

# Agenda – Children, Young People and Education Committee

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Meeting Venue:

Hybrid – Committee room 2 Senedd  
and video conference via Zoom

Meeting date: 9 October 2024

Meeting time: 09.15

For further information contact:

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Committee Clerk

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## Hybrid

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### Private pre-meeting

(09.00 – 09.15)

### Public meeting

(09.15)

### 1 Introductions, apologies, substitutions and declarations of interest

(09.15)

### 2 Welsh Language and Education (Wales) Bill – evidence session 9

(09.15 – 10.15)

(Pages 1 – 31)

Marc Berw Hughes, Director of Education, Skills and Young People, Isle of Anglesey County Council and representing the Association of Directors of Education in Wales

Cllr Sue Edmunds, Cabinet Member People and Education, Blaenau Gwent County Borough Council and representing the Welsh Local Government Association

Attached Documents:

Research brief



Paper 1 Association of Directors of Education (ADEW) and Welsh Local Government Association (WLGA)

**3 Welsh Language and Education (Wales) Bill – evidence session 10**

(10.20 – 10.50)

(Pages 32 – 41)

Elin Maher, National Director, Rhieni dros Addysg Gymraeg (RhAG)

Attached Documents:

Paper 2 Rhieni dros Addysg Gymraeg (RhAG) (Translation)

**Break**

(10.50 – 11.00)

**4 Welsh Language and Education (Wales) Bill – evidence session 11**

(11.00 – 11.30)

(Pages 42 – 43)

Hayden Llewellyn, Chief Executive, Education Workforce Council [Via Zoom]

Eithne Hughes, Chair of Council, Education Workforce Council [Via Zoom]

Attached Documents:

Paper 3 Education Workforce Council

**5 Welsh Language and Education (Wales) Bill – evidence session 12**

(11.35 – 12.20)

(Pages 44 – 45)

Philip Blaker, Chief Executive, Qualifications Wales

Richard Harry, Executive Director, Qualifications and Assessment, WJEC

Ian Morgan, Chief Executive, WJEC

Attached Documents:

Paper 4 WJEC

## **6 Papers to note**

(12.20)

### **6.1 Information from Stakeholders**

(Pages 46 – 49)

Attached Documents:

Briefing note from Universities Wales on Welsh participation in higher education

### **6.2 Do disabled children and young people have equal access to education and childcare?**

(Pages 50 – 90)

Attached Documents:

Response to the Committee report from the Welsh Government

### **6.3 Speech, language and communication needs of young people in the youth justice estate**

(Pages 91 – 93)

Attached Documents:

Letter to the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip from the Chair of the Equality and Social Justice Committee

### **6.4 Children and Young People on the margins**

(Pages 94 – 95)

Attached Documents:

Letter to the Chair of the Children, Young People and Education Committee from NYAS Cymru

- 7 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the remainder of this meeting**

(12.20)

#### **Private meeting**

(12.20)

- 8 Welsh Language and Education (Wales) Bill – consideration of the evidence**

(12.20 – 12.30)

Document is Restricted



## **Children, Young People and Education Committee Evidence: Welsh Language and Education Bill (2024)**

### **Background**

The Welsh Language and Education (Wales) Bill is allocated to the Children, Young People and Education Committee for stage 1 scrutiny.

Representatives from the Association of Directors of Education (ADEW) and the Welsh Local Government Association (WLGA) will be providing evidence on the morning of October 9<sup>th</sup>. Marc Hughes, Director of Education, Skills and Young People at the Isle of Anglesey County Council is representing ADEW and Cllr Sue Edmunds Cabinet Member for People and Education at Blaenau Gwent CBC will be representing the WLGA.

### **Response to general principles**

WLGA and ADEW support the general principles of the Bill and agree that the legislation will support the aims of Cymraeg 2050.

However, there are concerns over successful implementation of the Bill due to the amount of educational reform that the sector is currently grappling with as the Bill will increase the education workforce's workload. There are also significant concerns based on the school funding challenges LAs are already facing, and concerns that LA staff and schools will not be able to deliver all the proposals without additional funding.

### **Part 1: Promotion and facilitation of use of the Welsh Language**

- The WLGA and ADEW are supportive of establishing a Code describing Welsh ability as part of the secondary legislation, providing there is clear guidance for use so that this is applied consistently.
- LAs would welcome greater clarity over how different targets and objectives will be set and how the number of Welsh speakers will be calculated and recorded, particularly given the challenges of accurately assessing the amount of Welsh used outside of statutory education.



- Targets need to be realistic, considering local contexts and different linguistic profiles. Targets will also need to be flexible enough to take into account local demographic changes and birth rate changes over time.
- Furthermore, if there is an expectation that Welsh speaker numbers should be analysed every 5 years then this is challenging within the 10-year cycle of Census data collection. Targets set in relation to the number of Welsh speakers will need to consider several specific circumstances and will need a flexible margin which accommodates variations in population numbers.

## **Part 2: Describing Welsh Language Ability**

- Common reference levels are welcomed to define Welsh proficiency to eliminate the subjective nature of self-assessment and inaccuracies in terms of expectations.
- The skills continuum will support all stakeholders to monitor progression of Welsh language skills and to strategically plan which interventions are needed.
- Having a shared skills continuum should also support workforce recruitment and employer expectations in determining which levels are required for which roles.
- Clarity for parents, teachers and learners of the progress towards reference levels is welcomed. However, the goal of B2 by the end of compulsory education may be unachievable for some learners.

## **Part 3: Welsh Language Education**

- Local government generally support the plans to make language categorisation statutory, providing there is sufficient funding to support schools to move along the Welsh language continuum. The move to making categories statutory will ensure that there is a consistent and transparent national approach which is welcomed.
- Councillors and officers have raised concerns over the lack of funding to support this transition, particularly in light of current financial pressures. There are examples where councils are having to close smaller English medium schools, while increasing Welsh medium provision elsewhere, which is causing many tensions at a local level. If existing funding is diverted in an inequitable way, then this will only increase the opposition and challenges to Welsh language provision. To meet the Welsh language education aims, these schools will therefore need appropriate additional funding.
- Linked to the above point, there is also some work to be done in some communities to ensure that all stakeholders share the aims of an LA's WESP,



especially as Governing Bodies will now be tasked with providing Welsh in education delivery plans. This is another reason for ensuring funding is not a barrier and that there is a degree of flexibility in the timing of the changes.

- LAs have always been supportive of the opportunity to plan over a decade in relation to the WESP timeframes as this provides a valuable opportunity to anticipate and overcome long-term challenges and plan strategically. It also reduces the planning burden and bureaucracy. Some of the proposals for additional plans within the Bill have a far shorter timeline, for example the three years for the Welsh education delivery plans is relatively short given WESPs operate over ten years.
- The WLGA and ADEW are concerned about the additional burden the regular preparation and reviewing of documents will place on school staff. Any delivery plan should be integrated into school improvement plans to reduce workload and provide a cohesive approach to school improvement.
- Similarly, the acceptance and approval of education delivery plans will place a significant workload on local authorities, even if templates and guidance are available. According to the plans, school Governing Bodies will need to submit draft Welsh language education delivery plans to LAs (including the consultation the school has done) 9 months ahead of the start period. The impact of this on the school staff and LA staff has been underestimated. Governors may also need additional training to support them with this area of work. We would welcome further guidance in ensuring that delivery plans and School Development Plans are aligned and duplication limited.
- Dual language schools need clarity in terms of the nature of the provision as the expectations may not be as clearly defined as Welsh medium (3) or English medium (1). Dual language is being linked to and confused with the previous category of dual stream.
- As previously reported, there are significant challenges in relation to the recruitment and retention of enough staff to deliver more Welsh language provision. This is across the spectrum of schools, but particularly in English medium secondary schools.
- In relation to Special Schools, it is welcomed that there is no duty on them to provide a specific amount of Welsh language provision but rather demonstrate their promotion of the Welsh language with pupils or provide a language category on a voluntary basis.
- LAs welcome the facility for temporary exemption where required.
- The WLGA and ADEW welcome the duty that will be placed on LAs to promote and encourage late immersion education in their areas. We know from experience that the demand for such education is increasing, and it is key that older learners also have the opportunity to access this provision. However, for this to succeed more funding will be needed to cover the capital



and revenue costs, as well as national messaging to promote and reassure non-Welsh speaking parents of the advantages of this provision to increase demand.

- Different areas across Wales are at different stages of Welsh language immersion provision. Where the provision is at its earlier stages, LAs would welcome more evidence on the long-term impact on immersion education on numbers of pupils in Welsh-medium education. In larger LAs with more geographic challenges, running the provision is costly and more information is needed on the return on the investment before being statutorily obligated to run the provision.

#### **Part 4: Planning Welsh Language Education and Learning**

- The introduction of a National Framework for Welsh Education and Learning Welsh is welcome as this will set a clear direction for the sector and will help with consistency. To ensure that the framework is implemented section 23(3)(d) is critical, the requirement that Welsh Government is “*ensuring that training, professional development and support is available for education practitioners in Wales for the purpose of improving ability in Welsh (by reference to the Code prepared by the Welsh Ministers under section 6)*”. The National Centre for Learning Welsh (or Institute as it will be renamed) has a key role to play in this regard.
- Within this National Framework, realistic adjustments in terms of timescales need to be factored into any accountability of realising objectives. This flexibility would help reflect changes beyond the Local Authority’s control, for example changes in funding for capital build projects.
- Targets for increasing the numbers of people over school age learning Welsh poses an additional challenge and views of FE and HE institutions will need to be taken into account as they have a role to play in achieving these targets.
- To support this entire area of work, more time and resource will need to be spent on analysing and collating data on education practitioners’ Welsh language skills, and avoiding over reliance on self-reporting. This will need to be factored into any targets arising from the National Framework. We would welcome more clarity on any arrangements to improve the assessment of workforce skills and some consultation before decisions are made.

#### **Part 5: National Institute for Learning Welsh**

- The role of the Learning Centre as centralised support for Welsh language learning is welcomed. As one organisation that specialises in learning Welsh



at all stages, this will ensure continuity in terms of provision and a clear pathway of support that will provide guidance in all aspects of learning Welsh.

- Given the current financial climate, some authorities would also welcome more information on the role and responsibilities of the new Institute and its relationship with other public bodies already operating in the field. Some aspects, such as the ability of the Institute to commission research or give advice seem to overlap with that of the Welsh Language Commissioner so understanding the delineation between these would be useful. Likewise, how will the Institute's responsibility to drive continued improvement sit with Estyn's work?

### **Barriers to the implementation of the Bill's provisions**

The three greatest barriers to implementation are;

- i) workload pressures in the context of delivering these changes in addition to other educational reforms,
- ii) school funding pressures,
- iii) and the recruitment, retention and training of a workforce with the Welsh language skills needed for successful delivery.

The barriers listed above are interrelated. The amount of national reform, compounded by the new challenges school are facing in this post pandemic era, are overwhelming staff which is a risk to the retention and recruitment of the education workforce. LA core budgets and school budgets are also completely stretched, and the sector is already having to make difficult decisions to cope with these financial pressures. Therefore, although the WLGA and ADEW are supportive of many of the general principles of this Bill, it is important to recognise that introducing the changes outlined could create additional tension if this isn't done gradually and if there isn't sufficient additional funding to cover the costs.

### **Subordinate legislation**

- Detailed plans related to legislation are welcomed.
- The Code describing Welsh ability as part of the secondary legislation and any other guidance documents and templates are welcomed.

### **Unintended consequences arising from the Bill**

- There is more work to be done with parents to frame and local communities to share the benefits of moving along the language continuum and the benefits of a bilingual education. There is a risk of some parent groups taking against



these proposals and this shift without more engagement work, especially if it is perceived that funding is being redirected without consultation.

- The additional workload could also be an issue for education workforce unions.
- Tensions could also arise if Welsh medium provision expands but English medium provision reduces, especially if teachers do not have the linguistic skills to apply for posts that require higher level Welsh language skills.

### **Financial implications**

- Any financial pressures related to changes to schools and settings resulting from the Bill should not be borne by individual schools or LA budgets.
- Any reform which involves statutory changes will take up a vast amount of LA officer time to produce the appropriate documentation, publish, collate responses, produce reports for Cabinet approval and manage engagement with the schools involved. LA officer teams are very small due to impact of financial austerity in local government and there is insufficient capacity to take on extra work. Welsh Government must provide funding for the time LA officers and schools will need to develop and implement plans for these statutory changes.
- The WLGA and ADEW anticipate there will be additional costs in the following areas:
  - Cost of training and recruitment to upskill Welsh language skills at all levels of the education workforce.
  - Cost of adapting policies, development of guidance and training in relation to the change in legislation.
  - Increase in LA staffing needed to monitor and challenge individual school plans.
  - Increased LA engagement with Governing Bodies to support with development, monitoring and implementation of delivery plans but also to support decisions related to shifting language categories.
  - Additional funding for engagement work with parents and communities to promote the benefits of Welsh language education and to promote increased late immersion places.

# Agenda Item 3

*This document provides a translation of correspondence received from Cymdeithas yr Iaith*

Cyflwynwyd yr ymateb hwn i'r [Pwyllgor Plant, Pobl Ifanc ac Addysg](#) ar [Bil y Gymraeg ac Addysg \(Cymru\)](#)

This response was submitted to the [Children, Young People and Education Committee](#) on the [Welsh Language and Education \(Wales\) Bill](#)

WLE 14

Ymateb gan: Rhieni dros Addysg Gymraeg (RhAG)

Response from: Rhieni dros Addysg Gymraeg (RhAG)

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Thank you for the opportunity to submit oral evidence in relation to the Bill in question. We wish to note a few comments in response.

