

Children, Young People and Education Committee

Meeting Venue:
Committee Room 1 – Senedd

Meeting date:
Wednesday, 8 July 2015

Meeting time:
09.15

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



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Agenda

1 Introductions, apologies and substitutions (09.30)

09.15 – 09.30 – Private Pre-meeting

2 Inquiry into Welsh in Education Strategic Plans (WESPs) – Evidence session 3 (09.30 – 10.30) (Pages 1 – 27)

Welsh Government
CYPE(4)–20–15 – Paper 1

Huw Lewis AM, Minister for Education and Skills
Bethan Webb, Deputy Director – Welsh Language
Gari Lewis, Head of Welsh in Education – Planning Branch

3 Inquiry into Welsh in Education Strategic Plans (WESPs) – Evidence session 4 (10.30 – 11.30) (Pages 28 – 37)

Welsh Language Commissioner

CYPE(4)-20-15 – Paper 2

Meri Huws, Welsh Language Commissioner
Dyfan Sion, Policy and Research Director
Sioned Birchall, Policy and Research Officer

4 Papers to note (11.30)

Inquiry into Supply Teaching – Letter from Welsh Government to Chair of Public Accounts Committee (Pages 38 – 39)

CYPE(4)-20-15 – Paper to note 3

5 Motion under Standing Order 17.42 (ix) to resolve to exclude the public from the meeting for the remainder of the meeting (11.30)

6 Consideration of Committee forward work programme (11.30 – 12.00) (Pages 40 – 45)

CYPE(4)-20-15 – Private paper 4

Document is Restricted

National Assembly for Wales
Children, Young People and Education Committee
CYPE(4)–20–15 – Paper 1
Welsh in Education Strategic Plans
Evidence from : Welsh Government

Introduction

1. In April 2010 the Welsh Government published its Welsh-medium Education Strategy aimed at improving the status and planning of Welsh-medium education, and at improving standards in Welsh (both first and second language) as a subject. The Strategy articulated the Welsh Government’s vision thus:

“...to have an education and training system that responds in a planned way to the growing demand for Welsh-medium education, reaches out to and reflects our diverse communities and enables an increase in the number of people of all ages and backgrounds who are fluent in Welsh and able to use the language with their families, in their communities and in the workplace.”

2. The Strategy includes fixed five-year and indicative ten-year targets based on outcomes. Tangible progress against these targets would then be measured within a more effective, accountable and coherent planning system. Central to this planning system is the Welsh in Education Strategic Plan (WESP).

3. The first WESPs, prepared by local authorities and submitted to Welsh Ministers from 2012, were on a non-statutory basis. As such, Welsh Ministers could not formally approve, modify or reject them since there were no statutory provisions in place to enable them to do so. However, the Department for Education and Skills (DfES) provided local authorities with detailed feedback and face to face discussions about the Plans. Local authorities responded favourably to this process and amended their WESPs accordingly. This proved a useful preparation for the advent of statutory Welsh in Education Strategic Plans.

4. Part 4 of the School Standards and Organisation (Wales) Act 2013 places the WESPs on a statutory basis. The Act defines a WESP as a plan which contains

“(a) a local authority’s proposals on how it will carry out its education functions to —

(i) improve the planning of the provision of education through the medium of Welsh (“Welsh medium education”) in its area;

(ii) improve the standards of Welsh medium education and of the teaching of Welsh in its area;

(b) the local authority’s targets for improving the planning of the provision of Welsh medium education in its area and for improving the standards of that education and of the teaching of Welsh in its area;

(c) a report on the progress made to meet the targets contained in the previous plan or previous revised plan.”

5. In brief, a local authority is under a duty to prepare a plan explaining how it will improve the planning of Welsh-medium education, and improve standards, together with its targets for improvement and progress reports. The Act also sets out the arrangements which a local authority must make in terms of public consultation about the Plan, its submission to Welsh Ministers and the subsequent publication of the approved WESP.

6. Welsh Ministers’ functions in relation to a WESP are to approve a plan as submitted, approve it with modifications, or reject it and prepare another plan which is to be treated as the authority’s approved plan. Where Welsh Ministers propose to modify or reject a plan they must consult the local authority. In practice, consultation has taken the form of a formal letter outlining the proposed modifications to which the local authority must respond within 14 days.

7. The provisions of the Act are further amplified by the Welsh in Education Strategic Plans and Assessing Demand for Welsh-medium Education (Wales) Regulations 2013. In brief, these Regulations more detailed arrangements for conducting a Welsh-medium education assessment (to measure demand), the duration of a plan, its form and content, its submission to Welsh Ministers, the timing and manner of publication, further provisions as regards consultation, and the review of a plan. They also set out in more detail the matters to be dealt with in a plan.

