sets out the school's approach to a range of environmental factors which might affect children during the school day, including sun protection and shade requirements, and wet or cold weather.

Recommendation: Consideration should be given to the equipment provided to, and the school uniform requirements for, children in the Foundation Phase to ensure that they are suitably protected to be outside in a range of weather conditions.

Recommendation: The Welsh Government, Welsh Local Government Association, schools and third sector organisations should continue to work together to deliver sun protection education to children.

Twelve years on, our current Health and Care Research Wales funded study [Sunproofed](#), shows that these recommendations have not been upheld.

In summer 2022, we conducted a survey of all primary schools in Wales and found:

- Only 39% of responding schools had a sun safety policy and of these only 82% enforced their policies.
- Schools with higher percentages of children on free school meals were less likely to have a policy, whereas schools in North Wales or those who taught in Welsh were more likely.
- Only 29% of schools teach sun safety as part of the curriculum in every year group.
- Only 5% of schools had sufficient shade for most active outdoor pursuits
- Only 8% of school include sun protective hats as part of the school uniform.

Please see our recent article for more information and results: [Why schools need to take sun safety more seriously – expert explains \(theconversation.com\)](#)

What's particularly concerning is that we know that sun safety risks factors are frequently linked to health inequalities: those living in areas of greater deprivation and/or from lower socio-economic groups have more limited sun protection knowledge, show riskier sun behaviours, and experience disproportionately high melanoma mortality rates. There is also limited awareness of skin cancer within some



Black African and Black Caribbean communities, leading to late diagnosis and concomitantly high melanoma mortality rates in ethnic minority patients.

Enforcing both the education of sun safety in schools and the need for a formal sun safety policy are ways in which we can move towards empowering all members of the population to improve their behaviours, with the ultimate aim of reducing future skin cancer in Wales. There is an important role Welsh Government can play to protect our future generations from a changing climate, but our research demonstrates that we're currently underprepared.

We are writing to ask you to consider a joint statement on how you will uphold the 2012 National Assembly's Children and Young People's Committee's recommendations with respect to sun safety in Wales.

We would also be happy to provide you with more information about our research.

Yours sincerely,



Dr Julie Peconi
Chief Investigator, Sunproofed Study
j.peconi@swansea.ac.uk

cc: Buffy Williams, MS, Chair of The Children, Young People and Education
Committee
Sioned Williams, MS, Plaid Cymru

Agenda Item 2.2

Lynne Neagle AS/MS
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Llywodraeth Cymru
Welsh Government

Buffy Williams MS
Chair
Children, Young People and Education Committee
Welsh Parliament
Ty Hywel
Cardiff Bay
CF99 1SN

14 June 2024

Dear Buffy,

Thank you for your letter on behalf of the Children, Young People, and Education Committee regarding concerns about participation in higher education.

I recognise that there is a significant challenge around participation, but it is broader than higher education and I can assure you that it is one that I take very seriously.

Participation in higher education has fallen recently and, as tuition fees are the main source of higher education institutional income this is of great concern to the sector. However, it is not yet clear whether this is a trend or a post-covid correction in the participation figures following the higher than expected entry rate during the pandemic.

The Committee's letter was prompted by Universities Wales and therefore understandably concentrates on the participation of 18 year olds in higher education. However, as I have stated at the outset, my concern is broader and is about post-16 education participation more generally. We are aware that our percentage of young people who are NEET is higher than the other UK nations and the higher education participation rates are lower for the most deprived areas relative to more affluent areas in Wales.

To fully understand what lies behind these issues, one of the first actions I am undertaking is to ensure we have a full understanding of the participation trends in post-16 education more generally. This will require the linking of various datasets to provide insights into the profile of learners who do and do not continue in post-compulsory education and whether this profile has changed over time. This is not captured when utilising educational datasets in isolation.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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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.

The data referred to in the Committee's letter is from UCAS which publishes data on 18 year old entry rates by domicile, calculated by dividing the number of acceptances by the estimated base population. Since 2014 the entry rate for Wales has increased by 2.8 percentage points. The entry rate peaked for Welsh-domiciled students in 2021 at 33.8%. Other UK nations also saw a peak in participation between 2021 and 2022. This was likely as a result of impacts from the COVID-19 pandemic including teacher assessed grades and fewer opportunities for employment or travel.

There is a comparison in the letter of participation rates by index of multiple deprivation (IMD) areas between Wales and England. We note that caution should be applied when comparing IMD participation rates as policy divergence, socioeconomic and geographic factors should be taken into account when comparing HE participation across UK nations.

Furthermore, there is currently no UK-wide measure of multiple deprivation and therefore it can be challenging to compare access to HE of those from less advantaged socioeconomic backgrounds, across UK nations. The Higher Education Statistics Authority are developing a new measure designed to be used across the UK called the Socioeconomic Index for Small Areas (SEISA). This may provide a more robust way to compare participation by area-based deprivation in the future and will be tested and appraised by analysts within the Welsh Government and decisions will be made about where to appropriately apply it.

The Welsh Government recognises the role that part-time study plays in widening access for specific groups. The Diamond Reforms to student finance in Wales, implemented from 2018/19 academic year, reformed support for part-time students and consequently, Wales currently has the most generous support package for part-time students. The result is that we have the highest proportion of part-time enrolments, of all first year undergraduate enrolments, compared to other UK nations: 34% in the latest (2021-22) figures as compared to 16% in England.

In relation to the regional disparities noted, UCAS do not regularly publish the regional breakdown for Wales but data is available for entry rate by Welsh Parliamentary Region for 2022. This indicates a large regional difference between South Wales Central and other regions. The geographical spread of HE providers may contribute to this gap as South Wales Central is home to five HEIs whereas South Wales East does not have any based in the region, only satellite campuses. Evidence from a study by White and Lee on geographical differences in participation rates in England supports this.¹

In their letter to the Committee, Universities Wales state 'Increasing numbers of students from England choosing to study in Wales is masking participation challenges among Welsh domiciled young people.' There is some evidence to support this claim in that as a proportion of the total base population, 3% of all English first year undergraduate students chose to study in Wales in 2021-22 (latest HESA data), an increase of 0.5% since 2017-18. The figure for Welsh-domiciled undergraduate students choosing to study in Wales in 2021-22 is 71%, a decrease of 3.1% over the same time period.

As a proportion of the total undergraduate enrolments to Welsh HEIs in 2021-22, 36% were English-domiciled students compared to 33% in 2017-18. The proportion of Welsh domiciles is 54% of undergraduate enrolments in Welsh HEIs in 2021-22, the same proportion as in 2017/18. Work is already underway to analyse the participation rates of Welsh-domiciled learners in higher education as part of the evaluation plan for the Diamond reforms. I will publish this plan shortly.

¹ White, P. M., & Lee, D. M. (2020). Research in Higher Education, 61(7), 825-848.

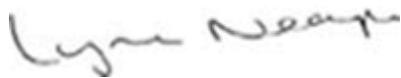
In addition, a series of research projects are planned which will focus on the experiences, beliefs and perceptions of children and young people around tertiary education, higher education specifically and the financial support available. These research activities will contribute to work on the evaluation of the Diamond Reforms.

This work will complement the data linking research to understand some of the underlying drivers of trends seen in the data. The research aims to understand further the factors influencing decision-making of young people from various groups regarding tertiary education and higher education specifically, and perceived barriers around post-compulsory higher education. This research is part of the evidence plan for 2024/2025 and outputs are expected in 2025, although interim findings may be available at an earlier date.

This is a very important issue and it is one that I am taking very seriously. That is why, as well as using data to better understand post-16 participation, I will work with colleagues across government to address this. Furthermore, I will also draw upon external expertise to provide insight and inform our policy response and I am considering the best way to do this. I will provide a further update to the Committee in due course if that would be helpful.

I want to see all our children and young people fulfil their potential and for more to undertake post-16 education. I will make a further announcement on this in the Autumn.

Yours sincerely



Lynne Neagle AS/MS
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Jack Sargant MS
Chair
Petitions Committee
By email

17th June 2024

Dear Chair

Review the inadequate funding for Schools in Wales

We are writing to you in support of the above petition, prepared by the Chair of Governors Association for Wales.

We agree wholeheartedly that a review of the level of funding for education in Wales.

We have recently updated the School Cuts Cymru website, which highlights the cuts in school funding in Wales since 2010. The updated School Cuts Cymru¹ website shows that funding cuts implemented by the UK Government have resulted in 69% of comparable maintained schools in Wales facing real-terms cuts since 2010/11.

In total 922 schools in Wales have faced cuts, with real terms per pupil funding falling by £343 (7%) for primary pupils, £388 (7%) for secondary and £411 (2%) for special schools.

As the organisations behind the School Cuts website, we are collectively calling for all political parties to commit to a plan to invest the funding needed in education to eradicate all school cuts. To restore funding back to 2010/11 levels in real terms for all schools in Wales would require an investment of £154 million.

¹ <https://schoolcuts.cymru/>

We understand that the Welsh Government does not hold all the levers in terms of funding, but none-the-less, education must be a priority.

Further to those issues outlined within the petition, which are caused by insufficient funding, we believe that in order to fully implement the huge numbers of education reforms (including those to the curriculum, qualifications and additional learning needs), additional funding is needed.

Additional funding would allow time outside of the classroom (through funding backfill), to ensure teachers have sufficient time for planning, assessment, professional learning and collaboration. Without this, we could see the opportunities which the new curriculum affords us lost.

Further more, more funding could help support additional time for ALNCos to fulfil the requirements of the ALNET Act, for schools to employ teams to help focus on attendance and for there to be sufficient resources in each and every classroom. Our members tell us they are turning to parents' groups for extra money for basic resources, such as pens, glue sticks and sand.

In FE, classes are getting bigger, and funding is getting smaller, whilst they too grapple with the additional responsibilities of the ALNET Act, and the introduction of Medr.

We would welcome the opportunity to give oral evidence to the committee on this critical issue, as like the petitioners, we believe that "Our children deserve the best education and must not suffer through funding cuts."

Yours sincerely,

Eithne Hughes,
Director, ASCL Cymru

Laura Doel,
National Secretary, NAHT Cymru

Nicola Fitzpatrick,
Acting Wales Secretary, NEU Cymru

Agenda Item 2.4

Lynne Neagle AS/MS
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

Implementation of Education Reforms



Llywodraeth Cymru
Welsh Government

Buffy Williams MS
Chair
Children, Young People and Education Committee
Welsh Parliament
Ty Hywel
Cardiff Bay
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18 June 2024

Dear Buffy,

Thank you for your letters of 23 April and follow up questions received on the 10 May.

I am grateful for the work of the committee to engage widely to draw together critical intelligence, scrutiny and challenge of education reforms in Wales. I should acknowledge that the extensive research and evidence published at the end of 2023 has already informed our work to date, and is consistent with the findings of the committee, and the petition on the ALN code.

The evidence session on the 8 May was an early opportunity to share my observations on progress across our education reforms and my commitment to improve the implementation of the ALN system.

I also responded to the Debate on 'Petition P-06-1392 - Reform of the additional learning needs Code of Wales 2021' setting out my immediate priorities, and have responded to your questions in Annex A.

I care passionately about delivering for all learners and I am committed to acting now to improve the reforms to the education system. I will work collaboratively with all partners to do this.

Yours sincerely

Lynne Neagle AS/MS
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Correspondence.Lynne.Neagle@gov.wales

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.

Annex A: Responses to letter of 10 May

General

Question 1. In terms of how decisions are made regarding whether an IDP is the responsibility of the local authority rather than the school, can you give an update on how many local authorities, as expected by the ALN Code, have published their set of principles giving the criteria on how they will take such decisions?

Welsh Government officials have been meeting with all local authorities across Wales to monitor implementation and understand how they are implementing the ALN Act. Part of this discussion involves enquiring into local authorities' approach to the delegation and maintenance of Individual Development Plans (IDPs). Officials have requested a copy of local authorities' established and published set of principles and its URL (address of web page) which are due by the end of June.

Data

Question 2: What are the timelines associated with the work on data you alluded to during the meeting? Specifically, when do you hope to have identified the data that is currently not collected that you believe needs to be, and when do you hope that this data will become available to inform the implementation of the ALN system?

Officials currently monitor and share with partners the ALN data collected through the Pupil Level Annual School Census (PLASC) to understand progress. The data demonstrates the status of pupils, trends in the movement of learners from SEN to ALN, changes in the numbers and proportions of SEN, School Action Plus (SAP), School Action (SA) and the subsequent rise in pupils identified as having a school or LA based IDP. It also provides analysis of trends by LA area. School attendance data is also an important source of more timely information, extracted from school management information systems (MIS).

Some updates were made to the PLASC collection to reflect the introduction of the ALN system ahead of its implementation. For example, information about children and young people with Individual Development Plans (IDPs). Wider changes have not been made to maintain continuity of data and information during transition.

A data workstream is taking action to ensure the availability of data to effectively monitor and assess the impact of the ALN system. This workstream involves a number of stages to:

- Understand current data, review gaps and identify changes required to improve the data capture and ensure the right data available in Early years, Education, Health, Post 16 and CTER and set out a timeline for ongoing work in late Autumn.
- Define and assess impact of any further changes to PLASC to collect information relevant to the ALN system and its oversight, post implementation.

Post-16 education and training

Question 3: The general position is that young people are entitled to two years of further education or training post-16 unless there are “reasonable needs for more”. However, NatSpec, the umbrella organisation for specialist further education providers, report that there are many cases where young people with ALN are being denied funding to spend longer than two years in further education or training. What does this say about whether the new ALN system is genuinely an age 0-25 system as has been the message all along?

ALNET creates a single legislative system for children and young people with ALN aged 0 to 25 years, spanning early years, compulsory school age and further education. The Act does not give all young people with ALN an automatic right to continuous education up until the age of 25. However, in exceptional cases some young people may be able to access provision until the age of 25 if they have a reasonable need for education and/or training.

For a small number of young people whose needs cannot be met in mainstream further education, it may be decided that they require alternative provision to meet their needs, including potentially an independent special post-16 institution (ISPI). Under the previous Learning and Skills Act and the new ALNET Act, the majority of young people attend post-16 provision for two years, although they can access provision for a shorter or longer duration. In cases of a longer duration, there must be evidence of exceptional reasons relating to the young person’s capability to learn.