## 1. The background of Rhieni dros Addysg Gymraeg

1.1 Rhieni dros Addysg Gymraeg (RhAG) represents the interests of parents and carers of pupils in Welsh schools and those who wish to see the growth of Welsh schools and Welsh education across Wales.

1.2 We represent and advocate for parents and carers that have children in Welsh-medium schools and also those that have not yet considered or started their journey through Welsh-medium education. We therefore consider that all parents and carers are eligible for our help and support as an organisation, from before birth and through their children's educational career, and that all parents deserve to be fully aware of the benefits, provision and linguistic outcomes of Welsh education in their area from the start.

1.3 To this end, RhAG works by promoting and campaigning to increase the accessibility of Welsh education throughout Wales through various means. We provide direct support to parents and carers and we work closely with partners in the third sector, as well as local authorities and the Welsh Government, to ensure that Welsh education becomes more accessible for families, and that the benefits of Welsh education are promoted in abundance all over Wales and in various ways. This is done by promoting externally on social media and websites but also by offering advice on how to improve the mechanism of the education system by sharing good practice from other areas across Wales. All central and local government systems must be easy and hassle-free for families to be able to have easy access to Welsh language education for their children. This means continuously increasing the provision of Welsh language education.

1.4 Since the start of the new cycle of the Welsh in Education Strategic Plans (WESPs) in September 2022, RhAG has taken an active role in contributing to the work of drawing up the plans from 2021, responding to the consultations between 2021 and 2022 and then assisting with the work of supporting, developing and implementing them in September 2023 by having a presence on the Welsh Education Forums of most counties across Wales.

1.5 RhAG a clear overview of the vast majority of plans across Wales – though not all. In some counties, it has been difficult to get the cooperation of the local authority to be able to contribute to the work of the Welsh Education Forums so that parents' perspective has its due voice. In the case of these counties, we have only been able to respond to situations reactively. Our hope therefore is to see each county acting proactively as this legislation is developed and implemented.

1.6 We are pleased to see the publication of long-awaited legislation that brings a real opportunity to make a significant difference to the education system in Wales and indeed to develop the Welsh language, and specifically Welsh education. Finally we see education and Welsh being linked in statute, with real opportunities to set in law the ability to deliberately plan for the further development of Welsh education. This legislation has the opportunity to transform education in Wales and indeed establish an innovative early and late immersion system in the field of world minority language acquisition.

1.7 When drawing up new legislation, it must be clearly shown that the new legislation is stronger than the last. While there has been clear progress in this legislation, we notice that there is backslide in places.

## 2. What did we want to see this bill achieving?

2.1 We noted in our response to the white paper that the core principle of this legislation should ensure that all learners in Wales, wherever they live, have default access to **Welsh-medium** education. The Welsh Government has repeatedly stated that its ambition is to increase opportunities for learners to acquire the Welsh language so that they can use it easily and confidently in order to reach a million speakers, and the Welsh Government's current guidance document Welsh in Education Strategic Plans states as follows

"The Cymraeg 2050 strategy is clear that full Welsh immersion education – that is, education within a Welsh-medium or predominantly Welsh-medium setting – is

the most reliable way to create individuals with the skills and confidence to use the language in their daily lives."<sup>1</sup>

### **3. Comments on the Bill**

#### **The general principles of the Welsh Language and Education (Wales) Bill and the need for legislation to deliver the stated policy intention.**

##### **Part 1: Promoting and facilitating use of the Welsh language.**

3.1 We agree with the principles of Part 1 of the Bill. It sets a living context for the Welsh language in statute and confirms the ideal of ensuring that Welsh is a viable community language, which is used daily by all residents of Wales.

3.2 We agree that targets need to be set for Welsh education (1(c) ) but we are concerned about how the Bill sets the definition of Welsh language education in Part 3. We elaborate on this in Part 3.

3.3 We would like to see more details regarding including using Welsh on a daily basis when counting the number of speakers. The Basque Country uses a social method of counting speakers by carrying out a street survey as part of the count, listening to the language of conversations heard over a certain period. This should be considered when developing the legislation further.

3.4 We agree with the principle of reviewing Welsh language standards, especially the promotion standards. It is essential to show the link between promotion and increase in use.

3.5 Parents/carers must clearly understand the extent of their children's language skills. This is extremely important when parents complete the census, for example. It is essential to ensure that the methods for counting the number of Welsh speakers are consistent and reliable and give a clear picture of the viability of the Welsh language within our communities. Honesty of provision is also important so that parents are not misled when making applications to schools.

3.6 The first part does not specify any details regarding the workforce. This needs to be looked at in more detail. Without a bilingual workforce, how is the population expected to be able to use Welsh more easily?

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<sup>1</sup> Page 8: <https://www.gov.wales/sites/default/files/publications/2021-02/guidance-welsh-in-education-strategic-plan.pdf>

3.7 There is an opportunity in this part for the Welsh Government to set a clear vision when promoting and facilitating. The Bill's aspiration needs to be reconciled with the promotion messages that come from the centre. The linguistic outcomes of the current education system need to be clear to parents/carers. Too often, we see parents/carers assuming that English-medium education produces proficient speakers. There is also a need to tackle the prejudices that still exist about Welsh education.

## **Part 2: Describing ability in terms of the Welsh language**

3.5 While we agree that it would be useful to have a standard framework for reconciling understanding of linguistic proficiency and to encourage linguistic progression along a continuum, it must be appreciated that Welsh schools have been using a literacy framework successfully to guide children along their journey to Welsh acquisition for decades. It is therefore important to ensure that the new framework is age appropriate from the early years to post-16 and beyond, and that the framework matches the needs of qualifications.

## **Part 3: Welsh medium education**

3.6 It appears that this Committee's own guidance confuses the term Welsh-medium Education and Welsh language education. The terms of reference identifies Welsh-medium education as Part 3 but in fact the title of the section in the Bill is Welsh language education. This highlights our concern about the definition of Welsh language education in the Bill as it is in section 8 (2), which states

(2) For the purposes of this Part—

(a) "Welsh language education" means—

(i) teaching Welsh, and

(ii) education and training through the medium of Welsh,

in a school, to pupils of compulsory school age;

The most important word in this part is the word "and", as the Bill clearly wants to couple and combine the two types of "Welsh language education" within the same definition, probably in order to be concise when introducing the Act. But we note the risk here of being misleading, rather than making things clearer to the public. In fact, it complicates the meaning of the term Welsh language education and indeed causes problems later on in the Bill by using the term far

too loosely and generally without giving sufficient detail as to the two types of "Welsh education" when talking about "Welsh language education." The term Welsh language education is well established as the education system for complete language immersion. This new definition risks a term that is well-established amongst parents and carers. There is a risk that linguistic outcomes could be further complicated by this definition.

At no point does the Bill make any reference to Welsh schools or indeed to Welsh-medium education. It must be asked why? Why does the Bill ignore the very sector that has been growing over the past decades? Why does the wording of the Bill seem to be a backslide - a concept that is identified as one that should not happen according to the current language category guidance.

The term "set the minimum amount of Welsh provision" is used in the Explanatory Memorandum. We suggest that the difference must be highlighted more firmly when defining Welsh language education and Welsh language provision in this part.

3.7 Again, in section 9 (2) there is no category that recognises designated schools as they are currently known. Welsh-designated schools must be the ideal and the main category, as it is these schools, as recognised by the Welsh Government, that produce proficient speakers. This cohort offers the greatest opportunity to nurture a bilingual education workforce for the future. The Main Language - Welsh category only guarantees little over half of the provision in Welsh as currently identified. It is therefore essential that a category is added to recognise Welsh-medium schools, firmly defining the highest percentage on the face of the bill.

3.8 It must be acknowledged that it isn't only classroom teaching that creates proficient Welsh speakers. The whole ethos of the school, the conversations that are had and heard with the teaching staff and additional staff of the school, those that serve lunch, those that run clubs before and after school hours, school visitors, the wider community around the school - it is all of those holistic experiences that create a proficient and confident individual in Welsh.

3.9 A key element in order to ensure progression from primary to secondary and avoid losing pupils to Welsh secondary schools is to ensure that children do not slip into a secondary school of a lower category. Too often, we see this happen when English-medium schools are closer to children's homes or easier to reach as a result of a lack of suitable and accessible transport. Section 11 (4) provides an opportunity to clearly place the assumption that children move to a school in the same category or higher. This section will strengthen the ability of local

authorities and schools to bridge with schools in the same category. It will also align with the desire to provide pupils with late immersion opportunities in years 7 and 8. We suggest that this clause be further strengthened by noting instead using "it is assumed" but to change this to "there is a strong presumption" reading as follows:

*In relation to the Welsh language goals for a primary school, **there is a strong presumption** that the pupils of the school continue with education in schools of the same language category until they cease to be of compulsory school age.*

3.10 Obviously, the planning and promotion work needs to be mainly focused on early immersion from the early years, but sometimes children come to the education system that want to join Welsh-medium provision later. We welcome the recognition in the Bill to formalise late immersion education provision. It must be ensured that this provision is consistent and available in primary and secondary schools across the whole of Wales. The Bill must ensure this. It must also be ensured that the Welsh language is offered to newcomers to our communities as default rather than directing them to English-medium education, as is currently happening in some areas. The Welsh language belongs to everyone in Wales, which should be reflected in all aspects of welcoming people from all parts to our communities.

3.11 Placing responsibility on schools to plan Welsh provision in Welsh Medium schools already happens and therefore we see no difficulty with this. The school's development plan already does this. What would be good to see is for Estyn to adapt its review framework to reflect the change that will be schools' responsibility as a result of the changes in the Bill in order to recognise their linguistic outcomes and clearly identify how Welsh medium schools are laying strong linguistic foundations early on through complete immersion education.

#### **Part 4: Planning Welsh language education and learning**

3.12 It has already been noted that the definition of "Welsh language education" needs to be looked at again as part 4 is full of references to it and again, it is not clear which "Welsh language education" is being referred to. If both types are referred to, then the explanation for both types must be expanded or go back to redefine using the term provision. It is misleading to generalise with the same term.

3.13 We agree with promotion aspects for Welsh language education in the sense of Welsh-medium schools but we are concerned about the promotion element with dual language schools. As an organisation, our thrust is to promote

full immersion education so that pupils receive both languages up to proficiency as soon as possible. It must be ensured that promoting a system that does not give pupils Welsh fully does not interfere with the work of encouraging more children to receive complete immersion education.

3.14 The WESPs are now rooted in local authorities' education planning system and therefore we welcome the evolution to the local Welsh in education strategic plans. However, it must be realised that the new definition of "Welsh language education" once again here needs further clarification so that local authorities do not neglect their responsibilities to increase numbers in full immersion Welsh education.

3.15 We welcome the establishment of the framework in part 4, but there is a significant and obvious gap in this framework in terms of developing the number of the workforce in its current form. No part of the Bill shows how the Welsh language and education workforce will be strategically planned. It's important that strategic functions to increase the workforce are clearly on the face of the Bill so that the linguistic skills development planning is the responsibility of the Institute, but that the strategic planning is to meet the challenges of the currently obvious gaps is addressed in the framework. We therefore suggest that an additional function be included in section 23(3) such as the following wording, to be placed under (c) and before (d) so that it leads to the element of

"training, professional development and support available..."

(ch) Increasing and strengthening the Welsh education workforce in schools

This aspect could also be coupled by the development of further secondary legislation to the Education Workforce Council's responsibilities, as suggested by us in response to the white paper. However this is done, we cannot continue without a statutory plan to develop the workforce. It leaves the circle incomplete.

## **Part 5: The National Welsh Language Learning Institute**

3.16 We welcome the establishment of the National Welsh Language Learning Institute. We note that the work of the National Centre since its establishment has evolved enormously in order to respond to the changing needs that have arisen in our communities - especially since the Welsh in Education Strategic Plans began to be implemented. Putting the establishment of the Institute on the face of the Bill is essential to ensure due status to the process of acquisition and development of language skills in the education sector and the community, which is essential to the effective implementation of this Bill. It must be emphasised that

the partnership work that the Centre is currently undertaking has to be transferred to the functions of the new Institute, and therefore it would be good to have further clarity on this. We see for example the commendable work that takes place to train staff in the early years, Camau and parents with the Clwb Cwtsh scheme in collaboration with Mudiad Meithrin, or the intensive learning work with parents in Ceredigion with the new transitional schools and Welsh in the Home schemes for new schools such as Ysgol Gymraeg Nant Gwenlli in Newport and Ysgol Gymraeg Trefynwy in Monmouth.

Further clarity is also needed on the difference, if any, between the role of the Institute in providing lifelong education and post-16 education in schools. Reference is often made in the Bill to statutory education, which in Wales ends at the age of 16. What then? The responsibility for funding post-16 education in schools remains unclear.

3.17 The Institute must be a prominent and recognised authority on providing training and planning Welsh language acquisition needs across the span of the education and training sector - from the early years to lifelong education. There is a real opportunity here to create a body of authority with expertise in language acquisition and a place to nurture experts in the field for the future. These functions must be clear from the outset.

### **Any potential barriers to the implementation of the provisions and whether the Bill takes account of them**

3.18 We have identified the need to include an additional clause in the Bill to reflect the need to plan to increase the workforce in a purposeful manner. Without this, it will be very difficult to implement the provisions of this Bill. This Bill does not consider it sufficiently in our opinion.