Matters to be dealt with in a Plan

8. The Department for Education and Skills has issued guidelines to local authorities about the contents of a WESP reflecting both the requirements of the Regulations and the priorities of Welsh-medium Education Strategy. Plans, which therefore, cover 7 broad areas/outcomes:

Outcome 1: More seven-year-old children being taught through the medium of Welsh

Among the issues which local authorities must address are plans for increasing the numbers in Welsh-medium education; the processes for measuring demand for Welsh-medium childcare and statutory education provision; links to the 21st Century School programme; arrangements for immersion schemes and latecomers; the establishment of a Welsh-medium Education Forum; information to parents; and how the local authority discharges its duty under section 10 of the Learner Travel (Wales) Measure 2008 to promote access to Welsh-medium education and training through the medium of Welsh.

Outcome 2: More learners continuing to improve their language skills on transfer from primary to secondary school

This outcome focusses on the arrangements for increasing the percentage of Year 9 pupils assessed in Welsh as a first language together with developing more effective transfer arrangements from early years/childcare through to Key Stage 4 with a particular emphasis on linguistic continuity.

Outcome 3: More learners aged 14 to 16 studying for qualifications through the medium of Welsh

Outcome 4: More learners aged 16 to 19 studying subjects through the medium of Welsh in schools, colleges and work-based learning

These outcomes are taken together. In the case of Outcome 3 the focus is on increasing the percentage of learners in Year 11 studying for 5 or more qualifications through the medium of Welsh. In the case of Outcome 4 the focus is on 2 or more subjects through the medium of Welsh. In both cases, local authorities are expected to explain how they support schools in maximising the take-up of subjects through the medium of Welsh, and how they work with others e.g. the 14 -19 Networks and Regional Forums.

Outcome 5: More learners with higher skills in Welsh

The main emphasis here is on standards – of literacy and numeracy, and in performance in Welsh as a first language and Welsh as a second language in statutory teacher assessments and external examinations across the Key Stages. Local authorities are expected to set targets for each. Local authorities are also expected to report on how they will reduce the percentage of non-entries for an external examination in Welsh as a second language at the end of Key Stage 4. In addition, local authorities are asked to outline how it encourages the use of Welsh outside the classroom. This is the Outcome to which the regional consortia make the greatest contribution.

Outcome 6: Welsh-medium provision for learners with Additional Learning Needs

Among the issues which local authorities need to consider are how they assess additional learning needs in the Welsh-medium sector, the extent to which they are able to offer services and support through the medium of Welsh, and the strategies for bridging any gaps between identified needs and range of services on offer through the medium of Welsh.

Outcome 7: Workforce Planning and Continuous Professional Development

This is primarily about strategies for securing sufficient numbers of practitioners with the requisite linguistic and methodological skills to deliver Welsh-medium education, including the use of the Welsh Government's Welsh Language Sabbatical Scheme.

Progress to date

9. The first statutory WESPs covering the period 2014 to 2017 were submitted to Welsh Ministers in December 2013 (as required by statute). 3 Plans were approved as submitted and 19 Plans were approved with modifications.

10. The Welsh in Education Strategic Plans and Assessing Demand for Welsh-medium Education (Wales) Regulations 2013 require a local authority, no later than 20 December every year, to review its progress against the targets in its approved Plan and submit any revised Plan for approval by Welsh Ministers. The functions of Welsh Ministers in respect of a revised Plan are limited to approval as submitted or approval with modifications. 5 were approved as submitted and 17 with modifications.

11. In accordance with the 2013 Regulations local authorities will undertake a further review of their progress against targets and submit their revised Plans to Welsh Ministers by 20 December 2015. This will provide the Department for Education and Skills with a further opportunity to challenge local authorities on both the implementation of individual plans and their continuing progress towards meeting their targets.

12. Local authorities have had 3 years in which to develop and refine their WESPs but the extent to which Ministerial approval has required modifications suggests that there is still some way to go before they are sufficiently embedded in local authority processes to contribute more effectively to the targets and outcomes of the Welsh-medium Education Strategy.

13. The Government views the introduction of WESPs as an important component in creating the system necessary to improve both the planning for, and standards of Welsh-medium education. Whilst this mechanism has been accepted by local authorities, it is too early to judge the impact of the Plans, especially as the initial approval of WESPs and then the revised Plans has involved considerable modifications.

Inquiry into Welsh in Education Strategic Plans

Question 1

Will the Welsh Government meet the 2015 and 2020 targets set out in the Welsh Medium Education Strategic Plan?

We have already acknowledged in the last two Annual Reports on the Welsh-medium Education Strategy that we would be unlikely to meet all the 2015 targets. Against that background, it seems unlikely that those targets which will not be met in 2015 will also be met in 2020 without improved planning and action at local authority level.

However, as reported in the Annual Report on the Welsh-medium Education Strategy last year progress has been made against some of the targets and that the 2015 target to increase the number of learners aged 16–19 studying subjects through the medium of Welsh in further education colleges and work-based learning was achieved.

Question 2

Can you demonstrate how **WESPs have** contributed towards meeting the targets, particularly in relation to:

- More seven-year-old children being taught through the medium of Welsh;
- More learners continuing to improve their language skills on transfer from primary to secondary school;
- More learners studying for qualifications through the medium of Welsh;
- More learners aged 16–19 studying subjects through the medium of Welsh, in schools, colleges and work-based learning; and
 - More learners with higher-level Welsh-language skills.