With regard to mainstream FEI’s there is no limit placed on the length of time a learner can be enrolled on any provision. The college makes decisions with a young person and their parents/guardians on the learner’s destination and works to ensure the correct, person centred, provision for that learner.

Funding for Additional Learning Needs

Question 4: Could you clarify how much has been spent on supporting implementation of the new ALN system to date (prior to 2024-25)? (Your written paper cited £62m revenue and £40m capital as having been spent between 2020 and 2024.) Your paper also stated that £56 million has been allocated for supporting implementation in 2024-25. Why does the amount budgeted in 2024-25 seem considerably higher per annum than the cumulative figure over the three or four-year period 2020 to 2024? Are the figures comparative or does the 2024-25 figure include other ALN budgets such as post-16 that the 2020 to 2024 figure doesn’t?

Funding for ALN is mainly provided to local authorities through the Revenue Support Grant (RSG). This is un-hypothecated funding to local authorities.

Funding that is additional to the RSG has been granted for a number of purposes to underpin the infrastructure, enable implementation or increase provision to support ALN learners.

A summary is set out below to break down investment in addition to the RSG since 2020 across education and Post 16 education and training.

- ALN Implementation – Circa £60m has been invested in ALN implementation. This has increased resources in schools, FEI’s and local authorities to implement the ALN system and lead whole-school strategies to embed inclusive education.

- ALN Provision - Nearly £51m has been allocated to local authorities and direct to schools and special schools to boost provision for ALN learners, in recognition that the pandemic impacted learners with ALN.
- ALN Capital funding - An extra £60million has been provided for capital investment for local authorities to improve or create inclusive spaces and facilities to support learners with ALN. (Part of this is £20m announced for 24-25) This is in addition to the Sustainable Communities for Learning Capital Programme.
- ALN support for FE sector – Over £150m revenue budget has also been allocated to support ALN in the post 16 FE sector through Post 16 specialist placements and Additional Learning Support funding. In addition, the independent living skills pathways have been allocated an average of £18 million per year, however, this figure is confirmed at the end of each academic year.

Below I clarify some of the values that have been referred to in the evidence paper.

- £62m revenue budget was a combination of implementation and provision funding allocated via the LAEG to Local Authorities between 2020-21 and 2022-23. This figure goes up to £107m, between 2020-21 to 2024-25 inclusive (LAEG only, not including funding to support FE sector).
- £40m capital was allocated to Local Authorities in 2022-23 and 2023-24 inclusive. An additional £20m has since been announced for 2024- 25, taking the total amount up to £60m.
- £56.3m was the budget protected for investment on ALN implementation and ALN provision in 2024-25.

This is made up of:

- £12.9 million ALN implementation through the Local Authority Education Grant (LAEG)The majority of this goes directly to education settings to increase capacity to deliver upon the movement of learners from the SEN to the ALN system and develop whole-school strategies to support learners.
- £9.1 million ALN provision through the Local Authority Education Grant (LAEG). This goes to local authorities to meet the rise in need for provision as a result of the impact of the pandemic.
- £0.7 million implementation support for Further Education Institutions.
- £13.881 million total budget allocated to deliver post 16 specialist placements.
- £16.871 million was allocated to the Additional Learning Support fund to support learners with support needs in the FE sector.
- £2.9 million ALN programme costs.

Working with health bodies

Question 5: Please can you confirm whether each of the four DECLOs in post serve individual health boards (rather than being shared across all seven health boards)? If so, are you satisfied that the three health boards who haven't appointed DECLOs are in compliance with section 61 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018?

Five health boards made the decision to create joint appointments; one post covers Cardiff & Vale University Health Board and Cwm Taf Morgannwg University Health Board, and another post covers three health boards: Hywel Dda University Health Board, Swansea Bay University Health Board and Powys University Health Board.

Where this is the case, the DECLOs have designated time devoted to the health boards they serve. These arrangements partly reflect the different structures and has enabled regional approaches to be developed consistently and is being positively received by the sector.

I am satisfied that each health board is legally compliant with their duty under Section 61 of the ALNET Act. However, I am also speaking to the Cabinet Secretary for Health and Social Care to discuss the most effective approach to ensuring full coverage across every Health Board.

I have met with the four DECLOs and their role is already improving strategic joint working between health and education. Significant inroads have been made in collaboration between the DECLOs. This has enabled initial developments in establishing joint national approaches to address specific issues and we are working with the DECLOs to develop new Key Performance Indicators (KPIs) to monitoring Local Health Board's compliance with their duties under the ALNET Act.

The work of officials to lead a ALN Multi-Agency Collaboration Working Group will be key to improve collaboration between health and education under the ALN system and to agree new, innovative approaches to common themes emerging from implementation.

Curriculum for Wales

Question 6: Progression and assessment skills seems to be the aspect of Curriculum for Wales implementation that schools find most difficult. How conscious are you of that and are you considering providing more detailed guidance on this as Estyn have suggested might be necessary for some schools, despite what has been provided already?

We know that challenges remain with this area of the Curriculum. Research and work with schools, including through our [early research and evaluation](#) as well as Estyn's Annual Reports, has helped us to understand how these areas are embedding in schools, including what's working well and what the challenges are. Estyn will also be publishing a thematic report on the link between transition from primary to secondary schools, and the development of a shared understanding of progression across schools, which will further inform our support.

We have published a range of supporting materials and professional development workshops on Hwb on progression and assessment – including guides for schools on developing a shared understanding of progress and developing assessment arrangements. We continue to work in partnership with schools and our partners through the Camau i'r Dyfodol project to support a shared national understanding of progression. In September 2023, we published supporting materials based on this work and we will continue to work with the profession to ensure understanding of progression is fully accessible.

It is clear that where progression and assessment is being done well in Curriculum for Wales – it raises the bar for schools and for learners. Planning for progression helps to develop learning that is more purposeful, more engaging and more rigorous. However, as I set out during the meeting of the Committee in respect of the Curriculum generally, it is

clear that a lot of schools need more support in this area in order to be confident in what they are doing.

I will be providing an update to the Senedd in July on curriculum reform, and as part of that I will be outlining a range of steps to provide schools with more scaffolding and detail to support progression and assessment. My officials are working with practitioners to provide detail on what progression looks like which is clear and as simple as possible as well as illustrative curriculum content, and templates to support school and teacher planning curriculum and assessment.

However, it is critical we get any additional detail for schools right. We know from other jurisdictions that simply adding more detail to the curriculum can cause its own issues, especially if it confuses or overwhelms teachers. As with all of our support for the curriculum, it is important that we give those schools that need it a common basis of expectation and support, without putting a ceiling on schools' ambitions and creativity. Any scaffolding needs to be simple, clear and in line with the aspirations of the Curriculum for Wales.

Y Pwyllgor Plant, Pobl Ifanc ac Addysg

Children, Young People and Education Committee

Russell George MS

Chair of the Health and Social Care Committee

20 June 2024

Re. Health and Social Care (Wales) Bill

Dear Russell,

Thank you for your letter dated 20 May inviting members of the Children, Young People and Education Committee to join relevant Health and Social Care Committee evidence sessions about the Health and Social Care (Wales) Bill. Unfortunately, commitments in our forward work programme mean that we are unable to do so.

As you know, we retain a strong interest in the care system and services that support care experienced children and young people. Much of the Bill is directly relevant to the extensive work we carried out as part of our inquiry into radical reform for care experienced children, our current inquiry into children and young people on the margins, and other related areas of work we have carried out over the past year or so.

We therefore intend to write to you in July to set out our views about the content of the Bill, based on the evidence we have already gathered to date. We hope that this written evidence is useful as you come to conclusions about the Bill as part of the Stage 1 scrutiny process.

Yours sincerely,



Buffy Williams MS

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.
We welcome correspondence in Welsh or English.

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Agenda Item 2.6

Lynne Neagle AS/MS
Ysgrifennydd y Cabinet dros
Addysg
Cabinet Secretary for
Education

Jayne Bryant AS/MS
Y Gweinidog Iechyd Meddwl
a'r Blynnyddoedd Cynnar
Minister for Mental Health
and Early Years



Llywodraeth Cymru
Welsh Government

Our ref MA LN 5488 24

Buffy Williams MS
Chair
Children, Young People and Education Committee
Senedd Cymru
Cardiff Bay
Cardiff
CF99 1SN

19 June 2024

Dear Buffy,

As requested, please find updates to recommendations from the CYPE Committee's report on **Mental Health in Higher Education** to be shared with the committee.

Recommendation 28

Welsh Government is supportive of the view that registering with a GP should be as straightforward as possible and that this process should be consistent across Wales to ensure equity of access.

In Wales there is currently a standard GMS1 form to complete the registration process with a practice. Anyone having difficulty in registering with a GP can contact their Local Health Board who will assign the patient to a practice. Local Health Boards also provide GP practices across Wales with access to telephone translation services to support accessibility.

In October 2023, the new General Medical Services Unified Contract came into effect. This new contract streamlines and clarifies the services all practices in Wales must provide. The 2023 Regulations which underpin this contract also set out requirements around registration, including:

- anyone in Wales can register with a GP for treatment;
- it is not necessary to have a fixed address or identification to register; and
- anyone who is registered with a GP can get free prescriptions.

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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.

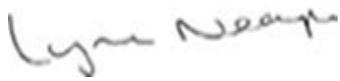
These contractual changes are currently embedding within the system, and it is important that research into any further changes – including the feasibility of online registration, is taken forward at an appropriate point to capture ongoing improvements in access to GP services and digital access tools. We will monitor contract implementation during 2024-25, commissioning research on patient experience of access at the point which would allow for consideration of impact of these contractual changes.

Recommendation 29

GP to GP electronic medical record transfer (GP2GP) - Earlier this year NHS Wales completed the implementation of GP2GP 'Large Medical Records' for all GP Practices clinical systems. The remaining functionality to be deployed in quarter two this year will be 'A to B to A' record transfers, ie. when a patient returns and re-registers with their previous GP practice. A solution for 'cross border' GP2GP records transfers is being explored in partnership with NHS England and the respective system suppliers, however, it is unlikely a cross-border solution with England will be available before 2026.

If you, or the members of your Committee have any specific questions in the meantime we will be pleased to provide additional information where possible.

Yours sincerely



Lynne Neagle AS/MS
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Jayne Bryant AS/MS
Y Gweinidog Iechyd Meddwl a'r
Blynyddoedd Cynnar
Minister for Mental Health and Early Years

Agenda Item 2.7

Y Pwyllgor Plant, Pobl Ifanc ac Addysg

Children, Young People and Education Committee

Lynne Neagle MS
Cabinet Secretary for Education

24 June 2024

Teacher recruitment and retention

Dear Lynne,

We are keen to explore issues relating to teacher recruitment and retention, and have started to talk to stakeholders and look at the latest workforce data to better understand issues facing the education workforce.

Over recent weeks, some of my fellow Committee members and I have met with representatives of science bodies to discuss the numbers of specialist science teachers in secondary schools in Wales. The Institute of Physics provided us with [a briefing note](#).

The concerns raised by the science bodies include that:

- There is a national shortage of specialist science teachers (although data setting out which schools do not have specialist teachers is lacking).
- Far fewer students qualify as science teachers through Initial Teacher Education (ITE) studies than the Welsh Government and the Education Workforce Council's recruitment targets.¹
- Wales' ITE Priority Subject bursaries are worth less than equivalent bursaries in England.

¹ For Physics, [EWC data](#) indicates only 3 students qualified in 2022/23 with 1 student deferring, compared to the [intake target of 58](#). The target was also missed, although not to the same drastic extent, in 2021/22 and 2020/21 (EWC data indicates that 17 of 21 students passed their ITE courses in 2021/22 against an intake target of 58, while 24 of 38 students qualified in 2020/21 against an intake target of 63).

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The Institute of Physics raised these concerns in the context of Wales' lowest ever PISA score in science in 2022.

We were shocked by the statistics that the science bodies shared with us. Although we recognise that the total number of registered schools teachers as reported by the Education Workforce Council has increased slightly in recent years, we are gravely concerned that these overall figures hide shortages within specific subject areas. We are also conscious that intake targets have been missed in other subjects, particularly the other priority subjects for recruitment.

Another area where we have concerns over teacher recruitment is the number of teachers who are able to teach through the medium of Welsh – a critical factor in the Welsh Government's Cymraeg 2050 objectives. This is an issue previously raised with us by the Welsh Language Commissioner's Office. We note from the Welsh Government's annual statistical release, the latest being for 2021/22, that:

- The number of students recruited on to initial teacher education courses intending to teach through the medium of Welsh decreased in 2021/22 by 4% compared to 2020/21. It had previously increased for two years in a row in 2019/20 and 2020/21 following five years of decreases.
- A total of 325 students trained to teach in Welsh in 2021/22 – 20% of the 1,610 trainee teachers. This is the same proportion as in 2020/21. (There was a marked increase from 16% in 2018/19 to 22% in 2019/20.) We understand that the Welsh Government expects ITE partnerships to work towards an intake of 30% of students preparing to teach through the medium of Welsh.
- While the number of entrants training to teach in Welsh increased at primary school level (a 10% increase from 2020/21 to 2021/22), the equivalent for secondary school level decreased by 22% in the same period.

We have therefore identified teacher recruitment and retention as a priority area for us to investigate in more detail. To support us with our scoping work, I would be grateful if you could respond to the following questions:

1. What is your general assessment of the state of teacher recruitment and retention across Wales across the statutory age range, both in terms of the immediate staffing challenges facing schools and the Welsh Government's longer-term aims to raise educational standards?
2. How do you respond to the concerns raised by the science bodies about the sufficiency of science specialist secondary school teachers in Wales? Are there any other subjects about

which you have particular concerns (e.g. Welsh (as a subject), modern foreign languages, mathematics and IT)?

3. What is your assessment of the sufficiency of the education workforce who are able to teach through the medium of Welsh and the importance of this to the Welsh Government's ambitions for the development of proficiency in Welsh in both Welsh-medium and English-medium schools?
4. Do you believe that the bursaries currently offered to trainee teachers are sufficient, specifically within the context of higher bursaries offered in England?
5. Do you wish to raise anything else with us that you believe is relevant to any future work we undertake relating to teacher recruitment and retention?

I would be grateful for your response no later than Friday 30 August 2024.