3.19 Details must be included on how data on the language ability of the education workforce specifically will be collected and in order to be a baseline for implementing proficiency pathways through the support of the Institute.

3.20 There is no reference in the Bill to the Learner Travel (Wales) Measure 2008, which is essential to ensure that learners reach their education. Consideration should be given to the effect that omitting this will have on implementing this Bill.

### **Whether there are any unintended consequences arising from the Bill**

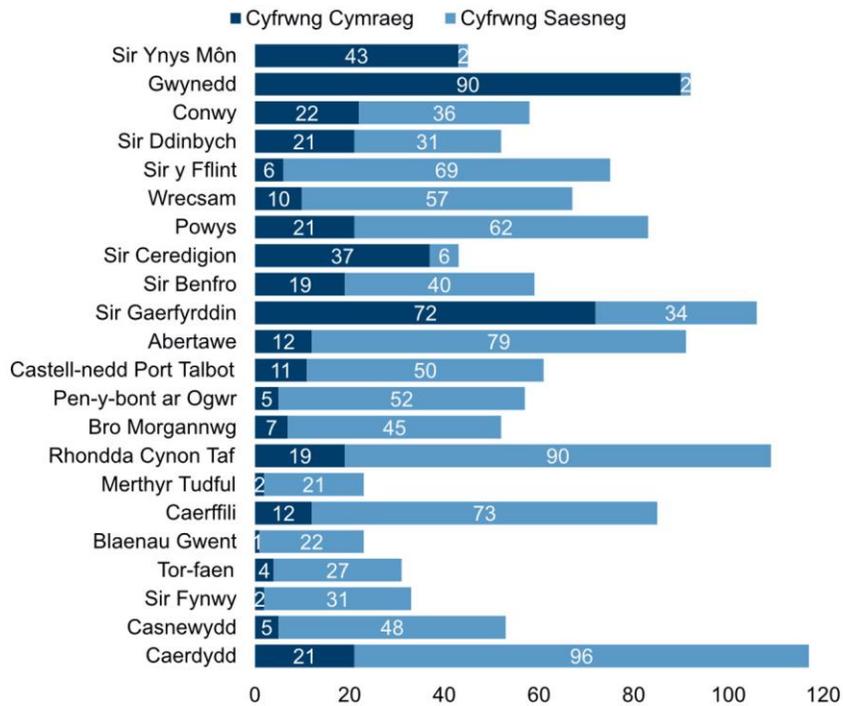
3.21 We are concerned that the new emphasis to increase provision within each school will draw attention and resources away from the development of Welsh-medium education. In Wales, we have an immersion system that creates proficient and confident users. The Bill should focus more on expanding this sector and making significant resource provision to support a structure to convert English-medium schools into Welsh schools.

### **The financial implications of the Bill**

3.22 It must be ensured that not only existing budgets will be transferred to implement this legislation. There are high expectations in the Bill that can only be realised with relevant resources. We have noted the absence of reference to the workforce strategy and therefore a budget will need to be secured for this aspect. Investment in training will be needed to increase capacity. This should be seen at all levels from the Welsh Government, local authorities and schools as a significant investment in the Welsh language and in increasing the population's ability to be bilingual and multilingual citizens.

In conclusion, we would like to give you as a committee the context of the accessibility of Welsh-medium education. Below you will find the table of the latest school census showing the numbers of Welsh schools, which are in the minority in most of the counties of Wales. We emphasise the need to increase the number of Welsh-medium schools so that more children acquire the language as early and as fully as they can and follow the path of Welsh-medium education up to work so that they can participate fully in the bilingual economy of Wales.

# Ffigur 1: Nifer yr ysgolion a gynhelir, yn ôl awdurdod lleol a chyfrwng, 2024 [Nodyn 1]



<https://www.gov.wales/schools-census-results-january-2023-html>

# Agenda Item 4

Cyflwynwyd yr ymateb hwn i'r [Pwyllgor Plant, Pobl Ifanc ac Addysg ar Bil y Gymraeg ac Addysg \(Cymru\)](#)

This response was submitted to the [Children, Young People and Education Committee](#) on the [Welsh Language and Education \(Wales\) Bill](#)

**WLE 12**

**Ymateb gan: Cyngor y Gweithlu Addysg**

**Response from: Education Workforce Council (EWC)**

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**Written paper from the Education Workforce Council (EWC) in preparation for oral evidence to the CYPE on 9 October 2024 by Hayden Llewellyn (EWC Chief Executive) and Eithne Hughes (EWC Council Chair) on the general principles of the Welsh Language and Education (Wales) Bill.**

The EWC is the independent, professional regulator for the education workforce in Wales. We regulate education practitioners across schools, further education, youth work, and adult/work-based learning. The Education (Wales) Act 2014 formally sets out our aims and functions.

In order to regulate the workforce, we are required to maintain a Register of Education Practitioners (the Register). As a result, the Register provides a rich source of data about the composition of the education workforce in Wales, across 13 different groups of registered practitioners. Our data includes workforce information such as:

- Ability to speak Welsh, teach through the medium of Welsh, teach Welsh as a second language
- Recruitment and retention
- Employment (including phase, subject, Welsh medium, bilingual or English medium)
- Numbers of teachers who trained through the medium of Welsh
- Supply workforce and their Welsh language ability

As part of our oral evidence, we will provide a high-level overview of our data; however, we would welcome the opportunity provide Welsh Government and/or the CYPE committee with a detailed briefing on our data. We have provided similar data briefings (and other updates) to Welsh Government's Welsh in Education Workforce – External Implementation Group, upon which we sit as a member.

It is on the basis of this intelligence, as well as information gathered through our other statutory functions that we will focus our oral evidence on:

- the size of the challenge and the extent of the resources that will be required to achieve the 2050 target
- consideration of the impact of the various requirements of the Bill (listed below) on the current and future education workforce, including implications relating to workload, recruitment and retention and professional learning:
  - a duty on the Welsh Ministers to review the Welsh language standards in relation to improving or assessing the Welsh language skills of the workforce
  - the goal of pupils achieving proficiency (C1/C2) in Primarily Welsh Language schools and independence (B1/B2) in other categories of school

- requirement placed upon the Welsh Ministers, to produce a framework setting out how they will implement the Welsh language strategy's proposals in relation to Welsh language education, (lifelong) Welsh language learning, and acquiring the Welsh language
- requirement for local authorities to prepare and implement Welsh in education strategic plans outlining how they will promote and facilitate Welsh language education and use of Welsh in schools within their areas
- changes to the definitions of Welsh language ability, based on the European Common Reference Framework for Languages (CEFR)
- the categorisation of schools according to the amount of Welsh language education they provide
- the opportunities and challenges associated with the requirement for school governing bodies to develop a Welsh language education delivery plan, in consultation with key stakeholders
- the statutory basis for the proposed new body, the National Institute for Learning Welsh (NILW) and the opportunities this presents
- the need for continued strategic collaboration throughout implementation and beyond, it will be essential for Welsh Government to continue to work closely with key stakeholders to maintain a co-ordinated and focussed approach to delivery in this key policy area
- further work to assess the extent of the likely impact of the wide-ranging measures outlined within the Bill upon the workload of teachers, learning support workers and leaders in schools across Wales adequate resources and support for local authorities and schools to facilitate the implementation of the measures outlined within the Bill
- the interrelationship of the Bill with the new curriculum and ALN Bill needs to be properly understood and should be clearly communicated and articulated to the sector

**Hayden Llewellyn**  
**EWC Chief Executive**  
**30 September 2024**

# Agenda Item 5

Cyflwynwyd yr ymateb hwn i'r [Pwyllgor Plant, Pobl Ifanc ac Addysg ar Bil y Gymraeg ac Addysg \(Cymru\)](#)

This response was submitted to the [Children, Young People and Education Committee on the Welsh Language and Education \(Wales\) Bill](#)

WLE 13

Ymateb gan: CBAC

Response from: WJEC

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WJEC welcomes the opportunity to respond to the Welsh Language and Education (Wales) Bill.

WJEC is Wales's largest awarding body and we offer nearly 200 GCSE, AS, A Level and vocational bilingual qualifications.

We welcome the key provisions in the Bill and look forward in supporting this through our qualifications, especially the main objective of ensuring that all pupils reach the end of compulsory school age as independent Welsh language users.

In cooperation with the regulator, Qualification Wales, WJEC have designed new Welsh language qualifications for 14 – 16 learners with focus on the new curriculum for Wales and developing oral skills. GCSE Core Cymraeg and Level 2 Advance Core Cymraeg will be an opportunity for learners to develop and enhance their Welsh language skills with 50% of both qualifications focusing on oracy. We are fully aware that increasing learner's confidence in their use of Welsh is essential for the Cymraeg 2050 national strategy of increasing the number of Welsh speakers to a million by 2050. Young people will have opportunities to use their Welsh naturally and start becoming confident speakers by studying both new qualifications.

WJEC is aware of the challenge of recruiting competent teachers in delivering lessons in Welsh and through the medium of Welsh and this is why we are supporting teachers by putting together a comprehensive programme of professional learning to guide them through current and new qualifications. We are also delivering a range of Welsh medium resources to support teachers and learners, including Knowledge Organisers, Blended Learning and textbooks.

WJEC is a provider of Welsh for Adults qualifications, and this suite of provision align with the principles that are championed by the Association of Language Testers in Europe (ALTE), of which WJEC is a member. We will be hosting ALTE's 62<sup>nd</sup> Meeting and Conference in April 2025. Work has been done already to align the Welsh for Adult qualifications with the European Common Reference Framework. WJEC would welcome the opportunity to develop other language qualifications in the future using the European Common Reference Framework for Languages as this would also align our GCSE, Level 2 and GCE qualifications with Welsh for Adult qualifications to have a single continuum of Welsh language learning. As a business, we believe that a Welsh language skills continuum would support us during the recruitment process. WJEC encourage their employees to have Welsh lessons and several of them take the opportunity to sit Welsh for Adults qualifications annually. We advocate the opportunity for our employees to have greater Welsh language ability and use their Welsh speaking skills daily.



We welcome the vision to create statutory language categories for schools. WJEC is committed to promoting and supporting a bilingual education system, including working with Canolfan Bedwyr, Bangor University's Centre for Welsh Language Services, Research and Technology, to consistently use standardised terminology across Welsh medium assessments and resources. We are also continuously looking to improve methods of working with publishers of resources and securing sufficient bilingual skills in all teams. This is also demonstrated through working with the Welsh Language Commissioner in relation to the Welsh Language Scheme and delivering bilingual services.

Employees from WJEC are grateful for the opportunity to continue to be part of the Task and Finish Group – code describing Welsh language ability. We look forward to opportunities in the future to create qualifications and give educational support to learners and employees to have shared understanding of their individual journey to learn Welsh.

Ian Morgan  
Chief Executive  
WJEC

# Explainer: Welsh participation in higher education

August 2024

## What do we mean by participation, participation rate and application rate?

When referring to *participation* in higher education, we mean anyone who has secured a place at university.

The *participation rate* is the proportion of 18-year-olds going to university. The size of the population can vary year-on-year, which is why the participation rate is a more helpful indicator of trends over time, rather than the number of people going to university.

The *application rate* is the proportion of 18-year-olds applying for university. Not necessarily everyone who applies will eventually take up a place at university.

## What do the stats tell us?

Two key trends are cause for concern.

The participation rate in Wales has been dropping, and is lower than elsewhere in the UK. That means 18-year-olds in England, Scotland and Northern Ireland are more likely to go to university than their Welsh peers.

The latest UCAS data available demonstrates a continued drop in the proportion

Domicile	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
<b>UK</b>	36.0%	37.0%	37.5%	37.8%	38.9%	40.5%	43.3%	44.1%	42.1%	41.9%
England	36.1%	37.2%	37.9%	38.1%	39.5%	41.3%	43.9%	44.9%	43.0%	42.7%
Northern Ireland	48.2%	48.2%	47.7%	47.6%	46.9%	48.2%	52.3%	52.8%	51.1%	50.1%
Scotland	32.5%	32.8%	33.0%	32.8%	32.7%	32.3%	36.1%	35.8%	33.9%	33.9%
Wales	31.7%	32.9%	32.5%	32.7%	32.9%	33.6%	37.9%	38.1%	34.2%	33.8%
<b>Total</b>	36.0%	37.0%	37.5%	37.8%	38.9%	40.5%	43.3%	44.1%	42.1%	41.9%

of Welsh 18-year-olds applying to university.

The application rate is now **33.8%**, the lowest rate in the UK.

The gap between the rate in Wales and the rest of the UK has been increasing over time, and is now at its **widest point in 15 years**.

