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



Llywodraeth Cymru
Welsh Government

Our ref: MA/MDFWL/0003/25

Buffy Williams MS
Chair
Children, Young Persons and Education Committee

13 January 2025

Dear Buffy

Welsh Language and Education (Wales) Bill

I would like to thank the Children, Young People and Education Committee for their scrutiny of the Welsh Language and Education (Wales) Bill at Stage 1 and for the report published on 13 December 2024.

I am pleased that the Committee supports the general principles of the Bill. I have set out the Government's response to the Committee's recommendations in the Annex to this letter. I hope that the information attached will help inform your further scrutiny as the Bill progresses through Stage 2.

I look forward to continuing to work with Committee Members on the detail of the legislation.

I am sending a copy of this letter to the Chairs of the Finance Committee and the Legislation, Justice and Constitution Committee.

Yours sincerely,

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

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

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

ANNEX

Government Response to the recommendations from the Children, Young People and Education Committee Report

Recommendation	Government Response	Change to the Bill	Change to supplementary documents	Comments
<p>Recommendation 1. The Senedd agrees the general principles of the Welsh Language and Education (Wales) Bill.</p>	<p>Not applicable</p>	<p>Not applicable</p>	<p>Not applicable</p>	<p>The Government welcomes this recommendation and calls on Members of the Senedd to agree to the Main Principles of the Bill following the debate in Plenary on 14 January.</p>
<p>Recommendation 2. The Welsh Government commits to bringing forward a more detailed Workforce Impact Assessment. This should be developed with meaningful engagement from the education sector, and its workforce representatives. This Assessment should be used in the development of the Workforce Plan and then should be updated in light of the Workforce Plan. (See recommendation 3).</p>	<p>Accept</p>	<p>No</p>	<p>Yes</p>	<p>The Government has committed to reconsidering the <u>workload</u> impact assessment included in the Integrated Impact Assessment (which will be updated at the end of Stage 2). We will engage with the education sector and its representatives from the workforce when drawing up this assessment.</p> <p>We recognise that the capacity of the workforce to meet the requirements of the Bill is a valid concern. The Government is committed to working and engaging continuously with the sector in implementing the Bill. We will introduce amendments regarding the steps that the Welsh Ministers will take to ensure that there is a sufficient workforce to meet the targets regarding the provision of Welsh language education that will be set on local authorities.</p>

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<p>Recommendation 3. The Welsh Government identifies the most appropriate legislative mechanism to place a duty on the Welsh Ministers to prepare a statutory education workforce plan which includes targets, and a timeframe, for recruitment and retention. This workforce plan should cover all aspects of the education workforce, and look in particular at shortage areas, as well as likely future need, and the ways in which this need will be addressed. It should take account of the variations across Wales.</p>	<p>Accept in principle</p>	<p>Yes</p>	<p>Yes</p>	<p>We accept the critical importance of the workforce to deliver our commitments and aspirations on educational attainment, including in Welsh language learning and learning through the medium of Welsh. We accept that there are a range of issues which need to be addressed which include high quality professional learning, access to support, workload, leadership and data. Improving support for the workforce will help to improve teaching and learning, and wellbeing of school staff, and recruitment and retention. We accept that any workforce plan needs to recognise the role of teachers and school support staff as part of a school ecosystem, as well as some specialist roles. We further accept that any workforce plan should take account of the variations across Wales, and recognise the key roles of governors and local authorities as employers.</p> <p>Any workforce plan needs to be developed in close discussion with our partners in the context of our social partnership commitments, and in particular with employers. The Cabinet Secretary for Education is intending to develop a strategic education workforce plan for the whole education sector to improve -recruitment and retention, wellbeing and high quality teaching and learning, whilst also recognising the flexibility needed in different parts of Wales to address different local priorities, including around a range of subjects which will be priorities. As a result of this need for flexibility and future-proofing, our proposed plan will be non-statutory.</p>