Yours sincerely,



Buffy Williams MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Agenda Item 2.8

**Pwyllgor Diwylliant, Cyfathrebu, y Gymraeg,
Chwaraeon, a Chysylltiadau Rhyngwladol**

**Culture, Communications, Welsh Language,
Sport, and International Relations
Committee**

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Buffy Williams MS

Chair

Children, Young People, and Education Committee

28 June 2024

Closure of Junior Conservatoire at Royal Welsh College of Music and Drama

Dear Buffy,

In view of our committees' shared interest in this issue, I enclose a copy of my correspondence to the Cabinet Secretary for Culture and Social Justice. I have also copied this letter to the Cabinet Secretary for Education. I intend for the Culture, Communications, Welsh Language, Sport, and International Relations Committee to consider this matter and related correspondence ahead of the summer recess.

Yours sincerely,



**Delyth Jewell MS
Committee Chair**

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Lesley Griffiths MS
Cabinet Secretary for Culture and Social Justice
Welsh Government

28 June 2024

Closure of Junior Conservatoire at Royal Welsh College of Music and Drama

Dear Lesley,

The Committee has received correspondence outlining concerns about the plans to close the Junior Conservatoire of the Royal Welsh College of Music and Drama (Young RWCMD) at the end of this summer term. I write to express our worry about this situation, and to ask whether the Welsh Government has any powers to help prevent this from happening.

The closure will affect a number of specialist teaching staff, as well as the 340 students from across Wales who currently attend its weekend programme of lessons and classes. As Wales's only conservatoire, the access provided by the junior programme to bespoke training, state-of-the-art facilities, diverse performance opportunities, and hands-on experience within the arts is irreplicable. I am very worried that the loss of this junior programme will create a significant void in music education for some of our most gifted young people. These individuals are the next generation of performers and artists, and their absence will profoundly affect the vibrant music and performance culture and ecology in Wales for many years to come. I am urging the Welsh Government to do all it can to safeguard this provision, and to do so before it is too late.

I acknowledge that your ministerial portfolio is not responsible for the higher education sector – but given the wider impact the closure of this programme will have on the culture sector, I would like to ask the following questions:

1. What discussions have you or your officials had with the College about their decision to close Young RWCMD?

2. Do you have an estimate as to how much funding is required to continue the programme?
3. Have you or your officials, across Welsh Government, had any discussions about providing financial support to the College to continue the programme?

I am sure that you will share my concerns about the closure of this vital programme and how it will affect young people now and in the future. I would be grateful if you could consider this issue as a matter of urgency, given the imminent closure of the programme.

In view of the crossover of remit, I am copying this letter to the Children, Young People and Education Committee, and to the Cabinet Secretary for Education.

I look forward to receiving your response at the earliest available opportunity.

Yours sincerely



Delyth Jewell MS
Committee Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Agenda Item 2.9

Eluned Morgan AS/MS
Ysgrifennydd y Cabinet dros Iechyd a Gofal Cymdeithasol
Cabinet Secretary for Health and Social Care



Llywodraeth Cymru
Welsh Government

Buffy Williams MS
Chair
Children, Young People and Education Committee

SeneddChildren@senedd.wales

1 July 2024

Dear Buffy

You will be aware that in summer 2022 the then Deputy Minister for Mental Health and Wellbeing consulted on proposals to improve the health of food environments in Wales: [Healthy food environment | GOV.WALES](#).

I am writing to inform you of the [consultation](#) I have published on the enforcement approach and the text of draft regulations for placement and price promotion restrictions in Wales, largely equivalent to [The Food \(Promotion and Placement\) \(England\) Regulations 2021](#) which I intend to lay before the Senedd before the end of 2024. The intention is for there to be a 12-month implementation period, which would allow industry the time to make the necessary changes before, subject to Senedd approval, the coming into force of the regulations towards the end of 2025. You may also wish to note the [Written Ministerial Statement](#) I have published to announce the launch of the consultation.

Following the Welsh Government's separate consultation in 2022 on a proposal to restrict the sale of energy drinks to under 16s, I am also taking this opportunity to undertake a call for evidence to further understand the impacts of energy drink consumption by children, including those for our wider society.

I look forward to hearing your views and working together on this important area.

I have also sent a letter to the Chair of the Health and Social Care Committee and the Chair of the Legislation, Justice and Constitution Committee.

Yours sincerely,

Eluned Morgan AS/MS
Ysgrifennydd y Cabinet dros Iechyd a Gofal Cymdeithasol
Cabinet Secretary for Health and Social Care

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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.

Agenda Item 2.10



Buffy Williams MS

seneddchildren@senedd.wales

Via email only

Monday 08 July 2024

Dear Buffy Williams MS,

Subject: Congratulations and invitation to meet with the Head of Wales at the Equality and Human Rights Commission

Firstly, I would like to warmly congratulate you on your appointment as Chair of the Children, Young People and Education Committee. We built a positive and constructive relationship with your predecessor, and we very much hope to be able to do so with you.

As you will be aware, equality for children and young people is one of our strategic priorities. The Commission's [business plan for 2024/25](#) highlights our continued concerns about the use of restraint in school and issues relating to exclusions. Our [Restraint in schools inquiry: using meaningful data to protect](#)

Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg.

The Commission welcomes correspondence in Welsh or English.

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E: correspondence@equalityhumanrights.com

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[children's rights](#) included several key findings and recommendations for the Welsh Government that would assist the Committee in its scrutiny role.

Supporting educational reform continues to be an area of focus for us and we have submitted evidence to the Committee's ongoing consultation on this. It is crucial that the Curriculum and Assessment (Wales) Act 2021 and the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (ALN Act) are used together to improve the educational attainment of those with certain protected characteristics. Persistent attainment gaps are evidenced in our state of the nation report [Equality and Human Rights Monitor – Is Wales Fairer?2023 \(Is Wales Fairer\)](#). One of our key recommendations is that the Welsh Government evaluates the implementation of the ALN Act and the new Curriculum for Wales, ensuring disaggregation of data by protected characteristics.

We also have concerns about the application of aspects of the Equality Act 2010. Our recent [research](#) found that only 12% of schools in Wales have a strategic equality plan (SEP), a requirement under the Public Sector Equality Duty (PSED). In response, we developed a [resource for schools](#) which sets out how the PSED can be used in the development and implementation of the

Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg.

The Commission welcomes correspondence in Welsh or English.

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curriculum for Wales, making it accessible for all and tackling the greatest inequalities. We want to increase the number of schools that have a published SEP in place.

We are also prioritising our engagement with the Commission for Tertiary Education and Research (CTER). We have provided advice and guidance in the development of CTER and will continue with this as they are established from August 2024. We welcomed the recent statement of priorities including the need to use data to identify inequities in tertiary education. A key recommendation in our *Is Wales Fairer?* report is that CTER should collect comprehensive data to provide robust evidence to help address inequalities in post-16 compulsory education.

I would very much welcome the opportunity to meet with you to discuss how we can support the Committee. My colleagues will be available to arrange a meeting or to answer any questions. Please contact us by email

wales@requalityhumanrights.com

Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg.

The Commission welcomes correspondence in Welsh or English.

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Yours sincerely,

Rev Ruth Coombs

Head of Wales EHRC

Direct telephone: 029 2044 7720

Wales | Cymru

Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg.

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Agenda Item 2.11

Lynne Neagle AS/MS
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Llywodraeth Cymru
Welsh Government

Delyth Jewell MS
Committee Chair

Culture, Communications, Welsh Language, Sport, and International Relations Committee

10 July 2024

Dear Delyth

Thank you for your letter of 28 June to the Cabinet Secretary for Culture and Social Justice, regarding the closure of Junior Conservatoire at Royal Welsh College of Music and Drama (RWCMD). I am responding as this matter falls within my Ministerial portfolio.

The RWCMD wrote to me in advance of the launch of a staff consultation in response to the financial challenges faced by the college. This consultation involved proposals to stop some of its present work with young people of school ages, specifically the Young Acting and Young Music weekend courses.

I know this proposal will have caused apprehension for all those involved. However, as an autonomous body, the RWCMD is responsible for its own academic affairs, including delivery of their courses, and decisions on financial management. It would not be appropriate for the Welsh Government to intervene in such matters.

These courses are subsidised by the RWCMD and are not funded directly from HEFCW (Medr from 1 August) or the Welsh Government. The RWCMD notes that the subsidy in 2023/24 for the direct costs of teaching and administering these courses is in excess of £200,000. This is in addition to the fees paid by the majority of participants. There are also indirect costs associated with supporting these weekend activities including safeguarding, safety and security, technical operations support and fundraising for scholarships and bursaries which are excluded from this total.

RWCMD has stated that it remains fully committed to providing opportunities in music and theatre for young people, and to creating pathways into professional training. It proposes to continue to deliver a number of areas of project work, including a series of weekend immersive workshops in music, the National Open Youth Orchestra residency, and holiday courses in production arts.

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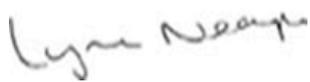
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

As part of its role in supporting music education, the College is considering how to align activity with the Welsh Government's [National Plan for Music Education](#), and in particular providing learners with opportunities to progress in playing an instrument or singing. This is focused on developing and nurturing young people's talents and ambitions, regardless of where they are from, what their needs are, or their background – that is to say, the broadest possible range of learners, and not only the more talented.

In May, Lesley Griffiths MS, Cabinet Secretary for Culture and Social Justice, launched a consultation on the draft priorities for culture in Wales 2024-2030. The draft priorities fully acknowledge the financial challenges faced by the sector but also look to the future by setting the direction and articulating how we can harness the talent, creativity and collaboration we have within our sector.

Welsh Government Officials have met with the RWCMD to discuss its proposals and I met with Helena Gaunt, the Principal of the RWCMD earlier this week.

Yours Sincerely,

A handwritten signature in cursive script that reads "Lynne Neagle".

Lynne Neagle AS/MS
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

Agenda Item 2.12

**Y Pwyllgor Plant, Pobl Ifanc
ac Addysg**

**Children, Young People
and Education Committee**

Claire Homard

Chair of the Association of Directors of Education in Wales

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11 July 2024

Inquiry into Children and Young People on the Margins

Dear Claire,

As you may know, we are currently gathering evidence as part of our inquiry 'children and young people on the margins'. The inquiry is focusing on missing children and criminalised children and young people. More detail about our inquiry, including its terms of reference, can be found on [our web pages](#).

The written consultation window for this inquiry closed on 23 January 2024. We are now in the process of gathering informal evidence from stakeholders via a series of stakeholder events and engagement visits. However, due to pressures to our forward work programme, we have decided to seek targeted written evidence from key stakeholders rather than holding formal oral evidence sessions. We will then then hold a joint scrutiny session with the Cabinet Secretary for Culture and Social Justice and the Minister for Social Services on 19 September 2024.

We are therefore seeking your views on any aspect of the inquiry to bolster our written evidence. In addition to any general comments you wish to make that are relevant to the inquiry's terms of reference, we would appreciate your views on the following specific points:

- The role of schools as protective environments for children who are at risk of marginalisation (i.e. at risk of going missing, being criminalised, or marginalised in some other way). (Frontline stakeholders working with criminally exploited young people told us that none of the young people they work with are attending school.)
- The extent to which school exclusions place children at additional risk of marginalisation, and whether current guidance allows schools' discretion about whether or not children



should be excluded on safeguarding grounds (and the terms of any exclusion that they do make).

- The merits or otherwise of 'zero exclusion' policies, such as the one adopted by Southwark Council.
- Concerns expressed by stakeholders about children who are EOTAS about which who has oversight of their well-being and safety when they are outside the maintained school system.
- Concerns expressed by stakeholders about their experience of young people they refer to as 'unofficial exclusions' where pupils are not attending school.
- Any other education specific issues relating to missing children or child criminal exploitation alongside any recommendations you would like to see the Committee make in this regard.

I would be grateful for your response no later than Friday 23 August 2024 so that we can take account of your views in advance of our scrutiny session with the Welsh Government.

Yours sincerely,



Buffy Williams MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Agenda Item 2.13

**Y Pwyllgor Plant, Pobl Ifanc
ac Addysg**

**Children, Young People
and Education Committee**

Andrew Morgan
British Transport Police

11 July 2024

Inquiry into Children and Young People on the Margins

Dear Andrew,

The Senedd's Children, Young People and Education Committee is currently gathering evidence as part of our inquiry 'children and young people on the margins'. The inquiry is focusing on missing children and criminalised children and young people. More detail about our inquiry, including its terms of reference, can be found on [our web pages](#).

The written consultation window for this inquiry closed on 23 January 2024. We are now in the process of gathering informal evidence from stakeholders via a series of stakeholder events and engagement visits. However, due to pressures to our forward work programme, we have decided to seek targeted written evidence from key stakeholders rather than holding formal oral evidence sessions. We will then then hold a joint scrutiny session with the Welsh Government's Cabinet Secretary for Culture and Social Justice and Minister for Social Services on 19 September 2024.

In addition to any general comments you wish to make that are relevant to the inquiry's terms of reference, we would appreciate your views on the following specific points:

- The British Transport Police works in collaboration with the Children's Society and National County Lines Coordination Centre to run the #LookCloser campaign. How effective has this campaign been in raising awareness about child criminal exploitation and how to report it? What impact has it had?
- What measures are in place to identify and protect children and young people from criminal exploitation on the transport network, in particular the role BTP plays in tackling county lines on the rail network (which is key to the transport of drugs)?

Senedd Cymru

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I would be grateful for your response no later than Friday 23 August 2024 so that we can take account of your views in advance of our scrutiny session with the Welsh Government.

Yours sincerely,



Buffy Williams MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Agenda Item 2.14

**Y Pwyllgor Plant, Pobl Ifanc
ac Addysg**

**Children, Young People
and Education Committee**

PCC Dafydd Llywelyn
Chair of Policing in Wales

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11 July 2024

Inquiry into Children and Young People on the Margins

Dear Dafydd,

As you may know, we are currently gathering evidence as part of our inquiry 'children and young people on the margins'. The inquiry is focusing on missing children and criminalised children and young people. More detail about our inquiry, including its terms of reference, can be found on [our web pages](#).