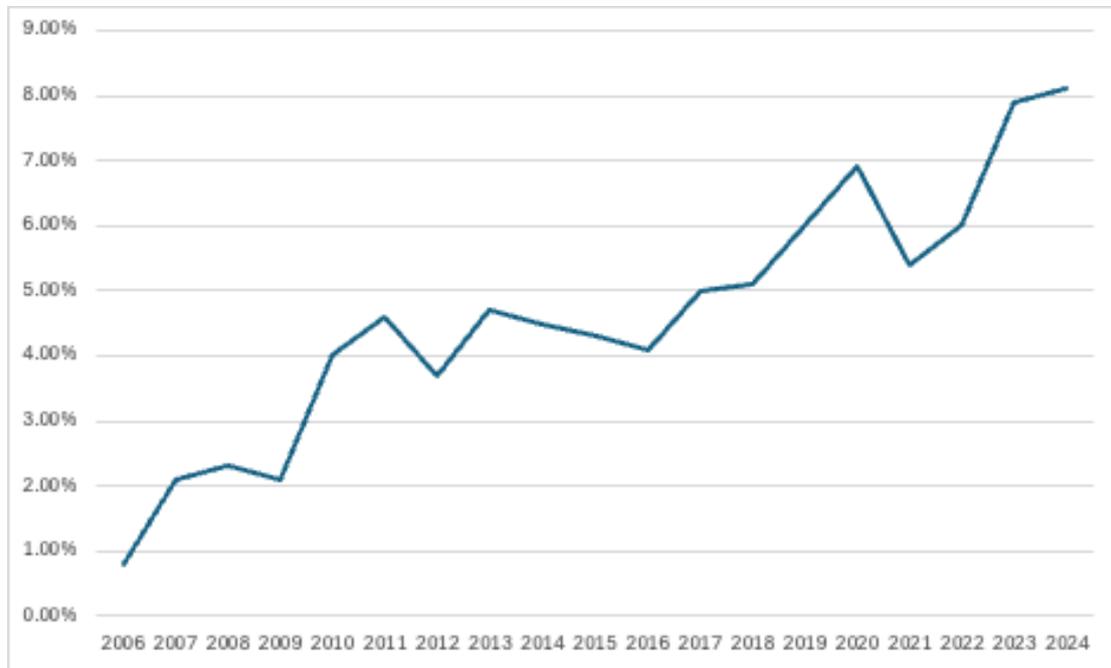


Figure 1: Gap in application rate between Wales and the UK as a whole, UCAS 30 June data

If we break it down to regions in England, only the North East of England (33.4%) has a lower participation rate than Wales (33.8%).

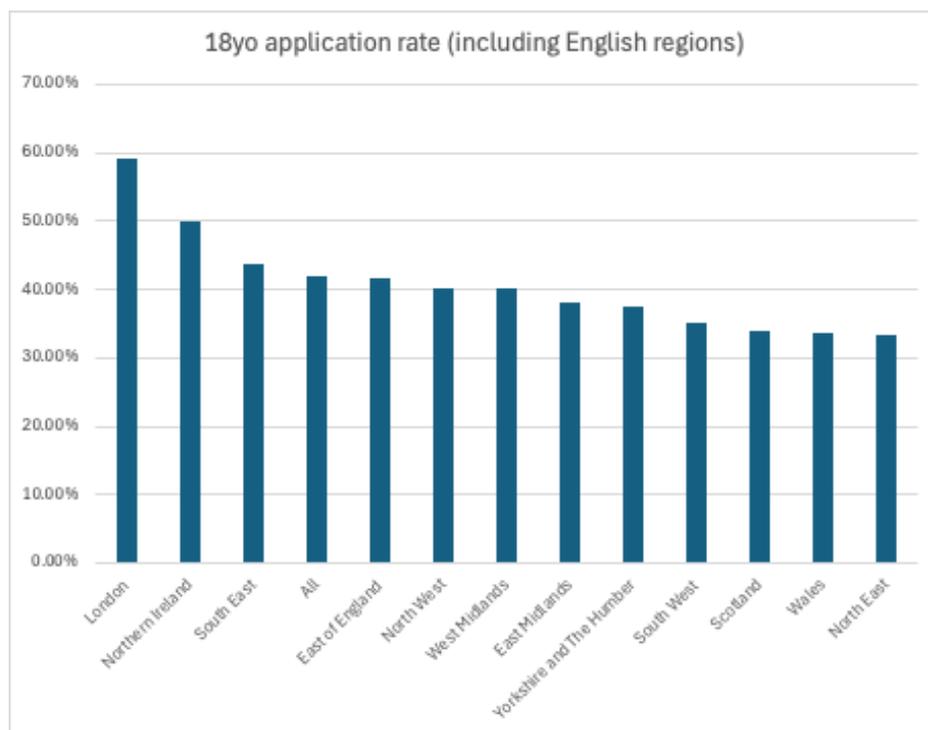


Figure 2: Application rate for 2024-25 academic year, by nation and English regions. UCAS 30 June data.

Furthermore, Wales has also seen a **drop in the application rate from quintile 1 of the Welsh Index of Multiple Deprivation** (i.e. the most disadvantaged), whereas England and Scotland have seen an increase in application rate in the equivalent cohort.

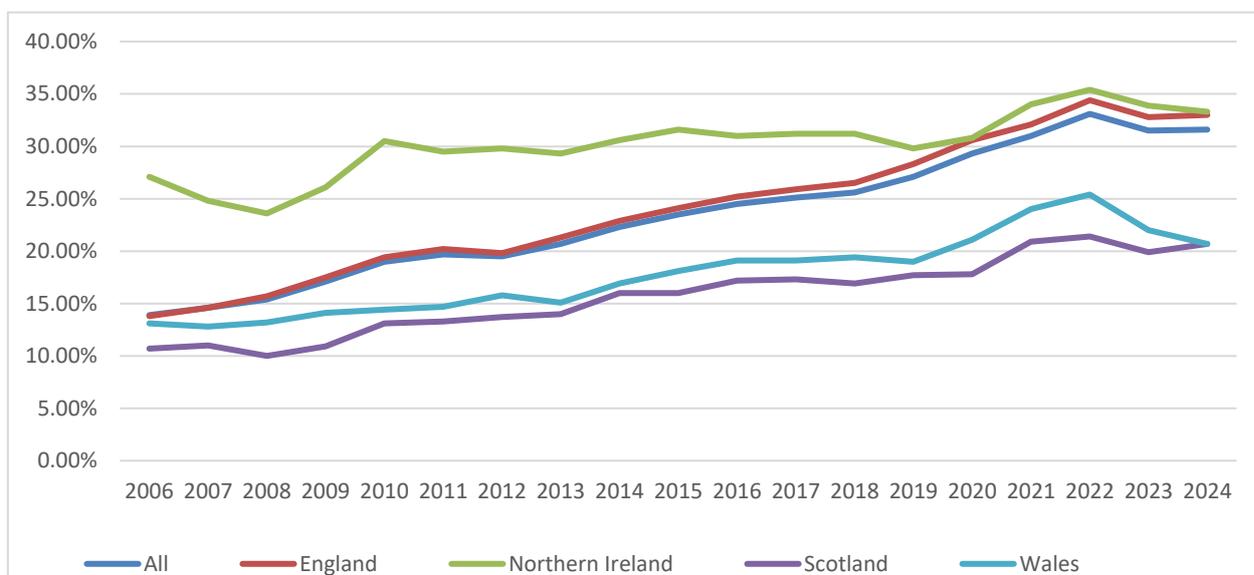


Figure 3: Proportion of those in the most deprived areas (Quintile 1) who applied to university. UCAS 30 June data.

## Why is this a problem?

This trend rings alarm bells for a few reasons.

The support package on offer to Welsh-domiciled students (i.e. those living in Wales when they apply to university, rather than those studying in Wales, who could come from the rest of the UK or be international students), is the most generous of all UK nations with a particular focus on maintenance support for living costs.

So, despite the availability of grants and loans designed to facilitate access to higher education, Welsh young people are not taking up the opportunity to do so at the same rate as their peers elsewhere in the UK.

The future of the economy depends upon the nation being sufficiently equipped to capitalise on industrial, digital and societal developments, with increasing demand for graduate-level skills. If Welsh people are not gaining these skills, Wales' economy will find itself at an economic disadvantage compared to the rest of the UK which the proportion of graduates in the workforce will be higher. Wales already has a lower proportion of graduates in the workforce than other parts of the UK.

But crucially, we must remember the implications that this would have on individuals, and the opportunities that they may miss out on. There is a real chance of a generation that is be less well-qualified than their predecessors.

## **Why is this happening?**

There could be a variety of factors at play, including a need to raise ambition or a lack of awareness of the availability of courses and financial support on offer.

Crucially, it's not just at 18 that young people are opting-out of education. Welsh Government figures indicate that an increasing proportion 16-year-olds are not progressing from Year 11 to education, training or work-based learning.

In 2017, 90% of school leavers were staying in education, training or work-based learning. [That's fallen to 80% in 2022.](#)

## **What can be done to address the problem?**

Universities Wales would like to see Medr, the Commission for Tertiary Education and Research, and the Welsh Government, commit to tackling this issue head-on, firstly by addressing the need for better data to understand where our young people are going after school and further work to understand what lies behind the choices young people are making.

## **Are Welsh people going to university elsewhere?**

These figures relate to people normally resident in Wales wherever they may be applying to, not just those who are applying to Welsh universities.

Welsh universities attract students from Wales, the rest of the UK, and international students. But for the resilience of the future Welsh economy, it would be beneficial to have more Welsh students entering higher education.

## **Are Welsh young people doing apprenticeships instead?**

The drop in applications to university is not explained by young people accessing other modes or types of provision.

Looking beyond the volatility in apprenticeship starts caused by the pandemic, 18- and 19-year-old apprenticeship numbers have been broadly steady over a five year period. In 2018-19, there were 6,065 apprentices aged 18 and 19 in Wales. In 2022-23, there were 5,605. [The overall proportion of the 18-19 year old population entering work-based learning has slightly decreased over this period.](#)

# Agenda Item 6.2

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

**Jeremy Miles AS/MS**  
Ysgrifennydd y Cabinet dros Iechyd a Gofal Cymdeithasol  
Cabinet Secretary for Health and Social Care

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

Our Ref: MA/LN/10177-24  
Buffy Williams MS  
Chair  
Children, Young People and Education Committee



Llywodraeth Cymru  
Welsh Government

30 September 2024

Dear Buffy,

Please find attached the Welsh Government's response to the recommendations made by the Children, Young People and Education Committee's report: Do disabled children and young people have equal access to education and childcare?

We appreciate the Committee's in-depth examination of this matter and are grateful for the comprehensive recommendations provided.

We care deeply about access to education for all learners and are committed to addressing the challenges faced by disabled children, young people, and their families across Wales in a meaningful and sustained manner. We will continue to work local authorities, and all stakeholders to ensure that no child in Wales is denied their right to education or childcare and the opportunities that come with it.

Yours sincerely

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

**Jeremy Miles AS/MS**  
Ysgrifennydd y Cabinet dros  
Iechyd a Gofal Cymdeithasol  
Cabinet Secretary for Health  
and Social Care

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

**Welsh Government Response to the  
Children, Young People and Education Committee Report:  
Do disabled children and young people have equal access to education and  
childcare?**

The Welsh Government welcomes the Children, Young People and Education Committee's report on the important issue of whether disabled children and young people have equal access to education and childcare in Wales. We appreciate the Committee's in-depth examination of this matter and are grateful for the comprehensive recommendations provided.

**Conclusion 1** rightly points out that too many children and young people's rights to education, as outlined in Articles 28 and 29 of the UN Convention on the Rights of the Child, are being breached in Wales. While we have made progress in some areas, we acknowledge that more must be done to ensure that these rights are upheld consistently across Wales. We are determined to work with schools, local authorities, and other stakeholders to remove barriers to education and ensure that every child has access to the learning environment they need.

The new ALN system has been designed to increase the rights of children and families, as well as decreasing the fight for support that they often faced under the old SEN system. We are still in the early stages of implementing this and we will continue working with our delivery partners to get this process right across Wales.

In addition to more than £107 million investment to support ALN implementation since 2020, capital investment of more than £170 million has improved facilities for learners with additional learning needs over the past 5 years. The Sustainable Communities for Learning Programme is investing over £750 million over the next nine years to continue to improve and expand existing facilities and create new specialist provision.

The 2022-25 £70 million Childcare and Early Years Capital Programme supports, maintains and improves existing and new childcare settings. There are two distinct workstreams: small grants funding and major capital funding. The small grants element of the Programme can be used by childcare settings registered with Care Inspectorate Wales to purchase ALN/Sensory equipment to help overcome the barriers in offering accessible provision. As part of the assessment process of all proposals for major capital funding considerations are made for the accessibility of the building / provision for children with additional learning needs (ALN).

**Conclusion 2** highlights the impact that gaps in educational access can have on the emotional and mental well-being of children, as well as their educational outcomes. We are keenly aware of this and through our programme of reform our focus is on creating a system where the rights of all children, including disabled children, are fully respected and upheld, and where their wellbeing is fully supported. Where these rights have been denied we recognise the impact this can have not just on their emotional, mental, and physical well-being, but also educational attainment and future potential.

We also recognise the toll this takes on families and carers and the need for a more robust support system for families of disabled children and young people.

We have taken action to improve education practitioners' understanding of how to support children and young people's rights in education by working with partners, including the Children's Commissioner for Wales and Disability Wales, to create an online [professional learning package](#) on the UNCRC and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

**Conclusion 3** draws attention to the toll these challenges place on families. We recognise the strain that families face in navigating a system that can, at times, be difficult to access. We fully appreciate the burden this creates. We are committed to easing these pressures by ensuring that support is more readily available and that families do not have to fight to secure the rights and services their children deserve. Increasing multi-agency collaboration across public services, particularly between health and education continues to be a priority.

We are also taking a range of actions to increase the consistency of delivery of ALN reform and ensure the legislative framework is clear and understood. In addition we are developing our professional learning offer on child development and neurodivergence.

**Conclusion 4** raises the issue of inconsistent provision across Wales, including those accessing Welsh-medium provision, leading to disparities in access to inclusive childcare and education. We have already acknowledged this, and we are strengthening the school improvement framework to focus on creating an inclusive education. We have also recruited a National ALN Welsh language implementation lead who is taking a Wales-wide, strategic approach to improve delivery. We are also embedding the enabling learning guidance. This guidance supports practitioners to deliver an inclusive, broad, and balanced curriculum that reflects the needs of learners.