The most recent Annual Report on the Welsh-medium Education Strategy, published in July 2014, indicated that for these specific targets:

- 22.4% of seven-year-old learners being taught through the medium of Welsh compared with the 2009 baseline of 21%.
- 17% of learners continuing to improve their language skills on transfer from primary to secondary school compared to the 2009 baseline of 16% (measured as a percentage of Year 9 learners assessed in Welsh First Language). It should be noted that linguistic progression is very good between ages seven and 11 with the



cohort assessed at age 11 being over 97 per cent of that assessed four years earlier, at the age of seven. However, the situation is very different between the ages of 11 and 13. Data suggest that about 13.6% of learners assessed in Welsh first language at the age of 11 that are not similarly assessed aged 14. In order to reach the 2015 target, local authorities collectively will need to focus on reducing this discontinuity. The challenge remains in the two consortia with the highest numbers in Key Stage 2, and in specific local authority areas within these consortia, such as Carmarthenshire. However, increases in the number of 14 year old learners assessed in Welsh First Language were evidenced in Denbighshire, Powys, Ceredigion and Neath Port Talbot. Ensuring effective linguistic progression between key stage 2 and 3 is very much a local matter. It will depend on both parental and pupil attitudes, the encouragement of key teachers especially those involved in transition and the internal organisation of the secondary school in terms of language streams. In 2012 the Welsh Government published guidance aimed primarily at schools and local authorities entitled "Promoting Linguistic Progression between Key Stage 2 and Key Stage 3"

- 81.6% of learners entered for GCSE First Language entered for at least two further Level 1 or Level 2 qualifications through the medium of Welsh compared with the 2009 baseline of 80.9%. The equivalent figure for those entered for at least five Welsh-medium subjects was 55.5% compared to the 2009 baseline of 58.4%. While the 2015 target was met for both indicators in 2012, the most recent figures appear to have been affected by an increasing number of learners studying vocational subjects such as BTEC. These courses are continually assessed but Welsh-medium data is not collected by the awarding bodies.
- 20.1% of students aged 16 -19 studying through the medium of Welsh or bilingually in schools compared with the 2007-08 baseline of 14.9%. This is above the target of 20% for 2020. The equivalent figure for colleges is 8.4% which is in excess of the 2015 target of 7%; and for work-based learning 3.6% against a 2015 target of 2.5%.
- The indicators for more students with higher level Welsh language skills are the total A Level Welsh First and Welsh Second Language entries as percentages of the GCSE entries two years earlier. In the case of First Language the latest figure is 5.9% against a 2015 target of 7%, and for Second Language 1.9% against a 2015 target of 3.5%.

The next Annual Report on the Welsh-medium Education Strategy will be published in July 2015



Question 3

How effective are local authorities at assessing levels of need for Welsh-medium education provision? How effective are WESPs in contributing to that process?

Local authorities are asked to explain how they will adopt systematic processes for measuring the demand for Welsh-medium childcare and Welsh-medium statutory educational provision. It is the Government's view that this should be by means of a bespoke survey consisting of the core questions which are set out in the Welsh in Education Strategic Plans and Assessing Demand for Welsh-medium Education (Wales) Regulations 2013. Where an authority carries out such an assessment the School Standards and Organisation (Wales) Act 2013 requires them to take the finding into account when preparing or revising its WESP.

The 2013 Regulations include provisions for Welsh Ministers to require a local authority to conduct one in certain specified circumstances.

The majority of local authorities have conducted, or have committed themselves to conducting, a survey of parental demand during the lifetime of the current Plans 2014 -17.

Question 4

How has Welsh Government ensured that WESPs have resulted in increased (or different) provision being delivered at a local authority level (where such a need is identified)?

The provision of sufficient school places remains the responsibility of local authorities. Local authority and schools receive support to improve standards of education and pupil achievement from regional consortia. Therefore, change will occur as local authorities, schools and regional consortia collect and use the relevant information and respond accordingly to need.

WESPs provide them with a mechanism for exploring and identifying particular needs with regard to Welsh-medium education and to outline actions to address these needs. It allows for close and careful scrutiny at both local and national level

Question 5

How does the Welsh Government monitor and review progress, and ensure local authorities are complying with the requirements of WESPs?



Each local authority is required to prepare a WESP covering a 3-year period. The first statutory Plans are for the period 2014 to 2017. These Plans were assessed by my Department. Welsh Ministers functions in relation to a WESP are to approve it as submitted, to approve it with modifications or to reject it and prepare another plan which is to be regarded as the local authority's approved plan.

Where Welsh Ministers are minded either to approve a plan with modifications or to reject a plan they are required to consult the local authority. In practice, this means providing the local authority with a written response outlining the required modifications. Local authorities are required to respond within 14 days with a copy of a modified plan which is then subject to a further assessment and, if acceptable, approved.

Local authorities are required to review progress against targets annually - by 20 December each year – and to revise the plan accordingly. The revised plans are subject to the same assessment process as that outlined above save that Welsh Ministers can only approve a revised plan with or without modifications..