The written consultation window for this inquiry closed on 23 January 2024. We are now in the process of gathering informal evidence from stakeholders via a series of stakeholder events and engagement visits. However, due to pressures to our forward work programme, we have decided to seek targeted written evidence from key stakeholders rather than holding formal oral evidence sessions. We will then hold a joint scrutiny session with the Cabinet Secretary for Culture and Social Justice and the Minister for Social Services on 19 September 2024.

We are therefore seeking your views on any aspect of the inquiry to bolster our written evidence. In addition to the comments that you provided in your written consultation response, we would appreciate your views on the following specific points:

- **Strategic Direction:** How have you incorporated the issue of child criminal exploitation into your strategic direction for the Welsh police forces? What specific objectives have you set to address this issue?
- **Resource Allocation:** How are resources allocated to tackle child criminal exploitation? Are there any specific funding or resources that have been particularly helpful in supporting the work of frontline officers and investigative teams?

I would be grateful for your response no later than Friday 23 August 2024 so that we can take account of your views in advance of our scrutiny session with the Welsh Government.

Yours sincerely,



Buffy Williams MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Agenda Item 2.15

**Y Pwyllgor Plant, Pobl Ifanc
ac Addysg**

**Children, Young People
and Education Committee**

Amanda Blakeman

Chair of Welsh Chief Officer Group

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11 July 2024

Inquiry into Children and Young People on the Margins

Dear Amanda,

As you may know, we are currently gathering evidence as part of our inquiry 'children and young people on the margins'. The inquiry is focusing on missing children and criminalised children and young people. More detail about our inquiry, including its terms of reference, can be found on [our web pages](#).

The written consultation window for this inquiry closed on 23 January 2024. We are now in the process of gathering informal evidence from stakeholders via a series of stakeholder events and engagement visits. However, due to pressures to our forward work programme, we have decided to seek targeted written evidence from key stakeholders rather than holding formal oral evidence sessions. We will then then hold a joint scrutiny session with the Cabinet Secretary for Culture and Social Justice and the Minister for Social Services on 19 September 2024.

We are therefore seeking your views on any aspect of the inquiry to bolster our written evidence. In addition to any general comments you wish to make that are relevant to the inquiry's terms of reference, we would appreciate your views on the following specific points:

1. **Inspection findings: [A HMICFRS report](#)** identified shortcoming in the Metropolitan Police Service's handling of child sexual and criminal exploitation cases, including inadequate risk assessment, delayed responses, and the use of victim-blaming language. Have the Welsh police forces undertaken a review of its own practices? Specifically, have the forces considered the findings of this report in evaluating and improving its response to cases of missing children and young people and child criminal exploitation?

2. **Training and Awareness:** How are frontline police officers trained to identify and respond to signs of child criminal exploitation? Are there any specific programmes or initiatives in place to raise awareness among officers about this issue?
3. **Collaboration and Coordination:** How do the four Welsh police forces collaborate with other each other and other agencies, such as Youth Offending Teams and social services, in efforts to prevent and respond to child criminal exploitation? How is information shared between these different organisations

I would be grateful for your response no later than Friday 23 August 2024 so that we can take account of your views in advance of our scrutiny session with the Welsh Government.

Yours sincerely,



Buffy Williams MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Agenda Item 2.16

**Y Pwyllgor Plant, Pobl Ifanc
ac Addysg**

**Children, Young People
and Education Committee**

James Warr

Chair of Youth Offending Team Managers Cymru

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11 July 2024

Inquiry into Children and Young People on the Margins

Dear James,

As you may know, we are currently gathering evidence as part of our inquiry 'children and young people on the margins'. The inquiry is focusing on missing children and criminalised children and young people. More detail about our inquiry, including its terms of reference, can be found on [our web pages](#).

The written consultation window for this inquiry closed on 23 January 2024. We are now in the process of gathering informal evidence from stakeholders via a series of stakeholder events and engagement visits. However, due to pressures to our forward work programme, we have decided to seek targeted written evidence from key stakeholders rather than holding formal oral evidence sessions. We will then then hold a joint scrutiny session with the Cabinet Secretary for Culture and Social Justice and the Minister for Social Services on 19 September 2024.

We are therefore seeking your views on any aspect of the inquiry to bolster our written evidence. In addition to any general comments you wish to make that are relevant to the inquiry's terms of reference, we would appreciate your views on the following specific points:

- Could you outline what role youth offending teams have in dealing with and helping children and young people who are experiencing or at risk of criminal exploitation including details of:
 - **Prevention:** Specific prevention programmes you are implementing
 - **Intervention strategies:** How you intervene when a child or young person is identified as being at risk of criminal exploitation, specifically what support



services do you provide and how do you collaborate with other agencies (such as social services, schools etc)?

- **Training and awareness:** What training do your team members receive to identify and respond to signs of criminal exploitation, and how do you raise awareness about this issue with children, young people and their families?
- What specific guidance or resources are youth justice services given to support your work in dealing with children experiencing or at risk of criminal exploitation, including support from the Youth Justice Board, Welsh Government, and Safeguarding Boards?

I would be grateful for your response no later than Friday 23 August 2024 so that we can take account of your views in advance of our scrutiny session with the Welsh Government.

Yours sincerely,



Buffy Williams MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

—
**Children, Young People
and Education Committee**

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Chief Executives
NHS Health Boards

17 July 2024

Inquiry into Children and Young People on the Margins

Dear colleagues,

As you may know, we are currently gathering evidence as part of our inquiry 'children and young people on the margins'. The inquiry is focusing on missing children and criminalised children and young people. More detail about our inquiry, including its terms of reference, can be found on [our web pages](#).

The written consultation window for this inquiry closed on 23 January 2024. We are now in the process of gathering informal evidence from stakeholders via a series of stakeholder events and engagement visits. However, due to pressures to our forward work programme, we have decided to seek targeted written evidence from key stakeholders rather than holding formal oral evidence sessions. We will then then hold a joint scrutiny session with the Cabinet Secretary for Culture and Social Justice and the Minister for Social Services on 19 September 2024.

We are therefore seeking your views on any aspect of the inquiry to bolster our written evidence. In addition to any general comments you wish to make that are relevant to the inquiry's terms of reference, we would appreciate your views on the following specific points:

- The scale and nature of children and young people presenting in accident and emergency departments with injuries that suggest they may be the victims of child criminal exploitation, and details of any specific strategies and/or projects that health boards are involved with in this regard.
- Presentations to sexual health clinics that indicate risks of involvement in child criminal activities. Details of any specific strategies and/or projects that health boards are involved with in this regard.



- Presentations to any other primary health care provision in respect of child criminal exploitation and missing children, alongside any recommendations you would like to see the Committee make in this regard.

I would be grateful for your response no later than Friday 23 August 2024 so that we can take account of your views in advance of our scrutiny session with the Welsh Government.

Yours sincerely,



Buffy Williams MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Agenda Item 2.18

**Y Pwyllgor Plant, Pobl Ifanc
ac Addysg**

**Children, Young People
and Education Committee**

Leah Silva

Principal Public Health Practitioner (Policy & Advocacy), Public Health Wales

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11 July 2024

Inquiry into Children and Young People on the Margins

Dear Leah,

As you may know, we are currently gathering evidence as part of our inquiry 'children and young people on the margins'. The inquiry is focusing on missing children and criminalised children and young people. More detail about our inquiry, including its terms of reference, can be found on [our web pages](#).

The written consultation window for this inquiry closed on 23 January 2024. We are now in the process of gathering informal evidence from stakeholders via a series of stakeholder events and engagement visits. However, due to pressures to our forward work programme, we have decided to seek targeted written evidence from key stakeholders rather than holding formal oral evidence sessions. We will then hold a joint scrutiny session with the Cabinet Secretary for Culture and Social Justice and the Minister for Social Services on 19 September 2024.

In addition to any general comments you wish to make that are relevant to the inquiry's terms of reference, we would appreciate your views on the following specific points:

- How does the "Wales Without Violence – A Shared Framework for Preventing Violence among children and young people" address the specific issues of children and young people who go missing and preventing child criminal exploitation?
- How does the Framework ensure the safety and well-being of children and young people from all backgrounds and communities?
- How does the "Serious Violence Duty Strategic Needs Assessment Guidance for Wales" address the issues?



I would be grateful for your response no later than Friday 23 August 2024 so that we can take account of your views in advance of our scrutiny session with the Welsh Government.

Yours sincerely,



Buffy Williams MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Agenda Item 2.19

**Y Pwyllgor Plant, Pobl Ifanc
ac Addysg**

**Children, Young People
and Education Committee**

Mark Cox

Head of Oversight (Cymru), Youth Justice Boards (Wales)

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11 July 2024

Inquiry into Children and Young People on the Margins

Dear Mark,

As you may know, we are currently gathering evidence as part of our inquiry 'children and young people on the margins'. The inquiry is focusing on missing children and criminalised children and young people. More detail about our inquiry, including its terms of reference, can be found on [our web pages](#).

The written consultation window for this inquiry closed on 23 January 2024. We are now in the process of gathering informal evidence from stakeholders via a series of stakeholder events and engagement visits. However, due to pressures to our forward work programme, we have decided to seek targeted written evidence from key stakeholders rather than holding formal oral evidence sessions. We will then then hold a joint scrutiny session with the Cabinet Secretary for Culture and Social Justice and the Minister for Social Services on 19 September 2024.

We are therefore seeking your views on any aspect of the inquiry to bolster our written evidence. In addition to any general comments you wish to make that are relevant to the inquiry's terms of reference, we would appreciate your views on the following specific points:

- The interaction of youth justice services with children who go missing and who are victims of child criminal exploitation. What that can tell us about the nature and scale of the issue in Wales, including regional variations?
- How is the YJB working to prevent children from being exploited by criminal gangs and subsequently drawn into criminal behaviour?
- Could you provide information on any funding that the YJB has allocated to facilitate collaborative efforts among regions, specifically initiatives aimed at identifying and sharing



emerging practices in youth justice that support children who are either experiencing criminal exploitation or are at risk of such exploitation? Additionally, could you confirm if any of these funded regions are located in Wales?

- Could you elaborate on the role of the YJB in addressing the concerns raised in Professor John Pitts' report, which highlighted that the responses to child criminal exploitation have often been inconsistent and poorly coordinated?
- Has the YJB considered the role of technology and online interactions in drawing children into criminal activity, particularly where they can be exploited by adults to carry out criminal activities?
- Has the YJB assessed the impact of the disruption caused by the COVID-19 pandemic, particularly in terms of access to education, on the risk of children going missing or becoming involved in criminal activities?
- Has the YJB has conducted any assessments to determine if children from disadvantaged backgrounds, particularly children from minoritised racial communities are at a higher risk of criminal exploitation?
- Any recommendations you would like the Committee to consider in this regard.

I would be grateful for your response no later than Friday 23 August 2024 so that we can take account of your views in advance of our scrutiny session with the Welsh Government.

Yours sincerely,



Buffy Williams MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Agenda Item 2.20

**Y Pwyllgor Plant, Pobl Ifanc
ac Addysg**

**Children, Young People
and Education Committee**

Laura Cooper, Katya Moran, Aika Stephenson, and Shauneen Lambe
Directors, Youth Justice Legal Centre

11 July 2024

Inquiry into Children and Young People on the Margins

Dear colleagues,

The Senedd's Children, Young People and Education Committee is currently gathering evidence as part of our inquiry 'children and young people on the margins'. The inquiry is focusing on missing children and criminalised children and young people. More detail about our inquiry, including its terms of reference, can be found on [our web pages](#).

The written consultation window for this inquiry closed on 23 January 2024. We are now in the process of gathering informal evidence from stakeholders via a series of stakeholder events and engagement visits. However, due to pressures to our forward work programme, we have decided to seek targeted written evidence from key stakeholders rather than holding formal oral evidence sessions. We will then then hold a joint scrutiny session with the Welsh Government's Cabinet Secretary for Culture and Social Justice and Minister for Social Services on 19 September 2024.

We are therefore seeking your views on any aspect of the inquiry to bolster our written evidence, and would welcome any comments you wish to make that are relevant to the inquiry's terms of reference.

I would be grateful for your response no later than Friday 23 August 2024 so that we can take account of your views in advance of our scrutiny session with the Welsh Government.

Yours sincerely,



Buffy Williams MS
Chair

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Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Rebecca Evans MS

Cabinet Secretary for Finance, Constitution and Cabinet Office

11 July 2024

Dear Rebecca,

Welsh Government Budget Timetable 2025-26

Thank you for your letter of 4 July inviting us to comment on the proposed timetable for consideration of the Draft Budget 2025-26.

I fully appreciate that the Welsh Government's budgetary position remains unclear until the UK Government confirms the date of its fiscal event. I also recognise that publishing a Draft Budget earlier, based on indicative figures only, would be problematic, and should only be done as a last resort.

Furthermore I welcome that the Draft Budget will be laid this year during term time. This is an important principle and ensures that Members of the Senedd have an opportunity to consider the Welsh Government's proposals in Plenary as soon as they are published.

However, I would like to challenge your assertion that there is "no better alternative in these current circumstances" to publishing the Draft Budget on 10 December 2024.

In particular, we believe that the proposed timetable does not sufficiently take into account the concerns raised by Committees following the scrutiny of last year's Draft Budget. These were shared

with you on 27 June 2024, and it is disappointing that you made no reference to them in your letter; the second year in a row which you have failed to do so.

In their responses, several Committees called for more time to be made available to scrutinise the Draft Budget. We agree that the shortened timescales last year made it extremely challenging for all Committees to meaningfully assess the impact the Draft Budget has on policy areas within their remit and, in particular, to incorporate views from stakeholders. We ask for further justification on why a longer scrutiny window was not considered, particularly as bringing forward the publication date of the Draft Budget to enable more evidence sessions to take place this side of the Christmas recess would be highly beneficial.

Calls were made for the Welsh Government to adhere to the two stage budget process, and we find it regrettable that you are proposing circumventing the process again this year; the sixth year in a row that this has happened. As a result, we call on you to prioritise facilitating a two stage approach this year, if there is time available after the UK Government's fiscal event takes place.

In addition, Committees requested that ministerial evidence papers should be published at the same time, or close to, the publication of the Draft Budget. Again, it is disappointing that you chose not to address this point your letter of 4 July, and we ask you to consider this when preparing the publication of the Draft Budget later in the year.

Flexible scheduling options in the Senedd was also suggested by Committees as a way to maximise scrutiny opportunities.