We acknowledge that while some areas have developed good inclusive practices, these can be the result of individual determination rather than a consistent, structural approach. The existence of a postcode lottery in access to inclusive education and childcare, particularly in Welsh-medium provision, is unacceptable. We are committed to tackling the barriers that lead to this inconsistency.

**Conclusion 5** identifies the complex and interlinked barriers to delivering inclusive education and childcare that span broad societal attitudes towards disability and difference, as well as practical challenges. Systemic change takes time and is still being done in the shadow of COVID. We must not forget the backdrop of the COVID pandemic which caused significant pressures on public finances and huge impacts on the workforce, and particularly disabled children, across Wales.

We recognise that childcare and education providers often face challenges in delivering inclusive services, and we understand that this is not a reflection on the dedication of the staff involved, who often work tirelessly to support all children and young people in their care.

However, we are determined to tackle these issues at every level, working with all relevant stakeholders to dismantle the barriers that prevent children from accessing the support they need. This includes a commitment to improving staff training and creating more inclusive environments within both childcare settings and schools.

Below, we have outlined our responses to the Committee's recommendations, including the actions we are taking and those we plan to take in response to the issues raised. We are eager to continue working collaboratively with the Committee, local authorities, and stakeholders to ensure that no child in Wales is denied access to the education and childcare they deserve, along with the opportunities they bring.

### **Recommendation 1**

**The Welsh Government sets out its views in relation to our key conclusions, and in responding to the recommendations set out the specific steps it will take to address the wide-reaching issues we've identified in the conclusions.**

In responding to the Committee's conclusions, we acknowledge the seriousness of the findings in this report and the challenges faced by disabled children, young people, and their families across Wales. It is evident there are pressing issues that require prompt attention, and we are committed to addressing them in a meaningful and sustained manner.

We have outlined below our responses to the Committee's recommendations, detailing the actions we are taking and planning to address these issues. We look forward to continued collaboration with the Committee, local authorities, and all stakeholders as we work together to ensure that no child in Wales is denied their right to education or childcare and the opportunities that come with it.

**Financial implications** – N/A, this is an overarching recommendation

## **Recommendation 2**

**The Welsh Government should ensure there is more research and data available on the gaps in childcare provision, which can help inform development of inclusive provision. As part of this, the Welsh Government should ensure that local authorities are collecting data when children and young people leave or move between childcare and education provisions and the reasons for this. This data should then be used to inform future reviews, training and assessments for childcare and education providers.**

### **Response: Accept in principle**

We are already working to improve the evidence base to understand more about and support children in the early years accessing childcare. Within the planned Welsh Government research and evaluations, the methodology can include primary research with specific groups of parents of disabled children who have accessed Welsh Government funded childcare to gather evidence about their experiences.

Welsh Government has recently published a review of the most recent Child Sufficiency Assessments (CSAs) and research into the Additional Support Grant for the Childcare Offer for Wales, which provide evidence about access to provision for disabled children.

Registered childcare services complete an annual Self-Assessment Service Statement (Care Inspectorate Wales) which includes data on the number of children with ALN accessing the provision, and the type of ALN supported. The Welsh Government monitor the number of children being supported in registered settings that have ALN to monitor the trend over time.

We can explore the feasibility of undertaking further research to address any remaining gaps in data but there would be financial and staff resource implications of this because of the complexities of the work.

**Financial implications** - If additional research work was commissioned there would be a financial implication, consideration of allocating sufficient staff resource, and opportunity cost of de-prioritising other projects. The amount would depend on the scope and complexity of the research and prioritisation would depend on whether it aligns with the current evidence plan supporting Cabinet priorities. This would be subject to further advice.

### **Recommendation 3**

**The Welsh Government should share its response to the recommendations in the Research into Childcare Sufficiency Assessment with us. In providing this, the Welsh Government should detail how it is ensuring recommendations are being implemented and how implementation is being monitored.**

#### **Response: Accept**

We are considering the recommendations made by Arad Research, who were commissioned to undertake a review of the CSAs, which was published in March 2024 (Research into Childcare Sufficiency Assessments).

We will collaborate with our stakeholders to explore how we can improve CSA arrangements and ensure they remain fit for purpose in future, building on the recommendations within the review. We will:

- explore ways to improve the childcare sufficiency assessment process;
- review current regulatory requirements including statutory guidance;
- explore ways to reduce administrative burden on local authorities;
- review the format of the CSA assessment report to ensure it is more streamlined and impactful; and
- consider tools to assist local authorities in assessing and planning for childcare arrangements and ensuring data is accessible and fit for purpose.

We will provide a response on any changes required as a result of the review, including any regulatory changes or changes to the statutory guidance, which will be in place to support the development of the next round of CSAs in June 2027. We will provide written updates at key stages as we progress the work and will ensure our stakeholders are kept fully informed of developments.

**Financial Implications** – None, as will be funded from existing budgets.

#### **Recommendation 4**

**The Welsh Government should set out how gaps in childcare provision for inclusive and accessible childcare identified in CSAs should be met. This should include setting out how the Welsh Government and local authorities can work and support each other in ensuring positive action is taken to secure sustainable and inclusive childcare in all areas of Wales.**

#### **Response: Reject**

Whilst we acknowledge the importance of the intent behind this recommendation the statutory duty to address gaps identified in the CSAs rests with local authorities not the Welsh Government. To help support local authorities address gaps in provision the Welsh Government provides them with funding through the childcare and play element of the Children and Communities Grant. When using this funding local authorities are encouraged to give special consideration for the childcare and play needs of families with children with additional needs, to help ensure childcare provision is inclusive and accessible. Given that childcare provision is largely operated by private individuals or businesses local authorities are however limited in the mechanisms by how far they can go to secure sustainable and inclusive childcare in all areas of Wales.

Effective partnership working is a core element of the childcare sufficiency assessment. Under the duty to secure sufficient childcare provision, local authorities work with partners to develop and implement the Childcare Sufficiency Action Plans, that remove shortcomings and maintain the strengths identified in the Childcare Sufficiency Assessments.

Local authorities are required to ensure a sufficient contribution from a range of partners and organisations, in meeting their duty to assess, plan and secure the sufficiency of childcare provision in their area. National Childcare Umbrella Organisations and Family Information Services have a key contribution to make in assisting local authorities to plan and safeguard the sufficiency of childcare provision in their area.

The Welsh Government have issued statutory guidance to assist local authorities to discharge their duty to ensure sufficient childcare is available, undertake childcare sufficiency assessments, and provide information, advice and assistance relating to childcare to parents, prospective parents and those with parental responsibility or care of a child.

**Financial Implications – None.**

## **Recommendation 5**

**The Welsh Government should set out how it can seek to streamline the various different funding streams available to childcare providers to ensure that it is easier for childcare providers to know what support they can access and how best to access this.**

### **Response: Accept in principle**

To ensure that the childcare element of the Offer for three-and-four-year-olds is inclusive to eligible children who need additional support, help has been made available by means of a separate funding stream called the Childcare Offer for Wales Additional Support Grant (ASG). Local authorities can draw on this funding to help ensure that eligible children with additional needs are able to access the childcare element of the Offer in the same way as other eligible children.

An independent review of the ASG was undertaken during 2023/2024. One of the recommendations put forward from the report was that Welsh Government might consider working with local authorities to jointly develop communications and information campaigns to providers and families to ensure that all those who are eligible and need ASG support have access to it. Officials will explore the recommendation made in the ASG independent review and develop specific campaigns to align with the findings of the research and improve monitoring reporting requirements.

Flying Start commissioned childcare providers are supported directly by their local Flying Start Childcare Advisory teams in meeting the needs of individual children. However, there is no dedicated funding stream to support children aged three years who are not eligible for the Childcare Offer or those from birth to three years who are not eligible for Flying Start but attend childcare in the non-maintained sector. Local Authorities have adopted different approaches to meet needs and are able to draw upon the Children and Communities Grant (CCG) to support them in doing so. Officials, working closely with our delivery partners, will continue to explore the potential barriers to accessing funding and ways of addressing these barriers. We will also continue to explore the feasibility of streamlining existing funding streams within existing resources.

**Financial Implications** – Work which is currently underway to map funding streams and review recommendations made as part of the Childcare Offer for Wales Additional Support Grant independent review will be accommodated within existing budgets.

## **Recommendation 6**

**The Welsh Government must ensure that financial support for childcare is based on a child and setting's needs and not on parental eligibility. In line with Recommendation 16, the Welsh Government should consider the use of ring-fencing to ensure that funding aimed to support inclusive provision is used for this specific purpose.**

### **Response: Reject**

While our longer-term ambition is to ensure that financial support for childcare is based on the needs of the child and the setting, rather than parental eligibility, we have already outlined our current support program within the constraints of the existing budget.

Flying Start Outreach provides an integrated approach to family support services utilising the structures and systems delivered by the programme. Outreach provides the flexibility to provide some or all of the core elements of the Flying Start programme (including childcare at aged two years) to children and their families who have been identified as being in need but living outside a Flying Start area. Each local authority can allocate up to 25% of their allocated numbers of children they receive funding for.

Most local authorities have Early Years Panels that accept referrals from Health Visitors or the Early Years Additional Learning Needs Lead Officer for children identified with emerging needs and those with ALN who live outside Flying Start areas. Children with ALN aged two to three years who require childcare to meet developmental needs can (subject to resources) be supported via Flying Start.

The Children and Communities Grant (CCG) enables local authorities to deliver services flexibly to promote joint planning and commissioning of services to mitigate and remove disadvantage for vulnerable children, young people and adults.

The Childcare Offer for Wales is the Welsh Government commitment to providing 30 hours of government funded early education and childcare for 3 and 4-year-old children of eligible parents for up to 48 weeks of the year.

The Offer has been designed to take account of barriers that eligible parents may face in accessing the childcare element, in particular, those who have children with additional support needs including learning, physical and sensory disabilities. To ensure the childcare element of the Offer is inclusive to eligible children who need additional support, help has been made available through the Childcare Offer for Wales Additional Support Grant (ASG). Local authorities can draw on this funding to help ensure that eligible children with additional needs are able to access the childcare element of the Offer in the same way as other eligible children.

In 2023/24, £2m was allocated across local authorities to respond to these needs, however this is a demand-led grant and we are committed to providing support to parents and childcare settings where needed. 2023/24 was the first year where

demand was higher than anticipated. For 2024/25, an additional £500,000 has been allocated to address anticipated continued pressure.

An independent review of the ASG was undertaken and the report findings and recommendations were published in May 2024. The review team issued a survey to all 2500+ childcare providers registered to deliver the Offer to develop a better understanding of providers concerns in accessing support and funding for those children with additional support needs that use their services. Views were also sought of parents accessing the Offer, including those who have received support via the ASG, to better understand how this support may be promoted, accessed, and coordinated. Officials are reviewing the recommendations from the report and will be putting advice on next steps to Welsh Ministers to consider.

**Financial Implications** – None. Any decisions which either flow from the independent review or which need to be taken more broadly will need to be considered by Welsh Ministers and assigned through the normal budget process. This would need to be subject to further advice.

## **Recommendation 7**

**The Welsh Government confirms the scope of the review into the ALN Act and Code, and outlines the timeline for completion of this review, and whether the findings of the review will be published.**

### **Response: Accept**

The Cabinet Secretary has communicated the Welsh Government commitment to review the ALN legislative framework to ensure it is clear and understood and delivers for all children and young people in Wales.

Work is underway to examine the legal framework to consider the clarity and accessibility of the Act and statutory guidance, to identify next steps to increase consistency of implementation across Wales.

The scope of the review will be completed by November 2024, and an update to the Senedd on the progress and findings of the review is expected by Summer 2025.

**Financial Implications** – The review will be managed and funded from within existing resources.

## **Recommendation 8**

**Explore the feasibility of the development of a suite of training, guidance and resources for childcare settings on the ALN Act and Code. As part of the feasibility work, the Welsh Government should give specific consideration to how childcare providers would be able to access and fund such training.**

### **Response: Accept**

The Welsh Government will explore the feasibility of the development of a suite of training, guidance and resources for childcare settings on the ALN Act and Code. We will work closely with the Early Years Additional Learning Needs Lead Officer (EYALNLO)'s in local authorities and Cwlwm to consider existing arrangements and any additional guidance, training or resources that may be required. The existing arrangements are set out below:

- Local authorities have a statutory duty to have an Early Years ALN lead officer who should make arrangements, if appropriate, to train those in their local area on early years and ALN.
- The Welsh Government provides funding to Cwlwm and Play Wales to support their members across the childcare and playwork workforce. The Welsh Government is working with the Cwlwm partnership to support the childcare sector to understand their roles and responsibilities concerning the ALN Code.
- Cwlwm partners provide training, information, advice and guidance for settings to support and embed ALN changes. For example, a blog is available on the [Cwlwm website](#) providing information and guidance on the ALN code and Act. Mudiad Meithrin have developed a video on the ALN system which will enable its members to understand their obligations under the ALN Code. National Day Nurseries Association (NDNA) Cymru have planned a free webinar - 'Additional Learning Needs in Wales' to deliver in summer 2024, exploring the ALN Act and code, what it means for settings and how to embed effective practice.
- EYALNLO's are responsible for making arrangements for providing guidance to childcare providers, including those delivering funded nursery education in non-maintained nursery settings, on meeting the needs of children attending their settings.
- Local authorities receive funding via the Children and Communities Grant to support a range of training for childcare settings, from mandatory to effective practice training, to be determined by local authorities and based on local need. This can include ALN training or courses.
- Childcare qualifications and the All-Wales Induction Framework contain a focus on understanding the needs of disabled children or other additional needs and sourcing support via additional advice or adaptations. Childcare

qualifications assess on these elements as well as understanding of the legal frameworks that apply to the provision of services to children with additional needs.