Question 6

Is the Minister satisfied that the process for reviewing WESPs is sufficiently transparent (with particular reference to the fact that local authorities are not required to publish an Annual Report detailing the outcomes of their reviews)? In what ways could the process be made more transparent?

Yes. Local authorities are required to consult about revised plans in accordance with statutory requirements and to publish the revised plans when they have been approved by Welsh Ministers. To require local authorities to publish an annual report in addition to this would be unnecessarily burdensome.

Question 7

What mechanisms are in place to ensure that WESPs reflect all relevant Welsh Government policies and legislation, including

- Learner travel legislation and policy;
- 21st Century Schools programme;
- Planning policy;



- A living language: a language for living – Moving forward policy statement; and
- Flying Start.

There is always a challenge in creating a system such as the WESPs which will be able to reflect the current educational policy agenda and allow for the duties imposed to enable effective responses to policy imperatives. A common planning mechanism such as the WESP does allow for the drawing together of policy and operational strands which impinge upon the planning and provision of Welsh-medium education.

Local authorities in their WESPs are required to demonstrate how they use the information gleaned from Childcare Sufficiency Assessments to plan for expansion of Welsh-medium childcare in order to feed into Welsh-medium education. In this context, the planning and provision of Welsh-medium Flying Start places is vital. Local authorities are also required to indicate how they have built planning for additional Welsh-medium school places into their Strategic Outline Programme for 21st Century Schools Funding. Similarly, scrutiny of 231st Century Schools Funding submissions involved examining how they align with their Welsh in Education Strategic Plan. Local authorities are also required to show how they comply with the requirements of the Learner Travel (Wales) Measure 2008.

In practice, we have seen some local authorities slow to engage with departments or teams who should be feeding into the preparation of the WESP. This has been reflected in the variability of the sections dealing with early years education indicating that the relevant officers have been involved to very different degrees. It has also been true of those officers dealing with learner transport matters. At times, submission for 21st Century Funding have included obsolete references as far as Welsh-medium education is concerned showing that officers responsible for the WESP have not always liaised with those taking forward Capital Funding applications.

Essentially, this question is about local authority structures and processes. While the disciplines of drawing up and implementing WESPs could – and should – have an influence on these, it is not the main function of the WESP process.

Question 8

How has the Welsh Government has ensured that WESPs are used to deliver equal access to welsh medium provision and equal outcomes for all pupils, for example

- welsh second language pupils;
- children from low income households; and
- pupils with additional learning needs.



The aim of WESPs is to ensure that parents and pupils can have access to Welsh-medium provision within reasonable distance if that is their preference, irrespective of where they live or their particular economic circumstances. We have also included a specific outcome in relation to additional needs so that, as far as possible, pupils with such needs are not deterred from choosing Welsh-medium education. Welsh-medium education is open to all. In essence, it is about enabling parents and pupils to make an informed choice. Whether they choose to enter the Welsh-medium sector or the English-medium sector, once they have made that choice we want them to have an education of high quality which enables them to reach their potential.

Question 9

In what ways could the current policy on WESPs be improved and how are those improvements being progressed?

Our policy on WESPs is clear: the statutory duty on local authorities to prepare, submit and revise WESPs will remain. The current WESPs for the period 2014 to 2017 are the first statutory plans. Our intention is not to make any significant changes to the requirements in terms of content until the end of this period. Local authorities will be required to prepare new 3-year plans for the period 2018 to 2021. We shall be considering what changes to the guidelines which might be required in readiness for the next round of plans. Changes to the content of WESPs may also require amendments to the Regulations.

Question 10

Please provide information on any other matters relating to WESPs that may assist the Committee in its work.

The Committee will wish to consider the written evidence which has been sent separately to the Committee Business mailbox.





Comisiynydd y
Gymraeg
Welsh Language
Commissioner

Committee Clerk
Children and Young People Committee
National Assembly for Wales
Cardiff Bay
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17 June 2015

Dear Clerk,

Inquiry into Welsh in Education Strategic Plans: written evidence

The Welsh Language Commissioner welcomes the opportunity to submit written evidence to the Children and Young People Committee as part of its inquiry into Welsh in Education Strategic Plans.

Context

The principal aim of the Welsh Language Commissioner is to promote and facilitate the use of Welsh. This entails raising awareness of the official status of the Welsh language in Wales and imposing standards on organizations. This, in turn, will lead to the establishment of rights for Welsh speakers.

Two principles underpin the Commissioner's work:

- In Wales, the Welsh language should be treated no less favourably than the English language;
- Persons in Wales should be able to live their lives through the medium of the Welsh language if they choose to do so.

In due course, secondary legislation will introduce new powers allowing the setting and imposing of standards on organizations. Until then, the Commissioner will continue to

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inspect statutory Welsh language schemes through the powers inherited under the Welsh Language Act 1993.

The role of the Commissioner was created by the Welsh Language (Wales) Measure 2011. The Commissioner may investigate failure to implement a language scheme, allegations of interference with individuals' freedom to use Welsh in Wales and, in future, complaints regarding the failure of organizations to meet standards.