Whilst I understand that these are matters for the Business Committee, I would welcome your views on the following proposals relating to the scheduling of Senedd business, should the Draft Budget be laid before the Senedd on or later than 10 December:

- automatically enabling Finance Committee to hold additional meeting slots during Christmas recess, should the need arise;
- providing more meeting slots for Committees during the budget scrutiny window, including extending the business week and providing more slots for committees to take evidence from stakeholders and experts (which could be offset by cutting down on the length of Plenary meetings);
- allowing more time for the consideration of Committee reports during Plenary meetings to enable detailed policy discussions on each aspect of the Draft Budget.

I have raised similar issues in response to the Business Committee's letter consulting us on the budget timetable.

Finally, I would also like to challenge your views that “these arrangements are acceptable given the circumstances, which are driven, once again, by external factors beyond our immediate control”.

As Cabinet Secretary, you are ultimately responsible for setting the budget and the strategic management of the Welsh Government’s resources. I would also remind you that proposing the timing of the Draft Budget is within the Welsh Government’s gift.

Whilst the Committee has sympathy with the uncertainties faced by the Welsh Government in understanding its financial position, we strongly feel that this should be balanced by the need of the Senedd to scrutinise detailed proposals and that adequate time should be provided to reflect the magnitude of the tasks facing Committees. Detailed scrutiny which meets the needs and expectations of our stakeholders and the public at large cannot be achieved under the proposed timetable.

I welcome your willingness to revisit the proposed timetable once the date of the UK Government’s fiscal event is known. Given that the Chancellor has indicated her intention to announce this date before the end of this month, I ask you to provide an updated timetable as soon as possible.

A copy of this letter has been sent to the Business Committee, the Chairs of all Senedd Committees, , and the Trefnydd and Chief Whip.

Yours sincerely,



Peredur Owen Griffiths MS
Chair, Finance Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Jeremy Miles AS/MS
Ysgrifennydd y Cabinet dros yr Economi, Ynni a'r Gymraeg
Cabinet Secretary for Economy, Energy and Welsh Language

Agenda Item 2.22



Llywodraeth Cymru
Welsh Government

Buffy Williams, AS
Chair
Children, Young People and Education Committee
Senedd Cymru
Cardiff Bay
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15 July 2024

Dear Buffy,

Welsh Language and Education (Wales) Bill

Following the introduction of the Welsh Language and Education (Wales) Bill into the Senedd today, please find attached a copy of the statement of policy intent . This document is provided to support the Committee's scrutiny of the Bill.

I look forward to providing evidence to the Committee in due course.

I am copying this letter to the Chair of the Legislation, Justice and Constitution Committee .

Yours sincerely,

Jeremy Miles AS/MS

Ysgrifennydd y Cabinet dros yr Economi, Ynni a'r Gymraeg
Cabinet Secretary for Economy, Energy and Welsh Language

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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.



Llywodraeth Cymru
Welsh Government

WELSH LANGUAGE AND EDUCATION (WALES) BILL

Statement of Policy Intent for Subordinate Legislation to
be made under this Bill

July 2024

WELSH LANGUAGE AND EDUCATION (WALES) BILL

STATEMENT OF POLICY INTENT FOR SUBORDINATE LEGISLATION

Introduction

1. This document outlines the current policy intention for the subordinate legislation which Welsh Ministers would be empowered or required to make under the provisions of the Welsh Language and Education (Wales) Bill ('the Bill') as laid before Senedd Cymru on 15 July 2024.
2. The Statement has been produced in order to assist the Senedd committees during the scrutiny of the Bill. It should be read in conjunction with the Bill, the Explanatory Memorandum and the Explanatory Notes which form part of the Memorandum.
3. The Senedd procedure for each power is detailed in Chapter 5 of the Explanatory Memorandum. Those details are not recounted in this document. The reason specified for the use of the Senedd procedure reflects the '[Welsh Government guidelines on subordinate legislation: draft affirmative or negative assembly procedure](#)' (April 2012).
4. In developing subordinate legislation, the Welsh Government will work closely with stakeholders and consult publicly where appropriate to seek views on the subordinate legislation.

Overview of the Bill

5. The main objective of this Bill is to ensure that all pupils are independent Welsh language users, at least, by the time they reach the end of compulsory school age. Furthermore, the aim is for all pupils to develop oral skills equivalent to level B2, at least, of the Common European Framework of Reference for Languages.

In summary, the Bill will:

- provide a statutory basis for the target of one million Welsh speakers by 2050, as well as other targets relating to the use of the language, including in the workplace and socially;
- establish a standard method for describing Welsh language ability based on the common reference levels of the Common European Framework of Reference for Languages;
- make provisions for designating statutory language categories for schools, along with requirements relating to the amount of Welsh language education provided (including a minimum amount), and Welsh language learning goals for each category;
- link linguistic planning at a national level (by placing a duty on the Welsh Ministers to prepare a National Framework for Welsh Language Education and Learning Welsh), at local authority level (by placing a duty on the local authorities to prepare local Welsh in education strategic plans), and at school level (by placing a duty on schools to prepare Welsh language education delivery plans);

- establish a National Institute for Learning Welsh as a statutory body responsible for supporting people (of all ages) to learn Welsh

PART 1 - PROMOTION AND FACILITATION OF USE OF THE WELSH LANGUAGE

SECTION	3(1), 3(2)(b)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>The duty in section 3(1) and the power in section 3(2)(b) allow the Welsh Ministers, by regulations, to specify the basis for calculating the number of Welsh speakers for the purposes of sections 1 and 2 of the Bill. The power has a limitation to the extent that:</p> <ul style="list-style-type: none"> • any relevant data derived from a census conducted in accordance with the Census Act 1920 must be taken into account • the basis for calculating the number of persons aged 16 and over who are Welsh speakers must be the individuals' self-assessment of their Welsh language ability • the basis for calculating the number of children under the age of 16 who are Welsh speakers must be the self-assessment of their Welsh language ability, or an assessment by a parent or carer, or any other method specified by the Welsh Ministers in regulations. 	
WHY THE POWER/DUTY IS REQUIRED	
<p>It is appropriate to allocate the power in section 3(1) and the duty in section 3(2)(b) to allow the Welsh Ministers the flexibility to vary the data sources used for calculating the number Welsh speakers e.g. to adapt to new methods over time due to advances in technology and data collection methods.</p> <p>The provision in section 3(2)(b) gives the Welsh Ministers the discretion to specify an additional method to that described on the face of the Bill, if necessary, to calculate the number of Welsh speakers under the age of 16, and the same flexibility will need to be allowed to vary the data sources used over time e.g. to use data collected by schools.</p>	
POLICY INTENT – HOW THE DELEGATED POWER IS INTENDED TO BE USED	
<p>When the targets of the Welsh Ministers' current strategy Cymraeg 2050: a million Welsh speakers were set in 2017 to reach a million speakers and double the numbers who use the language on a daily basis, it became evident that there was a need to consider how to define a 'Welsh speaker' and at what level of proficiency would an individual be likely to use Welsh on a daily basis. These delegated duties are intended to be used to provide clarity, through regulations, on how the number of Welsh speakers will be calculated. This will provide clarity on the statutory target of one million speakers by 2050 and various other targets in the strategy under 1(1) on promoting and facilitating the use of Welsh.</p> <p>Provision 3(2) is also intended to confirm the current policy principle that the number of Welsh speakers aged 16 and over will be calculated on the basis of self-assessment. As such, individuals' perception of their own Welsh skills (and that of their children) is key to measuring progress towards realising the Cymraeg 2050 targets.</p>	

Provision 3(1) confirms that the census continues to be the main source of information to report on the Welsh language skills of people in Wales and to measure progress towards the one million Welsh speakers target by 2050. The delegated power is also intended to be used to consider how data could be accessed from other sources about Welsh language ability of individuals aged 16 and over, and other methods for collecting data about the Welsh language ability of children under the age of 16.

There is a correlation between the powers/duties in section 3(1) and 3(2)(b) and the powers/duties in:

- section 1 on setting targets in the Welsh language strategy
- section 2 about reporting on the targets in the Welsh language strategy at least once every 5 years
- section 3(3) about the formulation and publication of guidance on self-assessments under 3(2)
- section 3(4) about having regard to the Code on describing capability in Welsh in formulating and publishing the guidance under 3(3)
- section 3(5) about taking all reasonable steps to consider the guidance under 3(3) in collecting the data under 3(1) and carrying out the self-assessments under 3(2).

OTHER RELEVANT INFORMATION

Nothing to note.

SECTION	3(3)
FORM	Guidance
DESCRIPTION OF THIS GUIDANCE	
<p>The provision in section 3(3) places a duty on the Welsh Ministers to prepare and publish guidance on assessments to assist individuals in completing assessments, including a self-assessment of their Welsh language ability, and to assist in collecting data on the number of Welsh speakers. The Welsh Ministers must have regard to the Code drawn up under section 6 when preparing the guidance.</p>	
WHY THE POWER/DUTY IS REQUIRED	
<p>It is appropriate to allocate the duty in section 3(3) to the Welsh Ministers and it will be necessary to wait until the Code describing Welsh language ability under section 6 of the Bill has been drawn up so that it can be considered in preparing the guidance in section 3(3).</p>	
POLICY INTENT – HOW THE DELEGATED POWER IS INTENDED TO BE USED	
<p>The intention would be to use the provision to provide guidance in addition to that which will be included in the Code drawn up under 6(1), in order to provide clarity and support to individuals on how to meaningfully assess or self-assess ability in Welsh. Therefore, the Code will have to be in existence before this power can be used.</p> <p>There is a correlation between the duties in section 3(3) and the powers/duties in:</p> <ul style="list-style-type: none"> - section 3(2) which gives the Welsh Ministers the discretion to specify an additional method to that described on the face of the Bill, if necessary, to calculate the number of children under the age of 16 who are Welsh speakers. - section 3(4) about having regard to the Code describing Welsh language ability drawn up under 6(1) in preparing and publishing the guidance under 3(3) - section 3(5) about taking all reasonable steps to ensure that the guidance under 3(3) is taken into account when collecting the data under 3(1) and carrying out the self-assessments under 3(2). 	

OTHER RELEVANT INFORMATION

In publishing the first data about the Welsh language from the 2021 Census, the Chief Statistician noted in December 2022 that an individual's assessment of how well they speak a language can be subjective. For some people, the ability to say a few words in Welsh is enough for them to say that they speak the language. For others, although they speak the language regularly, they may say they cannot speak it if they feel more comfortable speaking another language.

The comments highlight the need for a more mature narrative around how individuals self-assess their Welsh language ability. The Chief Statistician added that it is clear from the National Survey for Wales that there is an increasing number of people who are able to speak *some* Welsh, and that choosing between 'yes' and 'no' when asked whether they can speak the language may be particularly challenging for those people. It was further noted that this is a contributing factor in the different estimates provided by different data sources.

The comments support the need for guidance to provide clarity and support to individuals on how to meaningfully self-assess their ability in Welsh.

PART 2 – DESCRIBING WELSH LANGUAGE ABILITY

SECTION	5(2)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>The power in section 5(2) allows the Welsh Ministers, by regulations, to amend the Table in Schedule 1. They may not use the power unless necessary in response to any changes made by the Council of Europe to the European Common Framework of Reference for Languages.</p>	
WHY THE POWER/DUTY IS REQUIRED	
<p>It is appropriate to allocate the power to the Welsh Ministers because flexibility is needed to be able to modify the Table in Schedule 1 of the Bill.</p>	
POLICY INTENT – HOW THE DELEGATED POWER IS INTENDED TO BE USED	
<p>The power will ensure that the Welsh Ministers are able to modify the contents of the Table in Schedule 1, if deemed necessary, to ensure that the types of user, the common levels of reference and the general characteristics of the users continue to be based on the content of the Common European Framework of Reference for Languages.</p>	
OTHER RELEVANT INFORMATION	
<p>Nothing to note.</p>	

SECTION	6(1) to (3), 7(1) and (2)
FORM	Code
DESCRIPTION OF THE CODE	
<p>The provision in section 6(1) to (3) places a duty on the Welsh Ministers to draw up a Code to describe ability in Welsh (the Code) based on the Common European Framework of Reference for Languages (CEFR). The Code must include a description of the specific characteristics of each of the six common reference levels A1-C2 set out in the Table in Schedule 1 of the Bill in relation to the Welsh language, and explain how they should be used.</p> <p>The provision in section 7(1) and (2) places a duty on the Welsh Ministers to publish the Code, to review it from time to time and to amend it as appropriate. They must consult on the contents of the Code before publishing it for the first time ,and before it is published each time it is amended.</p>	
WHY THE POWER/DUTY IS REQUIRED	
<p>It is appropriate to allocate the duties in section 6 and 7 to the Welsh Ministers because it is necessary to include comprehensive and detailed information in the Code regarding the specific characteristics of the common reference levels. This information is technical in nature and will require expert input.</p> <p>As the new standard method of describing ability in Welsh will be increasingly used in different contexts, flexibility will be needed to update the information in the Code. It is envisaged that it will be used, for example, as a basis for assessing language skills, for providing Welsh language learning for learners over compulsory age and for providing resources and qualifications.</p>	
POLICY INTENT – HOW THE DELEGATED POWER IS INTENDED TO BE USED	
<p>The provision will enable the establishment of a single standard method for describing ability in Welsh to provide a common understanding across different Welsh lifelong learning contexts, rather than the many different methods currently used by individuals, schools, resource and qualification providers, employers etc. The provision is supported in the Bill by the reproduction of a table from the Common European Framework of Reference for Languages (CEFR) in Schedule 1 which provides for three types of Welsh user and the common levels of reference for those users (in relation to Welsh).</p> <p>For the education sector, this provision is intended to introduce the common reference levels in order to provide clarity to parents and pupils regarding the expectation in terms of ability in Welsh at the end of compulsory education in the different categories of schools, and clarity to schools on the aim of their provision. The intention is to facilitate progression planning for school pupils particularly when transitioning to secondary school, so that they can continue to make progress and build on the skills they have already developed. The provision is also intended to establish the single standard method as the basis for standardising teaching resources and materials and for reference in the assessment arrangements to ensure pupils' progress towards</p>	

achieving a school's Welsh language learning goal. The Code will enable clear expectations to be set for providing qualifications and will ensure clarity on the extent to which a qualification will be of benefit in the future.