- The Level 4 Children's Care, Play, Learning and Development (CCPLD) qualification in professional practice aims to develop the knowledge, understanding, behaviours and skills that underpin Professional Practice within the children's care, play, learning and development sector. To achieve the qualification learners must take one of three pathways including 'Recognising and supporting children with Additional Learning Needs'.
- In addition to any training requirements outlined in National Minimum Standards, all childcare staff within Flying Start settings must undertake at least five days Continuing Professional Development (CPD) or professional learning per year, as designated by their Childcare Advisory Teams and, as far as possible, implement strategies recommended by the Childcare Advisory Team.

**Financial Implications** –the current training, guidance and resources to support childcare settings is undertaken within existing budgets, but if further work as a result of exploring feasibility is agreed, then this would result in financial implications that will be considered at that time and further advice will follow.

### **Recommendation 9**

**The Welsh Government should issue guidance for all childcare providers about what they are expected to do in supporting local authorities in discharging their duties in the ALN Act and Code. This guidance should provide concrete examples of what providers are expecting to do. This guidance should be regularly updated to ensure it remains up to date, relevant and useful.**

#### **Response: Accept in principle**

The Welsh Government accepts in principle the recommendation to issue guidance to childcare providers about what they are expected to do in supporting local authorities in discharging their duties in the ALN Act and Code. We will re-consider the recommendation once the feasibility study at recommendation 8 has been completed.

Local authorities have a statutory duty to designate an Early Years ALN Lead officer with responsibility for co-ordinating the functions under the ALN Act and Code in their area for children under compulsory school age who are not attending maintained schools. This role should be promoting collaboration with childcare providers and making arrangements for providing guidance and sharing information to providers on meeting the needs of children in their settings with ALN.

**Financial Implications** – Any work in this area will be managed from within existing resources.

## **Recommendation 10**

**The Welsh Government considers reviewing accessibility strategies and plans across Wales, with a view to issuing directions to any local authority or school who is failing to discharge their duties under the Equality Act 2010.**

### **Response: Reject**

The Welsh Government is committed to creating a Wales which will provide fair access to services for all and deliver fairer outcomes for our diverse people and communities across Wales. Our [National Equality Objectives](#) and equality plans, such as the Anti-racist Wales Action Plan and the LGBTQ+ Action Plan provide a strong framework, helping to reduce complexity and further embedding equality into our policy making.

The preparation of accessibility strategies is a responsibility of local authorities, with schools in turn required to have up to date accessibility plans. ADEW have stated that they have issued model policies to schools and governing bodies and that they will be undertaking further training for schools on their responsibilities under the Public Sector Equality Duty. We will work with ADEW to ensure all schools are reminded of their responsibilities in this respect, and of the need to review and update their plans in consultation with children and families.

We will review our guidance, 'Planning to increase access to schools for disabled pupils, with a view to considering whether it can be strengthened any further and whether there is scope for further alignment with the requirements of Welsh Building Standards.

**Financial Implications** – There are no financial implications with regards to reviewing our guidance, as this will be absorbed into 'business as usual' and funded from existing budgets.

## **Recommendation 11**

**The Welsh Government working with the EHRC should develop practical guidance for all schools on understanding the social model of disability and how to ensure this approach can be adopted across all aspects of school life. This guidance should be as practical as possible, and should be developed in conjunction with children, young people and their families, as well as disability organisations. The guidance should be regularly updated to take account of developments. Estyn should undertake regular monitoring and evaluation to see how schools are implementing this guidance, and the impacts it is having on the experiences of children and young people.**

### **Response: Accept**

Understanding the social model of disability is integral to supporting the provision of inclusive education services. An initial meeting with the EHRC to discuss the premise of joint guidance has been held and further discussions around scope and timescales will take place in the autumn.

It should be noted that we are accepting the aspects of the recommendation directed at the Welsh Government. We are not able to comment on the aspects aimed at Estyn or accept this part of the recommendation on their behalf, given their independence. However, we will discuss how Estyn considers these issues and when would be an appropriate time to table this for consideration as one of their thematic reviews.

**Financial Implications** – There should be no, or low, implications associated with the development of the guidance and its ongoing maintenance. There may be some low-level costs associated with engaging key stakeholders including children and young people schools and parents, but these can be met from within existing budgets.

## **Recommendation 12**

**The Welsh Government should undertake a comprehensive review into how non-teaching staff both within schools and local authorities can best support inclusive provision across Wales. This should include identifying best practice examples from across Wales. Such work should also consider the funding implications of best practice, and how local authorities and schools can be best supported to deliver.**

### **Response: Accept**

We recognise that non-teaching staff within schools and local authorities provide a range of support to increase inclusive provision in Wales. Although the employment arrangements of teaching assistants and other non-teaching staff are the responsibility of local authorities and / or schools, we intend to work with them to understand best practice in respect of supporting inclusive provision. This area is being looked at by the Schools Social Partnership Forum (SSPF) and a sub-group focused on Professional Learning for LSWs/TAs.

**Financial Implications** – None.

### **Recommendation 13**

**The Welsh Government commissions research into the use of reduced timetables, which includes the length of time children and young people are on them, the reasons for them being used, and the steps that are taken to return children and young people to a full timetable. This research should also review the mechanisms that are used when the guidance is not being followed, to ensure that reduced timetables are only used when appropriate, and that a child centred approach is taken when making decisions on their use.**

#### **Response: Accept**

In October 2023, we published [guidance](#) into the use of part-time timetables. Whilst it is too early to evaluate the impact of this guidance, we acknowledge that we currently do not collect data about the number of learners who have a part-time timetable.

To address this, we are exploring how we can collect data about the number of learners who have a part-time timetable, via PLASC and the EOTAS Census. Introducing such changes is a lengthy process and, as such, in the first instance we will be undertaking an analysis of attendance data to estimate the number of learners who have a part-time timetable.

In the longer-term, we will explore opportunities to evaluate the impact of the effectiveness of the part-time timetable guidance in terms of whether these arrangements are being used appropriately.

**Financial Implications** – There should be no, or low, implications associated with the work to review existing data and explore ways of collecting additional data. Any such costs can be met from within existing budgets. Advice on the costs of collecting additional data, for both the Welsh Government and stakeholders, will be provided to the Cabinet Secretary once that work is complete. If additional research is required this would need to be costed at the time, with advice provided to the Cabinet Secretary. Additional costs would need to be considered in the context of the Education MEG and the wider Welsh Government budget.

### **Recommendation 14**

**In responding to the findings of the review of school funding, the Welsh Government should outline publicly how it will take forward any recommendations or actions arising from it and set out a clear timeline for delivery of these actions. In particular, they should outline how improved consistency will help ensure children and young people get the support they need in schools.**

### **Response: Accept**

The independent Review of School Spending in Wales highlighted the complexity of the funding system. We have previously published an update to the CYPE Committee on progress.

We are currently conducting a review of local authority school funding formulas. Through this analysis we intend to better understand the complexities and decision-making processes around these formulas across Wales. This review will help us to consider how the system can be improved.

In the autumn, we will provide a further update to the CYPE Committee detailing how the Welsh Government has further progressed the recommendations of the review. We will also set out a timeline for future planned work in this area.

**Financial Implications** – There should be no, or limited, implications associated with providing an update on taking forward the recommendations of the review and will be funded from existing budgets.

## **Recommendation 15**

**The Welsh Government identifies the most common conditions, such as dyslexia, which would benefit from universal provision and support being developed and provided to all schools. This should be done in consultation with children, young people and their families, as well as education professionals, local authorities, and health professionals. Once this work has been done, the Welsh Government should provide a clear timeframe for roll out of this universal provision. This provision should be free for all schools.**

### **Response: Reject**

This is rejected because work is already underway with the roll out of the Curriculum for Wales which has been developed to be accessible and inclusive to all, enabling every school and setting to develop a curriculum that reflects their context and their learners.

In particular, the '[Enabling learning](#)' section of the [Curriculum for Wales](#) guidance has been developed to support practitioners in planning, designing and implementing a developmentally, pedagogically appropriate curriculum for all learners from 3 to 16. It provides the firm foundation that all learners need to support development, at their own pace, towards realising the four purposes of the curriculum. The guidance focuses on key principles essential for holistic and meaningful learning for all learners. This includes child development, which is integral to teaching and learning, and is expressed as five developmental pathways: belonging, communication, exploration, physical development, and well-being. We recognise that taking a learner centred approach, working collaboratively with families and partners can support holistic development. We shall continue to embed this guidance throughout schools and settings working with senior leaders and practitioners to raise awareness.

The Welsh Government is continuing to work with third sector organisations, parents and practitioners to develop helpful resources to support learners and practitioners. For example, this year, a set of learning modules was developed and published in collaboration with the Third Sector Additional Needs Alliance (TSANA). These modules aim to help practitioners improve their knowledge and understanding of various learning difficulties, such as dyslexia, and disabilities. They also offer strategies for supporting learners with specific needs. The modules are available on the Welsh Government's [Hwb page](#).

**Financial Implications – None**

## **Recommendation 16**

**The Welsh Government should issue guidance clearly setting out the responsibilities and duties of local authorities and schools to ensure they are providing the necessary support so that all children and young people are able to access their right to an education. They should also consider whether ring-fencing would be an effective and appropriate way of ensuring that money that is intended to support these groups of children and young people is spent in that way.**

### **Response: Accept**

The ALN legislation and ALN Code set out the responsibility and duties on local authorities and schools to ensure they are providing necessary support for children and young people with ALN. As part of the review of this legislation next steps and actions will be identified to ensure the legislation and the Code are clear and understood.

The Welsh Government issues guidance via the school governors' guide to the law setting out schools' responsibility in respect of equality legislation. This includes the reasonable adjustments duty, ensuring barriers to education for learners with disabilities are anticipated and actions are taken to remove these barriers as far as reasonably possible.

In taking forward the work on recommendations 11 and 31 we will consider whether or not additional information should be included in the school governors guide.

Local authorities have a duty to ensure the availability of suitable education provision in their area. In considering ringfencing, it's important to note that the Welsh Government provides funding to local authorities to support their funding of pre-16 provision in schools in Wales mainly through the local government revenue settlement. The settlement is not ring-fenced; the funding allocated to each authority is available to the authority to spend as it sees fit across the range of services for which it is responsible, including schools. This is in line with the Welsh Government's policy that local authorities are best placed to judge local needs and circumstances and to fund schools accordingly.

Although funding for schools in Wales is mainly provided through the local government settlement, the Welsh Government's education budget also supports spending in and on schools, teachers and wider education programmes.

**Financial Implications** – There should be no, or low, implications associated with the work to review existing guidance, or the work to consider financial controls and will be funded from existing budgets.

## **Recommendation 17**

**The Welsh Government should revise the criteria for ITE to strengthen the requirements around disability and additional learning needs. This should ensure that all teachers at the end of their ITE have a basic level of skills and understanding in issues around disability and ALN and have the confidence to be able to support all children and young people they teach. It should also ensure that ITE keeps up with the latest clinical knowledge so that newly qualified teachers have the most up to date information and knowledge to help inform their practice.**

### **Response: Accept**

We have refreshed the [Criteria for Accreditation of ITE programmes in Wales](#) for courses that will operate from September 2024. These refreshed criteria have strengthened the requirements for ITE programmes to ensure that all student teachers have an understanding of the needs of learners who have Additional Learning Needs. Sections 5.7, 5.8 and 5.9 specifically relate to the requirements for student teachers to be able to identify and meet the needs of ALN learners.

In addition to these specific sections, there are requirements throughout the Criteria that set out the understanding that all student teachers must have around equality, inclusiveness, safeguarding and well-being for all learners.

All ITE programmes have a requirement that student teachers must be research informed and continue to develop their knowledge and skills based on the most up-to-date research.

Specifically, we have introduced into the Criteria an Appendix 4: Specialist primary phase ITE provision for ALN, that allows ITE Partnerships to submit for accreditation a pilot PGCE Primary programme with Qualified Teacher Status (QTS) that includes an ALN specialism. Under this Appendix the Caban ITE Partnership at Bangor University has recently been successful in achieving accreditation for a PGCE Primary programme with QTS with a specialism in Neurodiversity. We are working with the partnership to monitor and evaluate the programme. This will include uptake rates, destinations of those undertaking the programme and an assessment of whether the programme meets the quality and professional standards required for the award of QTS.

We are working with partners to arrange a workshop with all stakeholders to identify and better understand the barriers to engagement between ITE and special schools. This will provide more empirical evidence for any changes that can be made in order to meet the needs of the sector.

**Financial Implications** – None as will be managed within existing budgets.

### **Recommendation 18**

**The Welsh Government provides an update on its work around ITE provision for the special school sector.**

#### **Response: Accept**

The Special School sector is already able to join ITE Partnerships and provide periods of clinical practice on programmes. School experience placements may take place in a special school or ALN unit. In these cases, Partnerships should ensure that no more than 30% of school experience is undertaken outside a mainstream learning environment to ensure that student teachers are prepared to teach both in mainstream and ALN environments. We are continuing to engage with ITE Partnerships and Special Schools to identify how we can increase engagement with the sector whilst ensuring the core requirements of ITE provision continue to be delivered. This will be informed by the evaluation of the PGCE Primary with ALN that is being piloted by the Caban ITE Partnership.