One of the Commissioner's priorities is to scrutinise policy developments with regard to the Welsh language. Therefore, the principal role of the Commissioner is to comment in accordance with these terms of reference, acting as an independent advocate on behalf of Welsh speakers. Such an approach is advocated to avoid any potential compromise of the Commissioner's regulatory functions.

Context: Welsh in Education Strategic Plans

In its Welsh-medium Education Strategy (2010), the Welsh Government sets out its vision for creating a Wales which has *'an education and training system that responds in a planned way to the growing demand for Welsh-medium education, reaches out to and reflects our diverse communities and enables an increase in the number of people of all ages and backgrounds who are fluent in Welsh and able to use the language with their families, in their communities and in the workplace.'*¹

Strategic Aim 1 of this Strategy sets out the steps which Local Authorities are expected to take in order to ensure that the vision is realised. The implementation table states that Local Authorities are expected to 'submit WESPs to WAG for annual monitoring, with agreed local targets.'² The Government published special guidelines that state that the Plans need to explain how they complement the Strategic Aims of the Strategy.

The passing of the School Standards and Organisation (Wales) Act 2013 provided a statutory basis for Welsh in Education Strategic Plans. The first round of statutory Plans came into force from 1 April 2014. Welsh Ministers can approve the Plans (with or without amendments) or refuse to approve them and prepare other plans in their place. Under this Act, specific Regulations have been drawn up which state: the form and content of the Plans; expectations in terms of submitting, publishing and reviewing the Plans; responsibilities for measuring the demand for Welsh-medium education, and arrangements for consulting on the Plans.

In examining the language through which our children and young people receive their education, 74,277 children and young people received their education in Welsh-medium schools in 2010/11 (15.9%), compared with 72,868 in 2013/14 (15.7%). In 2013/14, 26% of Welsh schools were Welsh-medium schools, compared with 25% in 2009/10.³ Whilst a

¹ Welsh Government (2010): Welsh-medium Education Strategy, p.4.

² *ibid.* p. 29.

³ <https://statswales.wales.gov.uk/>



relatively low number of pupils receive at least part of their education through the medium of Welsh in bilingual or dual stream schools, the above data shows that English is the language through which the vast majority of children and young people in Wales receive their education today.

The education system is now the main source of new Welsh speakers. It follows that the growth of Welsh in the future will depend to a great extent on the growth of Welsh-medium education. This does not mean that we shouldn't also consider the way in which we can ensure that parents transfer Welsh to their children at home.

The above evidence suggests that there has not been any growth in Welsh-medium education over recent years, despite the increase in demand for Welsh-medium education. As many thousands of Welsh speakers are lost each year for various reasons, we believe that it will not be possible to increase the number of Welsh speakers without an education system that produces more new Welsh speakers.

Do Welsh in Education Strategic Plans contribute to the outcomes and targets set out in the Welsh Government's Welsh-medium Education Strategy?

Are Welsh in Education Strategic Plans delivering the required change at a local authority level, or do they have the potential to do so (for example, delivering provision to meet any increased demand for Welsh-medium education)?

In order to answer the above questions, we have undertaken desktop research and have considered the conclusions of public reports which scrutinise this field.

In his foreword to the 2012-13 Annual Report on the Welsh-medium Education Strategy, the Minister for Education and Skills, Huw Lewis AM, states: *'there has been little progress made against the strategy's targets'*.⁴ The Minister elaborates on the above point, explaining: *'we are unlikely to see 25 per cent of seven-year-old children being taught through the medium of Welsh by 2015. Better planning is needed to stimulate growth in Welsh-medium education in some areas. While there has been significant progress in the percentage of Year 9 learners assessed in Welsh first language, linguistic continuity remains a major priority for us.'*⁵

Despite the fact that the 2012 - 13 Annual Report acknowledges a likely failure to meet the targets set out in the Strategy, the Minister emphasises the value of Welsh in Education Strategic Plans by stating: *'the WESPs...allow us to challenge the relevant local authorities...'*⁶ However, the Minister's message in the 2013 - 14 Annual Report is slightly different. In his foreword to that report, he states: *'As we look to the final year of the Welsh-medium Education Strategy's Implementation Programme, the challenge is to ensure that the regional consortia, local authorities, schools, colleges, universities [et al]... all play their*

⁴ Welsh Government (2013): Welsh-medium Education Strategy: Annual Report 2012 – 13, p.3.

⁵ *ibid.*

⁶ *ibid.*



*part. The Welsh Government alone cannot achieve the systematic change that is required to ensure that Welsh-medium provision continues to thrive. Our stakeholders at all levels of the system need to take action to ensure that the strategy's aims are achieved.'*⁷

It could be argued that the Minister, as a result of his comments above, is less hopeful that Welsh in Education Strategic Plans are able to assist the Government in achieving the outcomes and targets set out in the Strategy. Therefore, for the purpose of this contributing evidence, following evidence from quantitative data in the Annual Reports on the implementation of the Strategy and the Minister's statement that '*there has been little progress made against the strategy's targets*', we will consider possible reasons for this insufficiency, and the Plans' responsibility for this outcome.