In terms of lifelong Welsh language learning, the provision will ultimately improve the quality of data collected about the number of Welsh speakers, whether as part of the census or otherwise, and will strengthen the structures that will allow coherent language planning in Wales to realise the targets of the Cymraeg 2050 strategy. All workplaces will be able to use the standard method of describing Welsh language ability established in the Code to plan for the increased use of Welsh.

Publishing the Code under 6(1) will need to be one of the first steps in implementing the Bill. There is a correlation between the duties in section 6 (1) to (3) and 7(1) and (2) and the powers/duties in:

- section 3(3) about the formulation and publication of guidance for the purpose of assisting individuals to complete a self-assessment of their ability in Welsh, and the role of the guidance in collecting data on the number of Welsh speakers (3(5))
- section 4(1) about reviewing the standards specified under section 26 of the Welsh Language (Wales) Measure 2011 with a view to determining whether certain standards need to be amended to reflect the Code
- section 4(2) about the timetable for completion of the review of the standards in section 4(1)
- section 11(1) to (3) about Welsh language learning goals for "Primarily Welsh Language", "Dual Language" and "Primarily English Language, partly Welsh" category schools (as the Welsh language learning goals refer to proficient/independent/basic users that tie into the common reference levels in Schedule 1). Section 6(2) places a duty to describe the specific characteristics of each common reference level in the Code
- section 11(5)(b) regarding any further provision in the Code to clarify the meaning of "oral common reference level B2"
- section 12(2) about making assessment arrangements by regulations under section 56 of the Curriculum and Assessment (Wales) Act 2021 for the purpose of ensuring pupils' progress towards achieving a school's Welsh language learning goal.
- section 12(3) about ensuring that the Welsh Ministers, in drawing up the Progression Code under the Curriculum and Assessment (Wales) Act 2021 and keeping it under review, must have regard to the Welsh language learning goals set out by section 11 of the Bill (as the Welsh language learning goals refer to proficient/independent/basic users attached to the common levels of reference in Schedule 1). Section 6(2) places a duty to describe the specific characteristics of each common reference level in the Code
- section 23(3)(d) about ensuring that training, professional development and support is made available for education practitioners for the purpose of improving ability in Welsh
- section 23(7)(b) about setting targets for the National Institute for Learning Welsh to improve ability in Welsh among people over compulsory school age

- section 37(5)(b) about the learning levels of Welsh language learning provision for learners over compulsory school age.

OTHER RELEVANT INFORMATION

Nothing to note.

PART 3 – WELSH LANGUAGE EDUCATION

SECTION	9(3)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>This power allows the Welsh Ministers to make provision, by regulations, in relation to schools that are designated more than one language category.</p>	
WHY THE POWER/DUTY IS REQUIRED	
<p>Section 9(3) allows schools to be designated more than one language category for their provision This provision is appropriate as some schools, particularly primary schools, that are within the current non-statutory categorisation system have more than one education stream (for example, a Welsh stream and an English stream or a dual language stream). However, the purpose of the policy is not to allow schools to be in more than one category where that would go against the ambition of increasing Welsh language education.</p> <p>Accordingly, it is appropriate to allow the designation of more than one category on the face of the Bill to provide clarity to stakeholders. However, the policy intention is to provide further detail on the extent of this provision through regulations. It is not appropriate to include such detail on the face of the Bill because:</p> <ul style="list-style-type: none"> a) Designating more than one language category to a school is a multilayered issue. It may be a fair reflection of the education provision, it may be a proactive way of gradually moving a school into a higher category, or it may run counter to the policy ambition to increase Welsh language education by allowing a lower category to be designated where it is not desirable. This level of detail is better suited for inclusion in regulations. b) It is appropriate to consult more widely with the sector to hear the views of those who will implement the policy. This can be done at the same time as the consultation on the amount of Welsh language education provision to be specified in each category under section 10(1). 	
POLICY INTENT – HOW THE DELEGATED POWER IS INTENDED TO BE USED	
<p>It is intended to exercise the power to make regulations in order to make further provision in relation to the designation of more than one language category to schools by the time the statutory categories come into force. This will provide clarity for schools when designating their language category in their Welsh language education delivery plan, and also clarity to local authorities when approving the language category.</p> <p>In practice, the regulations will reflect the Welsh Ministers' desire to narrow the scope of the power to designate more than one category so that it is not overused or used where it is not desirable. It is likely that the Welsh Ministers will undertake further</p>	

engagement with schools and local authorities to ensure that there is mutual understanding about the extent of the permission to designate more than one language category.

OTHER RELEVANT INFORMATION

We will build on that which was established in the non-statutory guidance published in 2021 on the categorisation of schools by Welsh-medium provision. This guidance stated:

In the primary sector we plan to amend PLASC so that primary schools will be able to identify themselves in more than one category. This is most relevant for schools currently categorised as dual stream primary schools with an English-medium and Welsh-medium stream. The ability to record a school's provision in two separate categories will mean that new school models, such as schools with category 2 and category 3 streams, can be recognised. Primary schools identifying their provision in two separate categories as referred to above, should clearly outline to parents the nature of provision and expected linguistic outcomes for learners following the different streams.

Primary schools wishing to increase their provision gradually can also categorise streams or classes within a school to reflect this. For example, this could be achieved by delivering Welsh-medium provision up to age 7 (using Welsh as the predominant language of teaching) to begin with, with each year group following suit year on year until the whole school is Welsh-medium. Any such change would need to be consulted upon under the School Organisation Code.

Linguistic progression in Welsh (in terms of the amount of the curriculum followed through the medium of Welsh) becomes more challenging as learners transfer to the secondary sector, and increases as learners progress through each year group. For this reason, it is proposed that in categorising secondary schools, the following two criteria should be used to support schools and governing bodies to increase progression levels. With this in mind, Category 2 and 3 models should be defined according to an input and output model, namely:

- *Input: The percentage of Areas of Learning and Experience (AoLEs) as well as extra-curricular activities offered through the medium of Welsh.*
 - *Output: The percentage of pupils following those Areas of Learning and Experience (AoLEs) through the medium of Welsh up to the age of 16*
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SECTION	10(1) and (2)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>This places a duty on the Welsh Ministers to make regulations specifying the amount of Welsh language education in each language category. The language categories will be based on the percentage of education and training provided in school sessions during a school year for pupils of compulsory school age, and the amount specified will be in the form of a range for each language category. In accordance with section 10(3), the minimum for the language category "Primarily English Language, partly Welsh" may not be less than 10%.</p>	
WHY THE POWER/DUTY IS REQUIRED	
<p>It is appropriate for this to be done in regulations to ensure that the Welsh Ministers have the flexibility to adjust the categories over time if appropriate. The details of the categories will be core to understanding Welsh language education provision in each school, so it will be important to consult on this before making regulations.</p>	
POLICY INTENT – HOW THE DELEGATED POWER IS INTENDED TO BE USED	
<p>The regulations under section 10(1) and (2) on the amount of Welsh language education provision in each category will enable the statutory categories to be used by schools.</p> <p>Although the three categories are named in section 9(2), and the Welsh language learning aims are detailed in section 11(1)-(3), these statutory categories cannot come into force until the regulations specifying the amount of Welsh language education provision in each category have been made.</p> <p>In terms of the timing of the introduction of these regulations, the categories will need to be known before the National Framework for Welsh Language Education and Learning Welsh and the Local Welsh in Education Strategic Plans are drawn up as the targets of the National Framework and the Strategic Plans will take the language categories into account.</p>	

OTHER RELEVANT INFORMATION

Section 13(5) states that the Welsh Ministers must decide every 5 years whether to revise the language categories, and specifically the minimum provision of Welsh language education for the "Primarily English Language, partly Welsh" category. This is in line with using regulations to specify the amount of Welsh language education provision, rather than doing so on the face of the Bill.

SECTION	11(2)(b), 11(3)(a), 11(3)(b)(ii)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>11(2)(b): This gives the Welsh Ministers the power make regulations specifying the date by which the Welsh language learning goal of the "Dual Language" category schools will be that pupils reach the B2 common reference level in terms of verbal interaction, at a minimum, by the time they cease to be of compulsory school age.</p> <p>11(3)(a): This gives the Welsh Ministers the power to make regulations specifying until what date the Welsh language learning goal of "Primarily English Language, partly Welsh" category schools will be that pupils are basic users, at least, by the time they cease to be of compulsory school age. After that date, the Welsh language learning goal will be for pupils to be independent users, at least, by the time they cease to be of compulsory school age.</p> <p>11(3)(b)(ii): This gives the Welsh Ministers the power to make regulations specifying the date by which the Welsh language learning goal for "Primarily English Language, partly Welsh" category schools will be that pupils reach the B2 common reference level in terms of verbal interaction, at least, by the time they cease to be of compulsory school age.</p>	
WHY THE POWER/DUTY IS REQUIRED	
<p>These powers are similar to each other in that they place a duty to make regulations specifying the date the Welsh learning goals will come into force.</p> <p>It is appropriate that these dates are specified in regulations to give the Welsh Ministers the flexibility to adjust them in response to developments in relation to workforce capacity, resources, and progress being made in complying with the statutory categories.</p> <p>Also, as a result of the requirement in section 2 of the Bill, the Welsh Ministers must report on progress being made against the targets in the Welsh language strategy, including the targets in relation to increasing the provision of Welsh language education. Section 25(3) of the Bill places a duty on the Welsh Ministers to review the targets set by the National Framework for Welsh Language Education and Learning Welsh. It is possible that the evaluation under section 2 and the review under section 25(3) may highlight the need to amend the dates on which the Welsh learning goals set out in sections 11(2)(b), 11(3)(a), and 11(3)(b)(ii) will come into force.</p>	

POLICY INTENT – HOW THE DELEGATED POWER IS INTENDED TO BE USED

The policy intention is to exercise the power to make these regulations at the same time as regulations are drawn up under section 9(3) and 10(1)-(2). It is intended that this will create one comprehensive set of regulations for school language categories, which will provide clarity to the sector.

Also, as noted above, the flexibility to make further regulations to amends the date on which the Welsh learning goals in sections 11(2)(b), 11(3)(a) and 11(3)(b)(ii) will come into force. This could be in response to developments in workforce capacity, resources, and progress being made in complying with the statutory categories. It could also be in response to a review of the national targets in relation to Welsh language education.

OTHER RELEVANT INFORMATION

Nothing to note.

SECTION	13(1)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
Section 13(1) gives the Welsh Ministers the power to make regulations to make further provision in relation to school language categories.	
WHY THE POWER/DUTY IS REQUIRED	
The reasons why it is appropriate for the detail of the language categories to be included in regulations have already been highlighted, which is to consult further with the sector and provide flexibility to amend the regulations over time as factors change. Accordingly, it is appropriate to give the Welsh Ministers the power to make regulations under section 13(1) so that further provision can be made about school language categories to ensure that the provisions in the Bill are aligned.	
POLICY INTENT – HOW THE DELEGATED POWER IS INTENDED TO BE USED	
It is intended to exercise this power if further provision is necessary in relation to school language categories. This could be either because the Bill does not include all the detail of the categories, or in response to other regulations that will be drawn up in the same area to ensure that the language categories remain current and compatible with other provisions.	
OTHER RELEVANT INFORMATION	
Nothing to note.	

SECTION	13(2), 13(4)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>13(2): Section 13(2) provides the Welsh Ministers with a power to make regulations amending section 9 of the Bill in order to add or revise a language category. This includes a power to amend section 10(3) to increase the minimum provision of Welsh language education for the "Primarily English Language, partly Welsh" category.</p> <p>13(4): Section 13(4) states that any regulations made to add a language category need to include a Welsh language learning goal for that category.</p>	
WHY THE POWER/DUTY IS REQUIRED	
<p>The categorisation system already in place is based on non-statutory guidance, and therefore it is fairly easy to modify the categories. As this Bill provides a statutory basis for the categories, it is appropriate to include a power to amend section 9 to ensure that the Bill can respond to any changes made to the language categories over time. These changes are limited to adding or revising a language category. Further to this, in line with the spirit of the Bill, it is stated that any category added or revised may not reduce the minimum provision for "Primarily English Language, partly Welsh" category schools in section 10(3).</p> <p>The power in section 13(4) is required to ensure that any category added or revised contains a Welsh language learning goal. This is necessary to align with section 9(1), which states that a language category determines the amount of Welsh language education and the Welsh language learning goal.</p>	
POLICY INTENT – HOW THE DELEGATED POWER IS INTENDED TO BE USED	
<p>Currently, there is no policy intent to use this power. It is a power that will enable the Welsh Ministers to respond to any future developments where it could be appropriate to add or revise a language category. The purpose of these powers is to future-proof the Bill.</p>	
OTHER RELEVANT INFORMATION	
<p>Section 13(5) states that the Welsh Ministers must decide every 5 years whether to amend the language categories, specifically the minimum provision of Welsh language education for the "Primarily English Language, partly Welsh" category. This is in line with using regulations to specify the amount of Welsh language education provision, rather than doing so on the face of the Bill.</p>	
SECTION	14(2)(b)(vi)

FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>Section 14(2)(b)(vi) allows the Welsh Ministers to specify any person who must be consulted by a school's governing body when preparing a Welsh language education delivery plan.</p>	
WHY THE POWER/DUTY IS REQUIRED	
<p>It is not anticipated at this time when this regulation-making power will need to be exercised to add consultee to delivery plans, but it is important that it be included to ensure that the Bill remains current.</p>	
POLICY INTENT – HOW THE DELEGATED POWER IS INTENDED TO BE USED	
<p>Although it is envisaged that this power will not be used in the short term, it may be appropriate to add consultees to the delivery plans if, for example, a new body is established that has an interest in school delivery plans, or another person needs to be added to the list of consultees in section 14(2)(b).</p>	
OTHER RELEVANT INFORMATION	
<p>Nothing to note.</p>	

SECTION	14(3)(a), 14(4)(a)-(b)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>14(3)(a): Section 14(3)(a) gives the Welsh Ministers the power specify the school year in which the first delivery plan starts.</p> <p>14(4)(a)-(b): Section 14(4)(a)-(b) allows the Welsh Ministers to draw up regulations to amend the duration of the period that a delivery plan has effect and make provision about the form and content of a delivery plan.</p>	
WHY THE POWER/DUTY IS REQUIRED	
<p>The power in section 14(3)(a) is required to bring into force all the requirements for the delivery plans set out in section 14 of the Bill. It is appropriate to allow Welsh Ministers the flexibility to specify the school year by regulations to ensure that the statutory language categories are operational (that is, the amount of Welsh language education provision for each category under section 10(1)) along with the National Framework for Welsh Language Education and Learning Welsh and the local Welsh in Education Strategic Plans.</p> <p>It is appropriate to include the powers in section 14(4)(a)-(b) in order to future-proof the Bill if it becomes clear that the length of the delivery plans needs to be amended. The power also enables the Welsh Ministers to be more prescriptive about the form and content of the delivery plans (in addition to the details of the delivery plans detailed on the face of the Bill in section 14). This could be useful to ensure school delivery plans are consistent and that the information included is of benefit.</p>	
POLICY INTENT – HOW THE DELEGATED POWER IS INTENDED TO BE USED	
<p>The power in section 14(3)(a) is intended to be used to bring the provisions of section 14 into force at an appropriate time. Other steps need to be taken first before the first delivery plans become operational.</p> <p>There is no intention at present to exercise the power in section 14(4)(a), but it may be useful to amend the duration of the delivery plans if they are deemed too short or too long.</p> <p>The power in section 14(4)(b) could be used to ensure that there is clarity among governing bodies with regards to what Welsh language education delivery plans should include, and also clarity for local authorities as they undertake the process of checking and approving the plans.</p>	

OTHER RELEVANT INFORMATION
Nothing to note.