**Financial Implications** – None as will be managed within existing budgets.

## **Recommendation 19**

**The Welsh Government commissions the development of a mandatory training module for all school staff on disability awareness. This should cover the social model of disability, and equip all staff in a school with a basic level of awareness, as well as signposting them to other resources if they want to develop their skills and expertise. It should also be in line with the latest research and clinical knowledge, and is kept up to date to reflect any subsequent changes or developments.**

### **Response: Reject**

The Welsh Government does not mandate professional learning in relation to specific areas of professional practice. The only exceptions apply to professional qualifications for example routes to teaching and specific training stipulated by employers e.g. GDPR. Research evidence demonstrates that voluntary engagement in professional learning and enquiry-based learning is the most effective way to develop practitioners' knowledge and improve learner outcomes.

Our national mission commitment is to establish a culture of mutual responsibility in relation to professional learning, through the [National Professional Learning Entitlement](#). Well-led professional learning should be bespoke to, and driven by, practitioners in the context of school, national, wider professional and personal priorities.

We are focused on ensuring that the development of education practitioners is continuous, collaborative and evaluative, rather than a one-off, isolated, prescribed experience. There are no direct powers to enforce specified mandatory professional learning for all education professionals. However, in some instances the Welsh Government will use existing levers to promote professional learning in priority areas e.g. the professional standards, INSET and the Professional Learning Grant.

The Welsh Government has worked with education consortia and regional partnerships, and local authority participation workers, with support from the Children's Commissioner for Wales and Disability Wales, to create an online [professional learning package](#) on the UNCRC and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

This national professional learning resource supports practitioners, headteachers, governing bodies and local authorities to develop an awareness and understanding of the UNCRC and UNCRPD. A consistent professional learning offer was required to support schools to meet the requirements of Section 64 of the [Curriculum and Assessment \(Wales\) Act 2021](#). The first two modules were made available in 2023 via our [Hwb](#) learning platform.

The first module provides a universal introduction to children's human rights, including a useful tool for all public sector organisations to broaden their understanding of the Universal Declaration of Human Rights, UNCRC and UNCRPD. This module also includes a short video providing a simple explanation of the social

model of disability and its relevance within the United Nations Convention on the Rights of Persons with Disabilities.

The second module provides a more in-depth exploration of how headteachers, governing bodies and local authorities can embed the UNCRC and UNCRPD in their new curricula. To date, the modules have attracted over 2,600 views and also link to additional resources produced by Disability Wales, The Children's Commissioner for Wales, UNICEF and other appropriate organisations.

A third module is currently under development and will support practitioners to understand ways to plan, design and review their school curriculum in relation to the UNCRC and UNCRPD, by providing practical case study exemplars. This new module will be published later this year.

We are also working with partners to develop professional learning to support the implementation of the Whole School Approach to Emotional and Mental Wellbeing which will include professional learning on child development and neurodivergence.

The Welsh Government established the Disability Rights Taskforce to bring together people with lived experience, representative organisations, and Welsh Government policy officials to consider recommendations required to achieve improvements for disabled people in Wales, which the Welsh Government, wider public services and disabled people will work together to deliver on. The Taskforce's key findings will inform the development of Disability Rights Action Plan.

One of the key priorities of this Taskforce was to consider recommendations for children and young people. To do this, the Taskforce's Children and Young People working group consulted with parents, disabled children, and their educational settings. The group's recommendations are rooted in promoting and embedding the social model of disability and to address the challenges that impact disabled children's full participation in education, in areas such as play.

**Financial Implications:** None

## **Recommendation 20**

**The Welsh Government should issue guidance to schools and local authorities to ensure that either new buildings, or changes to current school estates are based on the experiences and evidence of children, young people, families and staff with lived experience. This engagement should also ensure that future needs are considered so that buildings are fully accessible to all who may attend in the future.**

### **Response: Accept**

Any new build or major alterations of a school requires to follow both regulations and guidance. Building Regulations Part M is a set of regulations that sets out the requirements for access to and use of buildings. The aim of Part M is to make buildings accessible to everyone, regardless of their disability or mobility impairment. Further guidance on design and space requirements is currently under review, with a new Welsh Building Guidance – Area Guidelines for Schools in Wales being published this Autumn to replace the Building Bulletin 98, 99 and 104. Welsh Government's expectation and good practice in designing any new facility is to consult with all relevant stakeholders including staff, pupils, and the community which it serves. This will be included within this guide and within the wider Sustainable Communities for Learning Business Case Guidance.

**Financial Implications** – No financial implications as this will be absorbed into 'business as usual'

### **Recommendation 21**

**The Welsh Government should develop further mechanisms to ensure there are greater opportunities to share and disseminate good and innovative learner travel practice. This could include an annual summit with the relevant Cabinet Secretary or Minister.**

#### **Response: Accept**

The Association of Transport Co-ordinating Officers (ATCO) already hold school transport sub-groups to discuss issues and share practices on school transport. However, as outlined in the Learner Travel Recommendations Report published in March 2024, the Welsh Government recognises that there is some excellent practice taking place across Wales to support a diverse range of travel options for children and young people. The Recommendations Report concluded that, in partnership with delivery partners, a suitable platform to promote innovative learner travel practice and support the sharing of best practice resources should be established. The Welsh Government are working with ATCO to establish a forum for local authorities to meet regularly to develop this network of good practice and share resources.

**Financial Implications** – None as will be managed within existing resources.

## **Recommendation 22**

**The Welsh Government prioritises the review and publication of the suite of statutory learner travel guidance. In responding to this report, the Welsh Government should provide a clear timetable for the work reviewing this with a definitive date for publication, and when the revised guidance will come into force. They should also set out how they will ensure there is a consistent application of the guidance across Wales.**

### **Response: Accept**

Work has begun updating the statutory learner travel operational guidance and the All-Wales Travel Behaviour Code.

The updated guidance document will go out to consultation before the end of 2024 with the intention of the guidance being published by Summer 2025, giving local authorities sufficient time to update their guidance document to come in to force by Summer 2026.

The Welsh Government agrees with the sentiment behind the recommendation of the need to improve consistency of delivery across local authorities whilst recognising that local authorities have different needs, geographies, and priorities so there may be variances according to these local requirements. Welsh Government's position remains that local authorities are in the best place to make decisions that reflect the needs of their communities within the framework of the Learner Travel (Wales) Measure and supporting guidance documents.

The on-going work of ATCO as well as the Learner Transport Forum being established will provide a forum to support consistency of application of the guidance across Wales.

**Financial Implications** – £10,000 has been allocated to support the engagement and development of the guidance documents.

### **Recommendation 23**

**The Welsh Government explores ways of ensuring there are appropriate training opportunities for transport companies and staff to build up confidence and skills in supporting children and young people. As part of this, consideration should be given to developing accreditation for staff.**

#### **Response: Accept in principle**

As set out in [Llwybr Newydd: the Wales Transport Strategy 2021](#) the Welsh Government is committed to transforming the customer experience of public transport including reliability, punctuality and training for staff and drivers, so people are more confident about using services.

Transport for Wales has already begun this process by developing a range of initiatives to support the provision of an inclusive and accessible rail service including the introduction of trained and skilled Travel Companions, the establishment of the Confident Traveller Programme and representative groups to ensure the voice of the traveller is embodied in TFW's developments including the Accessibility and Inclusion Panel alongside the Children and Young People's Advisory Group.

There are several challenges to delivering bus driver training with significant competing demands on time and resources within the current model of delivery.

Our future plans for delivering bus and taxi services in Wales provide potential opportunities to look at how and what training is currently delivered and to enhance it for the benefit of the workforce and users.

In the meantime, the Learner Travel Forum will provide an opportunity for local authorities to share common understanding and best practice on embedding skills and training requirements in to contracted provision for home to school transport.

**Financial Implications** – None at present

## **Recommendation 24**

**The Welsh Government undertakes further work to ensure a streamlining of services to deliver fully on a no wrong door approach across all public services, but with particular reference to the interaction between health and education services. This work should identify the barriers to effective coordination between services, as well as identifying best practice, and mechanisms for sharing this best practice.**

### **Response: Accept**

Increasing multi-agency collaboration across public services, particularly between health and education continues to be a priority.

Further work is being done through the ALN Multi-Agency Collaboration Working Group with representatives from health, education and other organisations, to develop solutions and agreed positions to emerging issues resulting from implementing ALN reforms. Work is in train to develop a national consensus on section 20 referrals, to develop Key Performance Indicators (KPIs) for Health Boards/Trusts to monitor progress against ALNET Act statutory duties compliance, develop guidance and share effective practice, revise the supporting Learners with Healthcare Needs statutory guidance. These are critical actions to assure that Health boards are fulfilling their ALNET Act statutory duties including data on referrals and timescales, as well as providing data to identify areas of variation and concern.

Our ambition is for all schools in Wales to be Community Focused Schools (CFS) - responding to the needs of their community, building a strong partnership with families and collaborating effectively with other services.

As part of a Community Focused Schools approach, multi-agency engagement includes:

- Collaborating effectively with other key services and agencies to ensure that all children thrive and learn.
- Sharing information so that children and young people and their families are able to access the appropriate support at the right time.
- Supporting access to wider services which may be co-located in a school premises or located elsewhere within the community.

**Financial Implications** – No additional financial implications are anticipated in relation to the continuation of ongoing work in this area.

## **Recommendation 25**

**The Welsh Government must ensure that services align and adjust their timelines when working across different services and professions to ensure support is holistic and best supports access to childcare and education.**

### **Response: Accept**

We will continue to work cross-government and co-constructively with our partners to align delivery of different services to ensure support is available for disabled children and young people to access childcare and education.

The ALN Multi-Agency Collaboration Working Group is specifically developing a national consensus on section 20 referrals which will look at aligning timelines across services.

The Welsh Government will work actively with Designated Education Clinical Lead Officer (DECLOs) to establish and review data presented from key performance indicators, and any recommendation from the review of the ALN Act and Code, to consider how Health Boards are fulfilling their ALNET Act statutory duties.

Our Early Childhood Play, Learning and Care in Wales Plan was published on 15 March 2024 and is a cross-sectoral plan which brings together, for the first time, all our policies and programmes relating to early childhood play, learning and care from across Welsh Government.

Our plan places the child and child development at the heart of everything we do. Early Childhood Play, Learning and Care is about developing and delivering a consistent approach to nurturing, learning and development, through the provision of high-quality play-based childcare and education opportunities, for all babies and young children aged 0-5 years old.

Early Childhood Play, Learning and Care supports our wider early years policies and ambitions in Wales and is primarily concerned with promoting partnerships, consistency and join up between schools and settings as well as parents/carers, for the benefit of the child and their families.

Our Early Years Integration Transformation Programme (EYITP) is a time-limited, piloting programme, focussed on developing a more joined-up, responsive early years system that puts the unique needs of each child at its heart, which covers the period of life from pre-birth to seven.

Since 2017, the majority of Public Service Boards (PSBs) across Wales have joined the programme on a phased basis as pathfinders and the support we have provided has enabled them to explore different ways of delivering early years services in a more systematic way, applying the lessons from our existing programmes such as Flying Start and Families First.

Funding for the programme came to an end in March 2024 and the programme will formally close at the end of March 2025. We are working with PSBs, during 2024-25,

to embed the learning and good practice, as they consider how to mainstream piloting activity into business-as-usual practices, as they formally exit from the programme.

The learning and good practice from the programme will help shape our strategic thinking on how we can best support the integration and transformation of maternity and early years services in the medium and longer term and will provide a solid foundation for the future delivery of all our early years programmes and policies.

**Financial Implications - None**

## **Recommendation 26**

**The Welsh Government reviews the current numbers of key allied health professionals, identifies where there are current gaps, how these gaps will be addressed and the numbers needed to support future likely level of need, including the number of training places needed. This should then be supported by a clear delivery plan.**

### **Response: Accept**

[The National workforce implementation plan: addressing NHS workforce challenges](#) sets out an action to review the Allied Health Professional (AHP) workforce. Health Education and Improvement Wales will be required to review allied health professions to understand the current position and future needs to deliver our services, resulting in an AHP retention plan. Data scoping for the review is underway of which will inform the wider review and understanding of the gaps.

**Financial Implications – None**

### **Recommendation 27**

**The Welsh Government explores in more detail the good practice from Neath Port Talbot with schools able to access support from Occupational Therapists which is funded by the local authority and considers whether it would benefit from piloting such approaches in other parts of Wales. Such a pilot should then be fully evaluated, and if successful, consideration should be given to rolling out this model across Wales.**

### **Response: Accept in principle**

Arrangements are underway to hold a national sharing effective practice event across the education and health sector. There are a number of good practice models for children's occupational therapy which could be shared in the event. The Neath Port Talbot pilot will be considered as one showcase for the event. The models will also be presented at the ALN Multiagency Group, with early discussions on the models being used as a case study to share with delivery partners. Once a review is undertaken to evaluate the model and consider other models currently in place we will then consider the most effective model for rolling out.

**Financial Implications - None**

### **Recommendation 28**

**The Welsh Government encourages all local authorities to enter into partnership agreements to support the buying and recycling of specialist equipment and adaptations which can support children and young people accessing childcare and education.**

#### **Response: Accept**

Officials will work with local authorities to identify and share good practice in this area.