Enforcement power

Section 84 of the School Organisation (Wales) Act 2013 outlines the statutory requirements on Local Authorities to prepare Welsh in Education Strategic Plans. The Act states:

- (1) A Welsh in education strategic plan is a plan which contains—
 - (a) a local authority's proposals on how it will carry out its education functions to—
 - (i) improve the planning of the provision of education through the medium of Welsh ("Welsh medium education") in its area;
 - (ii) improve the standards of Welsh medium education and of the teaching of Welsh in its area;
 - (b) the local authority's targets for improving the planning of the provision of Welsh medium education in its area and for improving the standards of that education and of the teaching of Welsh in its area;
 - (c) a report on the progress made to meet the targets contained in the previous plan or previous revised plan.
- (2) A local authority must prepare a Welsh in education strategic plan for its area.
- (3) A local authority must keep its plan under review, and if necessary, revise it.

Section 85 of the Act sets out the requirements in terms of the approval, publication and implementation of the Plans:

- (1) A local authority which has prepared a Welsh in education strategic plan must submit it to the Welsh Ministers for their approval.
- (2) The Welsh Ministers may—
 - (a) approve the plan as submitted,
 - (b) approve the plan with modifications, or
 - (c) reject the plan and prepare another plan which is to be treated as the authority's approved plan.
- (3) If a local authority wishes to amend its plan, it must submit a revised plan to the Welsh Ministers.

⁷ Welsh Government (2014):



- (4) The Welsh Ministers may approve the revised plan, with or without modifications.
- (5) The Welsh Ministers must consult a local authority before—
- (a) they modify its plan under subsection (2)(b),
 - (b) they prepare another plan to replace the authority's plan under subsection (2)(c), or
 - (c) they modify its revised plan under subsection (4).
- (6) A local authority must publish its approved Welsh in education strategic plan (or revised plan).
- (7) A local authority must take all reasonable steps to implement its approved Welsh in education strategic plan (or revised plan).

Having considered Sections 84 and 85 of the Act, it appears that the Government does not have enforcement powers to deal with possible failures on the part of a Local Authority to achieve the targets and commitments set out in its Strategic Plan. Without clear enforcement action, it is very difficult to see how WESPs can ensure that the required changes are delivered at a local authority level.

Question for the Committee to consider: Should the Government have enforcement powers to deal with possible failures on the part of Local Authorities to achieve the targets and commitments set out in their Strategic Plans?

Opportunity for the WESPs to establish and embed themselves

The Welsh Government has commissioned Arad to undertake an evaluation of the Welsh-medium Education Strategy. In the section of the evaluation entitled 'Interim Conclusions', Arad notes the following positive statements with regard to the WESPs:

- the introduction of the WESPs has created a more robust planning and monitoring framework and a new system of accountability between local authorities and Welsh Government.
- the new arrangements will lead to greater scrutiny of authorities' plans to support Welsh-medium provision, as well as the implementation of these plans

Despite the above statement, Arad also states the following:

Local authorities, Welsh Government officials and schools agree that it is early days in terms of establishing and embedding these plans. It is not realistic to expect that the impact of the new planning regime will become clear during the lifetime of this Strategy (2010-2015). A long-term monitoring and evaluation programme will be required in order to understand the progress made and any changes to provision.⁸

Arad's Interim Report also considers the need for the WESPs' targets to be established and embedded at school level. Arad's comments on this matter reflect the pleas of the

⁸ Arad (2014): Evaluation of the Welsh-medium Education Strategy: Interim Report, p. 31.



Comisiynydd y
Gymraeg
Welsh Language
Commissioner

Minister for Education and Skills who asked stakeholders '*at all levels of the system...to take action to ensure that the strategy's aims are achieved*.' According to Arad:

*'one issue that merits attention is whether schools, through their own planning ..., reflect the national vision and priorities of strengthening bilingual and/or Welsh-medium provision. From the school visits undertaken so far as part of the area studies..., it is not clear that the 'spirit' and aims of the Strategy have permeated throughout the system and have influenced schools' planning processes.'*⁹

Another issue to consider is how quickly Local Authorities can implement changes to school organisation which would support the principles and targets of the Welsh-medium Education Strategy. The School Organisation Statutory Code (2013) sets out eight steps in the statutory process of making changes to provision within schools. It is possible that the fact that there are so many steps, and specific timescales for each step, is hindering Local Authorities' ability to contribute expeditiously to targets within their Welsh in Education Strategic Plans.

Questions for the Committee to consider: *Is it too early to consider whether Welsh in Education Strategic Plans can ensure that the required changes are delivered at Local Authority level, given that the first round of statutory Plans only came into force from 1 April 2014?*

Should more emphasis be placed on the need for Local Authorities and/or the Welsh Government to ensure that key stakeholders are fully conversant with the vision, priorities and targets of the Welsh-medium Education Strategy and the WESPs?