SECTION	15(4)(c), 16(6)(c)
Form	Direction
DESCRIPTION OF THE DIRECTION	
<p>Section 15(4)(c) provides local authorities with a power to reject the delivery plan submitted to it by a school's governing body and direct the governing body to reconsider the plan.</p> <p>Section 16(6)(c) provides a similar power, but in relation to a Welsh language education delivery plan which will be amended before the end of the period the delivery plan is in effect.</p>	
WHY THE POWER/DUTY IS REQUIRED	
<p>Local authorities need this power to ensure they have the appropriate tools to influence schools' Welsh language education delivery plans. As the delivery plans are approved by the local authority, if a plan is not approved it is appropriate for the authority to instruct the governing body what needs to be done so that it can be approved.</p> <p>In accordance with section 15(6), any direction must give the reasons for rejecting the delivery plan and specify by when the governing body must submit a further draft of the plan to the local authority.</p> <p>The local authority is subject to the targets set by the National Framework for Welsh Language Education and Learning Welsh. Therefore, it is vital that the local authority has influence over schools' Welsh language education delivery plans to ensure that schools plan effectively for progress and improvement in the Welsh language education provision within the local authority.</p>	
POLICY INTENT – HOW THE DELEGATED POWER IS INTENDED TO BE USED	
<p>In practice, section 14(2)(b)(v) provides that the governing body must consult the local authority that maintains the school in preparing the Welsh language education delivery plan. Therefore, the local authority will already have had the opportunity to influence the drafting of the plan.</p> <p>Accordingly, the policy intention is that it will not often be necessary to use the power to reject a delivery plan and direct a governing body to reconsider it. In addition, a local authority may approve a plan with agreed modifications, and therefore this also mitigates against the likelihood of needing to use the power to give a direction.</p>	

However, not including this power would weaken the local authority's influence and potentially hamper its ability to meet the targets set by the National Framework for Welsh Language Education and Learning Welsh.

OTHER RELEVANT INFORMATION

There are similar powers in section 30(3) of the Bill in relation to the approval of local Welsh in education strategic plans.

SECTION	20(2), 20(4)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>20(2): Section 20(2) allows the Welsh Ministers to make regulations to make further provision in relation to the Welsh language education plans of community special schools.</p> <p>20(4): Section 20(4) places a duty on the Welsh Ministers to make regulations regarding voluntary language category designation for community special schools.</p>	
WHY THE POWER/DUTY IS REQUIRED	
<p>The regulation-making power in section 20(2) is important as it allows further provision to be made in relation to the Welsh language education plans of community special schools. This includes the duration and timing of a plan, consulting on a plan, approving a plan and reviewing and amending a plan. It may be appropriate for the provisions for community special schools to differ from the provisions set out in section 14.</p> <p>Section 20(4) is necessary to provide clarity to community special schools and local authorities on what voluntary designation means.</p>	
POLICY INTENT – HOW THE DELEGATED POWER IS INTENDED TO BE USED	
<p>It is not currently intended to exercise the power in section 20(2), but it is important to include it in order to future-proof the Bill.</p> <p>Given that community special schools may voluntarily designate a language category, regulations will detail the extent of such a designation. This provision will likely be included in the same set of regulations on school language categories as those under section 10(1).</p>	
OTHER RELEVANT INFORMATION	
Nothing to note.	

SECTION	21(3)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>The power in section 21(3) allows the Welsh Ministers to make regulations to make further provision in relation to the register maintained by local authorities that contains the matters listed in section 21(1)(a)-(d). In addition to the matters included in the register, further provision can be made about the form of the register and how and when it is to be published.</p>	
WHY THE POWER/DUTY IS REQUIRED	
<p>This power protects the duty on local authorities to maintain a register for the future. In other words, if it becomes clear that it would be beneficial to make further provision in relation to the register, there is flexibility for the Welsh Ministers to do so by regulations.</p>	
POLICY INTENT – HOW THE DELEGATED POWER IS INTENDED TO BE USED	
<p>It may be beneficial to exercise the power in section 21(3) to ensure that the register maintained by local authorities contains any further details needed for the purposes of realising the policy of the Bill. It may also be useful to exercise the power to ensure the form of the register and to detail how and when it is to be published, in order to provide a consistent picture of Welsh language education across all local authorities.</p>	
OTHER RELEVANT INFORMATION	
None.	

PART 4 – PLANNING WELSH LANGUAGE EDUCATION AND LEARNING

SECTION	23(9)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>Section 23(9) provides the Welsh Ministers with a power to change what is required or permitted to be included in the National Framework for Welsh Language Education and Learning Welsh, as set out in sections 23(3) – (7).</p>	
WHY IS THE POWER/DUTY REQUIRED?	
<p>Section 23(3) to (6) contains requirements as to what the Welsh Ministers must state and include in a National Framework. This includes:</p> <ul style="list-style-type: none"> • setting out the steps they will take to promote and facilitate the use of Welsh and Welsh language education provision in relation to schools • identifying the steps they will take to provide opportunities for people of all ages to learn Welsh throughout life: at pre-school stage, at different stages of their education careers, and in the workplace and community • setting targets for local authorities in relation to implementing the National Framework in their area, and to reflect any national target regarding Welsh language education and learning Welsh set out in the Welsh language strategy in light of section 1(1)(c). These are the targets behind what local authorities must include in the local Welsh in Education Strategic Plans. • assessments and analyses in terms of the current state of provision of Welsh language education in schools across Wales, what is needed in terms of Welsh language education and in terms of the number of education practitioners in each local authority in order to achieve the targets placed on local authorities in the National Framework. <p>The Welsh Ministers also have the power, in accordance with section 23(7), to impose targets on the National Institute for Learning Welsh for the purpose of facilitating the achievement of national targets (included in the Welsh language strategy) relating to supporting people to learn Welsh.</p> <p>The power is needed to give Ministers the flexibility to vary the requirements as to what should be included in the National Framework, when necessary, in order to respond to new situations that may arise in the future. For example, changes to existing structures around how education is delivered, changes to requirements around school language categories or other unpredictable changes in society.</p>	

POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?

The Welsh Ministers have no plans to use this power immediately. Rather, the intention is that the power is available to Ministers so that it can be used to change the requirements around the content of the National Framework in response to new situations as described above.

OTHER RELEVANT INFORMATION

Nothing to note.

SECTION	28(4)(b)(ix)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>Section 28(4)(b)(ix) provides the Welsh Ministers with further powers, by regulations, to prescribe other persons who must be consulted by a local authority when preparing a local Welsh in education strategic plan.</p>	
WHY IS THE POWER/DUTY REQUIRED?	
<p>It is appropriate that regulations allow the Welsh Ministers the flexibility to make further provision about persons a local authority should be consulting in relation to their local Welsh in education strategic plans, in order to respond to new situations that may arise in the future e.g. the persons who may have a contribution to make or a strategic interest in this area.</p>	
POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?	
<p>It is intended to exercise the power, should it be called for, to draw up regulations which may prescribe such further persons as must be consulted by a local authority.</p>	
OTHER RELEVANT INFORMATION	
<p>This reflects section 9 of the Welsh in Education Strategic Plans (Wales) Regulations 2019 which detail prescribed persons (under section 84(4)(f) of the School Standards and Organisation (Wales) Act 2013) who must be consulted by a local authority when formulating a plan or an amended plan.</p>	

SECTION	29(1)(a)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>Section 29(1)(a) provides further powers to the Welsh Ministers, by regulations, to specify the start date for the first 5-year period of the local Welsh in education strategic plan.</p>	
WHY IS THE POWER/DUTY REQUIRED?	
<p>Section 29(1)(a) provides the Welsh Ministers with a power, by regulations, to introduce a commencement date for the first period of the 5-year implementation cycle. The Welsh local strategic plans will not take effect until the power has been exercised and the regulations have been made, as this is what sets the date on which the first 5 year period commences.</p> <p>It is appropriate that the Welsh Ministers specify the commencement date in regulations as the commencement period of the local Welsh in education strategic plan is dependent on the date of publication of the National Framework for Welsh Language Education and Learning Welsh in accordance with section 26(3). The Welsh Ministers under that section have a duty to lay the first National Framework before the Senedd before 31 July 2028. This is the latest date for laying the National Framework. It can, if circumstances permit, be laid sooner than that. It is therefore appropriate to offer flexibility in setting the first date for the commencement of a local Welsh in education strategic plan in secondary legislation.</p>	
POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?	
<p>Similar to section 4 of the Welsh in Education Strategic Plans (Wales) Regulations 2019, the intention is to set a commencement date eg, the 2019 Regulations state:</p> <p>'4.—(1) A local authority's plan has effect for the period commencing on 1 September 2021 and ending on 31 August 2031 ("the first ten year plan").</p> <p>It is intended that all local authorities operate according to the same timeframe, with the 5-year period starting simultaneously for all local authorities.</p>	
OTHER RELEVANT INFORMATION	
Nothing to note.	

SECTION	30(3)(c) and 30(4)
FORM	Direction
DESCRIPTION OF THE DIRECTION	
<p>Section 30(4) imposes a duty on the Welsh Ministers, in exercising their powers under section 30(3)(c) to reject a draft local Welsh in education strategic plan and give a direction to a local authority to reconsider the plan, to (a) give reasons for the decision and (b) specify by what date the local authority is required to submit a further draft of the plan.</p>	
WHY IS THE POWER/DUTY REQUIRED?	
<p>This is to provide clarity to local authorities on the reasons that have led the Welsh Ministers to give a direction to the local authority to submit a further draft. The duty on the Welsh Ministers to outline the reasons for giving a direction to a local authority to submit a further draft could support the local authority with their preparations to resubmit a further draft, e.g. focusing in particular on the section(s) of the plan that the Welsh Ministers have deemed it necessary to strengthen.</p>	
POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?	
<p>This power is intended to strengthen and support the approval process of local Welsh in education strategic plans. This power enables the Welsh Ministers to offer clarity and guidance to local authorities who have received a direction to submit a further draft plan, on the issues they deem it necessary to strengthen in order to respond to their targets.</p>	
OTHER RELEVANT INFORMATION	
<p>Nothing to note.</p>	

SECTION	32(3)
FORM	Direction
DESCRIPTION OF THE DIRECTION	
<p>This power enables the Welsh Ministers to give a direction to a local authority to consider amending its local Welsh in Education Strategic Plan if the Welsh Ministers consider that the local authority is unlikely to achieve a relevant target in the National Framework for Welsh Language Education and Learning Welsh, and that the Plan needs to be amended as a result.</p>	
WHY IS THE POWER/DUTY REQUIRED?	
<p>This power is important to support the progress monitoring process of local Welsh in Education Strategic Plans, introducing a procedure for the Welsh Ministers to use if that progress is not considered adequate.</p>	
POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?	
<p>This power is intended to enable the Welsh Ministers to respond proactively to cases where evidence shows that local planning and action is not achieving the expected progress. The power to direct a local authority to consider amending its Plan also recognises that circumstances beyond a local authority's control may affect its ability to respond to its targets. Any direction to a local authority to consider amending its Plan should be supported by a discussion outlining the rationale. The power allows the local authority the opportunity to respond to the direction to consider amending its Plan, and to offer a reason for not doing so.</p> <p>If a local authority does not decide to amend its plan and the Welsh Ministers are unwilling to accept its reasons for not doing so, then this may result in Welsh Ministers using their powers under the School Standards and Organisation (Wales) Act 2013 in certain circumstances, which allow the Welsh Ministers to intervene in education functions. The Welsh Ministers may also ask His Majesty's Chief Inspector for Education and Training in Wales (in accordance with their powers in section 38 of the Education Act 1997) to inspect how the local authority executes its education functions.</p>	
OTHER RELEVANT INFORMATION	
<p>Nothing to note.</p>	

SECTION	33(1) and (2)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>The substance of the provisions in relation to the local Welsh in Education Strategic Plans (sections 28-32) is set out on the face of the Bill. However, section 33(1) provides the Welsh Ministers with a power to make regulations making further provision about local Welsh in Education Strategic Plans, including:</p> <ol style="list-style-type: none"> a) the form and content of a plan; b) the timing of preparing a plan; c) the consultation process when preparing a draft plan; d) the approval of a plan; e) how and when to publish a plan and f) reporting on the implementation of the plan, for example through annual review reports. <p>33(2) presents further information about what the Welsh Ministers can do under the power in 33(1). It states that regulations under sub-section (1) may also make provision to enable two or more authorities to produce a joint local Welsh in education strategic plan, and any such regulations may make provision applying sections 28 to 32 with modifications for that purpose.</p>	
WHY IS THE POWER/DUTY REQUIRED?	
<p>It is appropriate that regulations provide the Welsh Ministers with the flexibility to make further provision about local Welsh in education strategic plans. These regulations will prescribe technical and administrative matters.</p> <p>The regulation-making power under section 33(1) will also enable the Welsh Ministers to go into greater detail on the matters presented in section 28(1) – (3) of the Bill, namely:</p> <ul style="list-style-type: none"> - how the local authority will promote and facilitate Welsh language education and the use of Welsh in schools - taking all reasonable steps to achieve the targets imposed on them in the National Framework - the steps a local authority intends to take to exercise its education functions to improve the provision of Welsh language education and the planning of Welsh language education - the steps a local authority wants to take to promote and provide information about Primarily Welsh Language schools and Dual Language schools - the steps a local authority wants to take to promote and provide information on late immersion provision - the steps a local authority wants to take to facilitate continuity of Welsh language learning and Welsh language education between nursery education and compulsory school age education, and from then to tertiary education. - information about the workforce of learning practitioners 	

These powers could be used to ask local authorities to highlight in their plans how programmes, policies and their wider statutory duties have been considered in pursuit of the targets imposed on them, e.g. Childcare Sufficiency Assessments, early years programmes, school capital, learner travel arrangements, reviews of additional learning needs provisions, workforce plans, amongst others.

