

# SL(5)647 – The Welsh in Education Strategic Plans (Wales) (Amendment) (Coronavirus) Regulations 2020

## Background and Purpose

These Regulations amend the Welsh in Education Strategic Plans (Wales) Regulations 2019 (“the 2019 Regulations”) which made provision in relation to:

- the form and content of the Welsh in Education Strategic Plan (“the Plan”);
- the duration of the Plan;
- submission of the Plan to the Welsh Ministers;
- approval of the Plan;
- arrangements for revision of the Plan;
- consultation on a draft Plan;
- the timing and manner of publication of the Plan;
- revocation, with savings, of the Welsh in Education Strategic Plans and Assessing Demand for Welsh Medium Education (Wales) Regulations 2013 (“the 2013 Regulations”).

These Regulations amend three of the timescales in the 2019 Regulations:

- the duration of the 10 year Plan will run from 1 September 2022 to 31 August 2032 instead of 1 September 2021 to 31 August 2031;
- the date on which the first ten year Plan is to be submitted to the Welsh Ministers will be 31 January 2022 instead of 31 January 2021; and
- the date on which the first annual review report must be submitted to the Welsh Ministers will be 31 July 2023 instead of 31 July 2022.

These changes are being made in response to the COVID-19 pandemic to enable local education authorities to prioritise their support for schools. Plans approved under the 2013 Regulations will continue to have effect until a local authority’s first ten year Plan, under the these Regulations, has effect.

## Procedure

Negative



## Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

## Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

### **1. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd**

We note there has been no formal consultation on these Regulations. In particular, we note the following paragraphs in the Explanatory Memorandum:

*“These amendments are made in response to the COVID-19 pandemic. The 2019 Regulations 2019 had only come into force four months before the pandemic hit. The 2019 Regulations underwent a 15 week consultation between 30 May and 13 September 2019 and included four regional engagement events attended by approximately 100 stakeholders as well as a youth forum discussion hosted by the Urdd.*

*Due to the nature of the amendment being proposed, which only affects the timetable for submitting and commencing the next cycle of WESPs and no other provision in the regulations, no additional consultation nor integrated impact assessment has been undertaken. However, the views of local authority Directors of Education, gathered through the Association of Directors of Education Wales (ADEW), were considered as part of the decision making process. Key pressure points for local authorities identified include the time allocation for preparing a draft Plan in consultation with local stakeholders and consulting on a draft Plan at a time when all available education resources were being redirected to work on local COVID-19 responses.”*

## Implications arising from exiting the European Union

None

## Welsh Government response

A Welsh Government response is not required.

### **Legal Advisers**

**Legislation, Justice and Constitution Committee**

**10 November 2020**