Does the Schools Organisation Code (2013) and, in particular, the eight steps needed to make statutory proposals to change provision within schools, allow Local Authorities to move forward or transform their Welsh-medium provision within schools expeditiously.

The ambition of WESPs

Estyn's report on '*Linguistic progression and standards of Welsh in ten bilingual schools*' makes several comments about the lack of ambition in the Welsh in Education Strategic Plans of the Local Authorities who were part of their review. Estyn states:

*'Only Gwynedd [of the sample] has high enough expectations of schools to increase the proportion of pupils who continue to study subjects through the medium of Welsh in key stage 4, and support schools to achieve ambitious targets. Addressing this lack of progression is not a priority for the majority of local authorities.'*¹⁰

⁹ *ibid.* p.32

¹⁰ Estyn (2014): Linguistic progression and standards of Welsh in ten bilingual schools, p. 7.



Estyn makes a specific recommendation to Local Authorities in this respect which is relevant to this discussion on the ambition of WESPs, namely that they should *'track...the proportion of pupils in key stage 4 who follow courses through the medium of Welsh and set targets to increase this in line with the objectives of the Welsh-medium education strategy'*.¹¹

Arad's Interim Report on the evaluation of the Welsh-medium Education Strategy predicts, *'local authorities will need to agree challenging targets in their WESPs in order to reach the 2020 targets'*.¹² This statement strongly suggests that WESP targets are not currently ambitious enough to reach future targets.

In its national overview of Welsh in Education Strategic Plans (2014-17), the interest group Parents for Welsh Medium Education [RhAG] states the following viewpoint: *'it has become clear that the majority [of Local Authorities] have failed to grasp the new mindset which is now expected of them...RhAG is concerned that in their current form the Plans don't reflect the School Standards and Organisation (Wales) Act 2013... in either spirit or letter, by outlining how each LA will achieve the outcomes set out in the Welsh-medium Education Strategy'*.¹³

There are also doubts as to whether the process for 'measuring the demand' for Welsh-medium education is being implemented in those Local Authorities where it is an appropriate activity. If Local Authorities are not fully aware of the volume of demand amongst parents for Welsh-medium education, it is difficult to understand how they can be sure that their plans to increase Welsh-medium education are ambitious enough.

Concern has also been expressed about the lack of places in Welsh-medium education in some areas. If a lack of places continues to be a problem in some Local Authorities in Wales, it is appropriate to consider the ambition shown in the WESPs prepared by those Local Authorities.

Questions for the Committee to consider: *We recommend that the Committee should consider the extent to which the Welsh Government is pushing Local Authorities far enough when approving Welsh in Education Strategic Plans.*

Does the possible lack of ambition shown by some WESPs stem from the fact that the relevant Local Authorities do not fully understand the level of demand for Welsh-medium education?

Does the continuing lack of places in Welsh-medium education in some areas suggest that the WESPs implemented by those Local Authorities are not ambitious enough?

¹¹ *ibid*, p.8.

¹² Arad (2014): Evaluation of the Welsh-medium Education Strategy: Interim Report p. 55.

¹³ RhAG (2015): Welsh in Education Strategic Plans (2014-17): National Overview - General Conclusions, p. 1.



Do Welsh in Education Strategic Plans highlight effective interaction between the Welsh Government's Welsh-medium Education Strategy and other relevant legislation and policies (for example, school transport policy; the 21st Century Schools programme; the policy statement - A Living Language: A Language for Living; Flying Start; planning policy)?

In order for the Committee to reach a decision about the extent to which WESPs highlight effective interaction between the Strategy and other legislation/policies, it is important to consider the extent to which references to the Welsh-medium Education Strategy and WESPs can be found within those other policy documents. Arad has completed a 'snapshot evaluation' of documents published by the Government's Education and Skills Department during the last two years in order to assess the effectiveness of this 'interaction'. Arad's conclusions are as follows:

There are specific references to the [Welsh-medium Education] Strategy in half of these documents.¹⁴ Almost all of the documents include objectives, actions or comments that support or are consistent with the Strategy, even though the link to the Strategy is not explicit in some. A number of the documents were published relatively recently and it is difficult to interpret to what extent the Strategy has been embedded and is 'operational', or whether the links are more superficial and the references to the Welsh language are made 'in passing'.¹⁵

In responding to a number of Welsh Government public consultations, I myself have identified a number of cases where there has not been effective interaction between the Welsh-medium Education Strategy and other relevant policies. For example, in responding to the Government's 'Draft Ten-year Plan for the Early Years, Childcare and Play Workforce in Wales', I recommended that the Ten Year Plan should do more than 'consider' the gaps found in Welsh-medium Early Years provision across Wales. I recommended that the proposed Plan needs to offer a clear and detailed way forward, and thereby reflecting the principles of the Welsh-medium Education Strategy.