It is therefore appropriate that this level of detail is a matter for subordinate legislation as it is likely to vary over time.

Section 33(2) is necessary to make clear that the power in section 33(1) is broad enough to give Ministers the flexibility to vary the requirements in relation to local plans, to ensure the best circumstances for local authorities to make progress against their targets. Collaboration across local authority or regional boundaries is already common among local authorities, eg in relation to learners' travel arrangements between home and school. This power therefore enables the Welsh Ministers to introduce arrangements whereby two or more local authorities could produce a joint plan, should the circumstances call for it.

POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?

Through the provisions of this Bill, local authority strategic plans will have to respond to targets imposed on them in the National Framework for Welsh Language Education and Learning Welsh ("the National Framework"), and school delivery plans will have to address the targets of their local authorities' strategic plans. The targets imposed on local authorities in the National Framework must reflect national targets set in the Welsh language strategy (section 1(1)). The purpose of co-ordinating the targets is to facilitate the aim of working towards the same goal.

OTHER RELEVANT INFORMATION

In 2013, the concept of Welsh in Education Strategic Plans (WESPs) was introduced in Part 4 of the [School Standards and Organisation \(Wales\) Act 2013](#). Section 87 of that Act provides the Welsh Ministers with a power to produce regulations for WESPs. Section 87 (3) of the Act states that regulations may make provision to enable two or more local authorities to produce a joint plan.

The purpose of the WESPs was to record the intentions of the local authority as to how it will carry out its education functions, for the improvement of:

- the process of planning Welsh-medium education provision
- Welsh-medium education standards
- Welsh language teaching standards.

The Welsh in Education Strategic Plans (Wales) Regulations 2013 came into force on 1 September 2013. On 14 March 2017, it was announced that a rapid review of the Welsh in Education Strategic Plans would be undertaken. The rapid review recognised the findings and recommendations of two previously published reports - a report by the National Assembly for Wales' Children and Young People's Committee published in December 2015, and a report on the Welsh in Education Strategic Plans published by Estyn in September 2016. The review stated that change was needed, not only in the ambition of the individual schemes, but also in the legislative framework that has been set out by the Government.

The Welsh in Education Strategic Plans (Wales) Regulations 2019 came into force on 1 January 2020. On 27 January 2021, guidance was issued to local authorities on how to comply with the provisions of these Regulations.

PART 5 – NATIONAL INSTITUTE FOR LEARNING WELSH

SECTION	38(1)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>This power enables the Welsh Ministers to make regulations that give the National Institute for Learning Welsh additional functions in relation to supporting people to learn Welsh or facilitating their progress.</p>	
WHY IS THE POWER/DUTY REQUIRED?	
<p>If the Bill is to succeed, it will need stable and appropriate support for Welsh language education and Welsh language learning long term. Circumstances may change which will necessitate modification of the Institute's functions going forward, or which will call for adding to those functions.</p> <p>This power will provide the Welsh Ministers with the flexibility to give the Institute more functions as needed.</p>	
POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?	
<p>Given that the Cymraeg 2050 strategy, and its underlying wellbeing goal, is a long-term aspiration, the need to facilitate and support Welsh language learning will continue. It therefore follows that we need to future-proof.</p> <p>This power will ensure that the functions of the Institute can be extended, if it is considered that they support people to learn Welsh or facilitate their progress.</p> <p>For example, if changes were made to the roles and responsibilities of other bodies, or recommendations resulted from Estyn inspections or evidence-based reviews, this power could be used to add to the Institute's functions.</p>	
OTHER RELEVANT INFORMATION	
<p>Nothing to note.</p>	

SECTION	44(8)(a); 44(8)(b)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>These powers enable the Welsh Ministers to make regulations detailing a planning phase in relation to the strategic plan of the National Institute for Learning Welsh. The power enables the Welsh Ministers:</p> <ul style="list-style-type: none"> • to determine the first planning period for the Institute (44(8)(a)); and • to amend the 3-year follow-up period set out in the primary legislation (44(8)(b)). 	
WHY IS THE POWER/DUTY REQUIRED?	
<p>These are appropriate to be included in regulations to give the Welsh Ministers the flexibility to set the planning phases for the Institute as necessary.</p>	
POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?	
<p>The substance of this provision is set out on the face of the Bill. These regulations will prescribe technical and administrative matters.</p> <p>The power under 44(8)(a) is intended to be used to determine the first planning period for the Institute.</p>	
OTHER RELEVANT INFORMATION	
<p>Nothing to note.</p>	

SECTION	Schedule 2, paragraph 2(4).
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>This power enables the Welsh Ministers to make regulations varying the number of members of the National Institute for Learning Welsh.</p> <p>The power will allow the Welsh Ministers to change the number of non-executive and executive members as necessary, but they must ensure that the number of non-executive members exceeds the number of executive members.</p>	
WHY IS THE POWER/DUTY REQUIRED?	
<p>Circumstances may change which will necessitate modification of the Institute's remit going forward, or which will call for adding to that remit. This power will give Welsh Ministers the flexibility to increase or cut the number of members as necessary.</p>	
POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?	
<p>We envisage that this power may be used alongside the power to make regulations that give additional functions to the Institute under section 38(1). For example, if Ministers needed to give supplementary functions to the Institute, this power could be used to increase the number of members if necessary to enable the Institute to exercise its supplementary functions.</p>	
OTHER RELEVANT INFORMATION	
<p>Nothing to note.</p>	

SECTION	Schedule 2, paragraph 3(f)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>This power enables the Welsh Ministers to specify in regulations the holder of an office, or a member of a body, or a member of staff of a body that are disqualified from being a non-executive member of the National Institute for Learning Welsh.</p>	
WHY IS THE POWER/DUTY REQUIRED?	
<p>A list of persons disqualified from being a non-executive member of the Institute are named on the face of the Bill (Schedule 2, paragraph 3(a)-(e)). It is important that Welsh Ministers can add to this list if necessary.</p> <p>The power will allow the Welsh Ministers the flexibility to add to the disqualified persons as necessary.</p>	
POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?	
<p>Should there be changes to the roles and responsibilities of other bodies that cause a significant conflict of interest or, for example, if a relevant new body is established, this power may be used to add to the list of disqualified persons.</p>	
OTHER RELEVANT INFORMATION	
<p>Nothing to note.</p>	

SECTION	Schedule 2, paragraph 9(4); Schedule 2, paragraph 9(5).
FORM	Direction
DESCRIPTION OF THE DIRECTION	
<p>These powers enable the National Institute for Learning Welsh to specify in a direction the functions which may not be delegated by a committee or sub-committee of the Institute. They also enable the National Institute for Learning Welsh to direct a committee or sub-committee to vary or revoke any delegation specified in the direction, and to direct a committee to vary or revoke any direction given by the committee.</p> <p>Powers are given to committees of the National Institute for Learning Welsh to give a direction to sub-committees regarding the non-delegation of functions, as well as directing a sub-committee to vary or revoke a delegation given by the sub-committee.</p>	
WHY IS THE POWER/DUTY REQUIRED?	
<p>The Institute, its committees and sub-committees have the powers to delegate functions. Powers may be delegated to committees, sub-committees, members or staff. The directing powers give the Institute and its committees flexibility to control, through a direction, how the functions are exercised.</p>	
POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?	
<p>Governance and the internal control regime will be a matter primarily for Members of the Institute. The Institute will be expected to give a direction to a committee or sub-committee as soon as reasonably practicable and ensure that any direction is reviewed, amended or repealed if necessary.</p>	
OTHER RELEVANT INFORMATION	
<p>Nothing to note.</p>	

SECTION	Schedule 2, paragraph 10
FORM	Rules
DESCRIPTION OF THE RULES	
<p>This section requires the National Institute for Learning Welsh to make rules to regulate its own procedure. The Institute must make rules that:</p> <ul style="list-style-type: none"> • note the minimum number of members who must be present at any of its meetings to make the proceedings of that meeting valid; • provide that a meeting of the Institute does not constitute a quorum unless a majority of the members present are non-executive members; • regulate the procedure of its committees and sub-committees. <p>The Institute, its committees and sub-committees may also set their own procedure, subject to any rules made by the Institute under sub-paragraph (3) to regulate the procedure of its committees and sub-committees.</p>	
WHY IS THE POWER/DUTY REQUIRED?	
<p>The rules will enable the Institute to put in place a governance procedure and an internal control regime. These details are appropriate for inclusion in rules to give the Institute the flexibility to change the content as necessary.</p>	
POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?	
<p>Internal regulatory arrangements will be primarily a matter for the Institute. The Institute will be expected to make rules as soon as reasonably practicable and ensure that any arrangements are reviewed, amended or repealed if necessary.</p>	
OTHER RELEVANT INFORMATION	
<p>Nothing to note.</p>	

SECTION	Schedule 2, paragraph 16
FORM	Direction
DESCRIPTION OF THE DIRECTION	
<p>It provides the Welsh Ministers with a power to give a direction as to the information to be included in the statement of accounts of the National Institute for Learning Welsh for each financial year, the manner in which the information is to be presented, and the methods and principles according to which the statement is to be presented. The direction will also enable the Welsh Ministers to set out any additional information that is to accompany the statement.</p>	
WHY IS THE POWER/DUTY REQUIRED?	
<p>The Institute will receive funding from the Welsh Ministers and be accountable to Ministers for that expenditure. The Institute will have a duty to keep appropriate accounts and produce a statement of accounts for each financial year.</p> <p>The details for the statement of accounts are deemed appropriate for inclusion in directions to give the Welsh Ministers the flexibility to change the content as necessary.</p>	
POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?	
<p>It is intended to publish the direction as soon as reasonably practicable, ensuring that the direction is reviewed, and updated if necessary, at least 6 months before the commencement of each financial year.</p>	
OTHER RELEVANT INFORMATION	
<p>Nothing to note.</p>	

PART 6 - GENERAL

SECTION	46(2)
FORM	Guidance
DESCRIPTION OF THE COMMENCEMENT ORDER	
This section provides the Welsh Ministers with a power to make guidance for local authorities and school governing bodies regarding their functions under the Bill.	
WHY IS THE POWER/DUTY REQUIRED?	
The Bill gives a number of functions to local authorities and school governing bodies. This power is intended to allow the Welsh Ministers the flexibility to prepare guidance, as the need arises, to facilitate the work of local authorities and school governing bodies to exercise their functions under the Bill.	
POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?	
<p>The policy intention is that the Welsh Ministers will prepare guidance as the Bill, and the secondary legislation under the Bill, are put in place. In particular, guidance is intended to be prepared in relation to:</p> <ul style="list-style-type: none"> - school language categories; - school Welsh language education delivery plans; - community special school Welsh language education plans; - local Welsh in education strategic plans. 	
OTHER RELEVANT INFORMATION	
Currently, prior to the introduction of the Bill, guidance exists regarding the non-statutory language categories as well as guidance regarding Welsh in education strategic plans in local authorities under the School Standards and Organisation (Wales) Act 2013. That guidance will expire when the provisions of the Bill come into force.	

SECTION	53(1)
FORM	Regulations
DESCRIPTION OF THE REGULATIONS	
<p>This section provides the Welsh Ministers with a power to make provision that is incidental or supplementary to any provision in the Bill or that is consequential on any provision in the Bill, and to make transitional provision, transitory provision or saving provision in connection with any provision of the Bill. This includes amending, repealing or revoking any primary or subordinate legislation (including any provision of this Bill) as long as they relate to one of the above provisions.</p>	
WHY IS THE POWER/DUTY REQUIRED?	
<p>This power will be intended to enable the Welsh Ministers to make changes over time, to ensure that this Bill works together with other laws. It is therefore appropriate to introduce regulations to give the Welsh Ministers the flexibility to be able to do so.</p>	
POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?	
<p>The Welsh Ministers have no immediate plans to use this power. Rather, the power is there to enable the Welsh Ministers to respond to unforeseen future circumstances.</p>	
OTHER RELEVANT INFORMATION	
<p>Nothing to note.</p>	

SECTION	54(3)
FORM	Commencement Order
DESCRIPTION OF THE COMMENCEMENT ORDER	
This section provides the Welsh Ministers with a power to commence the provisions of the Bill by an order.	
WHY IS THE POWER/DUTY REQUIRED?	
<p>Section 54(1) provides which sections come into force the day following the day the Act receives Royal Assent, while section 54(2) provides which sections come into force two months after the Act receives Royal Assent. Other sections, including section 47 which provides for the repeal of provisions in the School Standards and Organisation (Wales) Act 2013, come into force on a day specified by the Welsh Ministers by exercising this power to make an order.</p> <p>It is appropriate to commence provisions by an order as it will be necessary to ensure that implementation arrangements are in place before the sections come into force. For example, the Code for describing Welsh language ability will have to have been published before sections dependent on the existence of the Code can be commenced.</p>	
POLICY INTENT – HOW IS THE DELEGATED POWER INTENDED TO BE USED?	
The policy intent is for the Welsh Ministers to commence the provisions of the Bill over time in a way that enables implementation arrangements to be put in place before they come into force.	
OTHER RELEVANT INFORMATION	
Nothing to note.	

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Agenda Item 6

By virtue of paragraph(s) vi of Standing Order 17.42

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