The Children and Young People's Continuing Care Guidance for Wales describes the interagency process, led by health boards, that all organisations should implement in assessing needs and putting in place bespoke packages of continuing care that may include the provision of equipment. The concept of sharing and recycling equipment is an important aspect of managing resources efficiently and sustainably. This approach can help reduce costs and ensure that essential equipment is available to those who need it.

If a child or young person is found to be eligible for continuing care, Welsh Government expect agencies to work together to ensure that there are no gaps in meeting those assessed individual's needs. Any service provided and arranged by the Local Health Board, local authorities and their partners should enable the child or young person to function optimally within their family, community, education or care setting.

**Financial Implications** - Any work in this area will be managed from within existing resources.

## **Recommendation 29**

**The Welsh Government ensures that all local authorities develop clear and widely available pathways setting out what support is available, and who is responsible for providing this support. Such pathways should be kept regularly updated so the information remains timely and relevant. These should be easily available on local authority websites and should also be pro-actively made available to families when making initial contact with the local authority seeking support.**

### **Response: Accept in principle**

We are supportive of the underlying principle behind this recommendation however, this is a matter for local authorities. We will continue to work in partnership with local authorities to ensure information for families is clear and widely available.

The ALN Act and Code currently places a duty on Local Authorities to provide impartial information and advice about ALN and the ALN system. This includes making information available on their websites. Welsh Government will continue to monitor the delivery of local authorities through existing systems.

Parents of children from birth to five years would receive advice and information from their Health Visitor and the Early Years Additional Learning Needs Lead Officer within their local authority.

Each local authority in Wales has a Family Information Service - the front door of the authority for parents and families looking for advice, information and signposting on a range of services available within their local area. They are experienced in guiding parents to services which can help their family circumstances on a range of issues, including childcare, costs of childcare, training, family programmes, health, financial matters and recreation.

**Financial Implications - None**

### **Recommendation 30**

**The Welsh Government issues guidance to local authorities setting out core principles for publication of information on childcare. This guidance should set out that information is co-produced with families, is easily and readily available, in multiple formats, is kept updated, and provides a basic level of consistency across Wales. The Welsh Government in drawing up this guidance should involve families from across Wales with relevant experiences to ensure the needs of families are at the heart of the guidance.**

#### **Response: Accept**

Our [Early Childhood Play, Learning and Care Plan](#) sets out specific actions that the Welsh Government have done or are planning to do to support parents in developing and accessing relevant information on childcare.

The Childcare Act 2006 (the 2006 Act) expands and clarifies in legislation the vital role local authorities play as strategic leaders in the provision of childcare locally. The 2006 Act reinforces the framework within which local authorities already work – in partnership with the private, voluntary, independent, community and maintained sector – to shape and secure children’s services and focuses in particular on the provision of:

Welsh Government has issued statutory guidance to local authorities ([Childcare Statutory Guidance, revised August 2016](#)) setting out how information to parents and prospective parents about childcare should be provided through their Family Information Service.

The guidance sets out broad principles for information provision to ensure that the provision of local information is:

- User friendly, reflecting parents’ perceptions and needs
- Accessible via a range of settings, outlets and channels
- Accessible in a variety of formats to comply with equality legislation and Welsh language standards

Each local authority in Wales has a Family Information Service (FIS) - the front door of the authority for parents and families looking for advice, information and signposting on a range of services available within their local area. They are experienced in guiding parents to services which can help their family circumstances on a range of issues, including childcare, costs of childcare, training, family programmes, health, financial matters and recreation. FIS can also be accessed via Teulu Cymru or “Family of Wales”, which has been set up for parents, carers and families of children aged 0-18, pointing them in the right direction for different Welsh Government sources of practical and financial support. It is aimed to directly support parents to access information and funding. Teulu Cymru will be kept under review and we will continually work with parents to ensure that it gives them the information they need.

Funded by the Welsh Government our key partners (Cwlwm) have also developed and published 'Choosing Childcare' booklet that supports families in their childcare choices.

**Financial Implications-** All activity planned or underway will be accommodated within existing resources.

### **Recommendation 31**

**The Welsh Government reviews the information currently available on rights in education, ensuring that it is widely available, accessible in a range of formats, and supports children, young people and their families to understand what their rights are, and how to seek redress if their rights are being breached.**

#### **Response: Accept in principle**

Information about children's rights is currently available from a number of organisations, including the overarching right to an education. We recognise this range of sources can make it challenging for children and young people and their families to access definitive information on their rights. We will work with partners including but not limited to local authorities, disability organisations and the EHRC to ensure information provided by the Welsh Government is as definitive as possible and accessible. However, we cannot require other organisations to amend or withdraw the information they provide.

In April 2024, as part of our suite of Early Childhood Play, Learning and Care Resources, the Welsh Government published a practitioners Childrens Rights leaflet and four Children's Rights leaflets for parents of 0-5-year-olds to support them in their understanding of babies and young children's rights

**Financial Implications** - There should be no, or low, implications associated with this work. However, there may be some low-level costs associated with engagement with stakeholders including children, young people and their families and with the development of accessible documentation. This will be met within existing budgets.

### **Recommendation 32**

**The Welsh Government sets out a clear delivery plan for addressing gaps in specialist teaching posts, for Teachers of the Deaf, and Teachers of the Visually Impaired, to ensure that all children and young people can access this support when needed. This delivery plan should have clear targets, deliverables and timeframes so it can be monitored and scrutinised.**

#### **Response: Reject**

Local authorities are responsible for planning their workforce to ensure the availability of sufficient and appropriately trained staff. Under the ALN Act, local authorities are required to keep their arrangements for children and young people with ALN and those of their maintained schools under review. This review must include consideration of the size and capability of the available workforce. This is consistent with the Welsh Government's view that local authorities are best placed to judge local needs and circumstances. The Welsh Government does not therefore accept the recommendation for a delivery plan specifically around specialist teaching posts, for Teachers of the Deaf, and Teachers of the Visually Impaired.

To assist local authorities the Welsh Government provided additional funding for training support for teachers of the sensory impaired through 2018-21 as part of the ALN Transformation programme and we continue to highlight to local authorities that LAEG funding for ALN can be used for the professional training of specialist teachers where it addresses additional pressures.

The Welsh Government has published guides on effective interventions for learners with sensory impairments in education settings and in addition to developing a national ALN professional learning pathway to support ALNCos and other practitioners develop their skills to support all learners with ALN we have worked with the third sector to develop e-learning units for teachers on supporting deaf learners and learners with vision impairment.

**Financial Implications – None**

**Y Pwyllgor Cydraddoldeb  
a Chyfiawnder Cymdeithasol**

**Equality and Social Justice  
Committee**

Jane Hutt MS Cabinet Secretary for Social  
Justice, Trefnydd and Chief Whip

**Senedd Cymru**

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**Welsh Parliament**

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Dear Jane,

2 October 2024

## Speech, Language and Communication Needs (SLCN), the summit, and the youth justice system

Thank you for your letter dated 30 August and for sharing a copy of the summit findings with us. As the only formal record of the summit, the document will be valued by all stakeholders who attended.<sup>1</sup> Although it was always our intention to respond, subsequent correspondence from the Royal College of Speech and Language Therapists (RCSLT) provided an added impetus due to the concerns highlighted.<sup>2</sup> For example, the RCSLT state that they have not received feedback from the summit nor had sight of the findings. We were also disappointed to learn that previous requests for a meeting were declined.

We would therefore urge you to meet with the RCSLT to ensure that they receive proper feedback and share a copy of the findings with them and the other summit attendees as quickly as possible. We would also like to request an update from you on progress with the action specified in the summit findings document.

In its briefing the RCSLT highlights the latest statistics which reaffirm the central finding of our report – that young people with SLCN (the eponymous 60% from the title of our report) are significantly

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<sup>1</sup> Equality and Social Justice Committee, [Further information from the Cabinet Secretary for Culture and Social Justice, Trefnydd and Chief Whip regarding Speech and Language Communication Needs Summit](#), 31 August 2024

<sup>2</sup> Paper to note 4.1 [Correspondence from the Royal College of Speech and Language Therapists to the Chair regarding the Committee's report: "60% giving them a voice"](#), 13 September 2024

overrepresented in the criminal justice system. In fact it suggests that our report understated the true extent. The RCSLT also confirm that speech and language needs are becoming an increasingly important consideration in inspections for youth justice services. We reiterate our calls for speech and language therapists to be embedded within youth justice services across Wales as per our recommendations.

## **Provision of SLCN therapists**

With regards to the provision of SLCN therapists and the extent to which the youth justice system can access such provision we have continuing concerns. We welcome the small increase in the number of training places for speech and language therapists<sup>3</sup> in Health Education and Improvement Wales's (HEIW) annual education and training for 2024-25. We hope that this increase could be sustained in future years and would welcome confirmation of this.

We were frustrated by the stance outlined in your predecessor's letter (dated 30 May 2024) that:

*It is for Local Health Boards (LHBs) to determine their health needs and how best to meet them with the resources available, including for children in contact with the justice system or those at risk of coming into contact with it.*

Your letter of 30 August 2024) restated that the Welsh Government is "encouraging local Youth Justice Services to discuss the options at their disposal with their respective Local Health Boards (LHBs)". However how can we be confident that LHBs will prioritise the investment required in SLCN when you consider the failure to provide adequate resources in some parts of Wales up until now. There is ample evidence of need but current arrangements which allow LHBs to determine how to meet these locally has created an unfair, postcode lottery which we fear will continue without action. As a result lives will continue to be blighted in ways that are ultimately counter productive, and damaging to society and the public purse in the long-term.

Public policy concerns in relation to the provision of speech and language therapy in Wales were first raised by a parliamentary committee in 2010. These issues are not new, and yet in many parts of Wales there has been a failure to respond. We therefore invite you and the Cabinet Secretary for Health to consider whether the current approach is fit-for-purpose and to look carefully at whether LHBs who are outliers need to be directed to take action by the Welsh Government.

## **Working with the Ministry of Justice**

In addition, given that the Ministry of Justice retains responsibility for most of the criminal justice system, what conversations have taken place with the new Prisons Minister, Lord Timpson on

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<sup>3</sup> Health Education and Improvement Wales, Education and Training Plan (ETP) 2024-25, page 12

improving the availability of SLCT input into identifying the needs of offenders who may inappropriately otherwise get a custodial sentence.

In particular what is the future of the Turnaround Programme funding beyond its scheduled end in March 2025. Information from the RCSLT shows that several SLCN therapists have been employed across Wales due in part to Turnaround Programme funding, however no announcement has been made for funding arrangements post March 2025. We urge you to highlight the positive impact the funding has had and seek assurances from the Ministry of Justice that suitable arrangements will be made for successor funding, preferably with certainty as regards funding over a multi-annual timeframe.

We are grateful to you for continuing to engage with us on this important matter of social justice and would welcome a response from you by: 30 October 2024.

I will be copying this letter to Buffy Williams MS, Chair of the Children, Young People and Education Committee; and Pippa Cotterill, of the Royal College of Speech and Language Therapy.

Yours sincerely,



Jenny Rathbone MS

Chair of the Equality and Social Justice Committee

Welsh Parliament

# Agenda Item 6.4

Buffy Williams MS  
Buffy.Williams@senedd.wales  
Welsh Parliament  
Cardiff Bay  
Cardiff  
CF99 1SN



3<sup>rd</sup> October 2024

## **Thank you for the Committee's work on the 'Children and Young People on the Margins' inquiry.**

Dear Buffy Williams MS,

I hope this finds you well.

On behalf of NYAS Cymru, I would like to thank you and the Children, Young People and Education's Committee for the continued work into the 'Children and Young People on the Margins' inquiry.

We were thrilled that the Committee held a scrutiny session with the Minister for Children and Social Care and the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip on September 19<sup>th</sup>. It was welcomed that Committee members raised several issues regarding data collection in Wales, the status of return interviews, progress of the Corporate Parenting Charter and devolution of the youth justice system. We would like to thank you for considering the questions we had submitted to the Committee in support of the scrutiny session.

### The offer of a return interview

NYAS Cymru recognise that for return interviews to be truly effective in keeping children safe after missing incidents, they must be child-led. We believe there has been some confusion regarding the process of return interviews and we wanted to clarify that we believe children should have a choice as to whether they participate in a return interview or not, and they should be able to decide who completes this interview. NYAS Cymru believe that it should be a statutory right for every missing child or young person to have an offer of an independent return interview and that right is taken up with the voluntary agreement of the child or young person, rather than it being "mandatory". I really welcomed you clarifying this within the scrutiny session and would like to thank you for doing so.

We know that across Wales access to return interviews remains unequal and not every child can access these services. This is why we believe making the offer of a return interview a statutory right is important, so all care-experienced children across Wales have an equal opportunity to decide whether they wish to participate in a return interview.

### Inquiry next steps

Please would you be able to confirm the next steps the Committee will take on this important work. NYAS Cymru would like to offer the Committee our full support with the next steps of this inquiry, including helping to shape any recommendations the Committee may make to the Welsh

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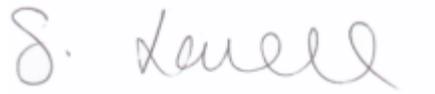
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Government. Please do not hesitate to reach out if there is anything we can do in the coming months to support this. Once again, thank you Buffy for all the work you and the Committee have undertaken as part of this inquiry.

Best regards,

A handwritten signature in grey ink that reads "S. Lovell". The signature is written in a cursive style with a large initial 'S'.

Sharon Lovell MBE  
Chief Executive  
NYAS Cymru