In responding to the Welsh Government's consultation of the 'Early Years Outcomes Framework', I had to state the following:

No reference is made to the Welsh Government's Welsh Language Strategy 'A Living Language: a language for living' or its Welsh-medium Education Strategy in the 'Context' section of this consultation document. This 'Context' section provides details on '*other frameworks and/ or initiatives in place that relate to or have an impact on the early years...It is important that these are considered within the scope of this work*'. The Well-Being of Future Generations (Wales) Bill (2014) is listed here as well as the review of assessment arrangements and the national curriculum, Professor Graham Donaldson's review, the Early Years and Childcare Plan, the

¹⁴ Arad stated that the documents have been chosen 'on the basis of their influence and significance in relation to the development of education policy in Wales'.

¹⁵ Arad, p. 27.



Independent Audit of the Foundation Phase in Wales, the Independent Review of Childcare and Early Years Education Registration, Regulation and Review, and Universal Credit. The Welsh language should be considered within the scope of this work.

Another key policy document is the Welsh Government's 'Flying Start' Early Years Programme Strategic Guidelines. Flying Start is a Welsh Government pilot project which aims to improve the skills of children who live in some of the most deprived areas of Wales before they start statutory education. The Strategic Guidelines for this project do not include any reference to the Welsh-medium Education Strategy or WESPs.¹⁶

Questions for the Committee to consider: *Should the Committee consider looking beyond the content of the WESPs in order to ascertain whether there is effective interaction between the Welsh Government's Welsh-medium Education Strategy and other relevant legislation and policies?*

Should the Committee consider the extent to which the Welsh Government ensures that matters relating to Welsh-medium education are mainstreamed within other relevant legislation and policies?

Transport

A great deal of attention has been given to transport in a number of areas across Wales during recent years, particularly the issue of transport for pupils in post-16 education. I am currently in the process of collecting evidence from all Local Authorities on their transport arrangements for pupils in post-16 Welsh-medium education. I am asking the Local Authorities whether they are intending to review or amend their current provision. The information I have received so far is not yet complete, but it does already show that a significant number of Local Authorities intend to amend their provision.

I will have more evidence on this matter in due course, and I would be very happy to share this information with the Committee then.

Thank you for this opportunity to comment on the Committee's inquiry into Welsh in Education Strategic Plans. I strongly believe that Local Authorities must adopt an ambitious vision for Welsh-medium education and that this vision should be implemented through Welsh in Education Strategic Plans. Without enforcement power, it is difficult to see how the Welsh Government can monitor the implementation of these Plans effectively.

The next few years will be a very exciting time in the history of education in Wales. As the significant recommendations of the Donaldson Review are implemented, it is



Comisiynydd y
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Welsh Language
Commissioner

extremely important that the aims and principles of the Welsh-medium Education Strategy and the Welsh in Education Strategic Plans are not sidelined and forgotten.

Yours sincerely,

Meri Huws

Welsh Language Commissioner

Agenda Item 4.1

CYPE(4)-20-15 - Paper to note 3

Owen Evans
Cyfarwyddwr Cyffredinol • Director General

Yr Adran Addysg a Sgiliau
Department for Education and Skills



Llywodraeth Cymru
Welsh Government

29 June 2015

Mr Darren Millar AM
Chair
Public Accounts Committee
National Assembly for Wales

Dear Darren,

Further to your letter of 21 May 2015 may I first apologise for the slight delay in this response.

You have asked me to specify where in regulations it states that an individual governor cannot be required to be a designated lead for a specific issue. I think there may have been some misunderstanding which I would like to clarify.

Governing bodies are corporate bodies in law with responsibility as a whole for discharging all of their functions. While the existing law is flexible enough to allow a governing body to delegate most of its functions and responsibilities if it wishes, there are some matters which are expressly excluded from delegation, or which may only be delegated to a committee rather than an individual. Regulation 50 of the Government of Maintained Schools (Wales) Regulations 2005 sets out issues which only a governing body as a whole must consider, and regulation 51 sets out issues which may only be delegated to committees of a governing body. One of the issues which must be delegated to a committee rather than an individual in regulation 51(2)(b) of the 2005 Regulations is the function of staff discipline and dismissal which is a complex HR matter. Regulation 55 of the 2005 Regulations sets out the requirement for a governing body to have a staff disciplinary and dismissal committee.

It must also be kept in mind that governors are ordinary members of the public who volunteer their services. Many join governing bodies to work as a team to help their school and may not have the necessary skills to be given responsibility for a specific matter. You particularly wish to see a governor with responsibility for HR matters and staff absences. HR issues are confidential and complex matters which require specific expertise and knowledge of employment law and policies. Many individual governors may not have the skills or



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confidence to be responsible for such high profile and difficult matters. That is why governing bodies are advised to seek expert advice from the local authority.

For these reasons I maintain my current position that we would not seek to alter legislation to require a governing body to identify a single governor who would have responsibility for HR and staff absence matters.

I do, however, note the intention behind the report's recommendation and as such the guidance on *Effective Management of Workforce Attendance* to be published in July 2015 will suggest that governing bodies consider designating the responsibility to lead on absence management issues to one of their members or a sub-committee.

I hope you find this helpful.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Owen', followed by a period.

Owen Evans

Agenda Item 6

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

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