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				We will table amendments to the Bill in relation to the steps to be taken to ensure that there is a sufficient workforce to deliver against the targets on Welsh language provision that will be set on local authorities through the National Framework on Welsh Language Education and Learning Welsh.
<p>Recommendation 4. The Welsh Government sets out how it will seek to make clearer the distinction between teaching Welsh as a subject, and teaching through the medium of Welsh in the definition of Welsh language education.</p>	Accept	No	Yes	<p>Section 8(2) of the Bill states that what is meant by 'Welsh language education' is the teaching of the Welsh language and education and training through the medium of Welsh. This has been limited to maintained schools, to pupils of compulsory school age.</p> <p>Paragraph 3.116 of the Explanatory Memorandum also states this, emphasising that 'teaching Welsh' means teaching Welsh as a subject.</p> <p>We will consider whether we can add to this clarity in the Explanatory Memorandum. We anticipate that it will be appropriate to give practical examples in guidance published by the Welsh Government in due course to help schools and local authorities in the process of categorising schools.</p>
<p>Recommendation 5. The Welsh Government provides greater clarity on each of the school language categories, in particular the likely amount of Welsh-medium provision in both Primarily Welsh language and Dual</p>	Accept	No	Yes	<p>We will add to the Explanatory Memorandum and Statement of Policy Intent to provide more clarity about the ranges we anticipate we will consult on when drawing up the regulations.</p> <p>We believe that it is better to detail the range of the categories in regulations, as this will enable us to increase these percentages if appropriate through further regulations, rather than requiring primary legislation to do so.</p>

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<p>Language school categories. In doing this, the Welsh Government should also provide greater clarity as to what the Dual Language school category means. Additionally, we ask the Welsh Government to consider the evidence and views we have heard calling for an additional category to mirror the current non-statutory 3P category</p>				
<p>Recommendation 6. The Welsh Government should set out clearly what school activities would be counted towards meeting the 10 per cent minimum of Welsh language provision. In doing so, the Welsh Government should outline whether it still intends to increase the amount of education delivered through the medium of Welsh above that of teaching Welsh as a subject.</p>	<p>Accept</p>	<p>No</p>	<p>Yes</p>	<p>We will add to the Explanatory Memorandum to provide more clarity about the meaning of 'school sessions' and what is included.</p> <p>Section 10(2) says that the categories will refer to the Welsh language education as a percentage of the education and training provided over a school year <u>during school sessions</u> for pupils of compulsory school age.</p> <p>Section 10(5) states that "school sessions" means school sessions commencing and ending at such times as may be determined from time to time in accordance with section 32C of the Education Act 2002. A school day usually consists of two sessions, with a break in between. The Welsh language provision within those school sessions will count towards the 10 per cent.</p> <p>When preparing guidance under section 46 of the Bill, the Government will consider including examples of school</p>

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				<p>activities that would count towards reaching the minimum of 10% Welsh language provision.</p> <p>It is up to individual schools to decide how they want to provide Welsh language education within the school sessions. And that will be detailed by the schools in their Delivery Plan.</p> <p>In practice, it is anticipated that schools that provide 10 per cent will do so by teaching Welsh as a subject - bearing in mind that this is a mandatory element of the curriculum. As schools provide an increasing percentage of their education in Welsh, it is reasonable to assume that more of that percentage will be 'education through the medium of Welsh'.</p>
<p>Recommendation 7. The Welsh Government should provide clarity on whether the Welsh Language Education Delivery Plans can be incorporated into existing School Development Plans, or whether schools will have to produce separate stand alone plans.</p>	<p>Accept</p>	<p>No</p>	<p>Yes</p>	<p>We will amend the Explanatory Memorandum to clarify the interrelationship between School Development Plans and Welsh language education delivery plans.</p> <p>While the Delivery Plans and the School Development Plans emanate from different legislative provisions, schools may incorporate the delivery plan within the School Development Plan – and there is nothing to prevent schools from doing so. There will be an opportunity in guidance to explain this to schools and we will co-construct templates for delivery plans with schools and local authorities.</p> <p>The delivery plans are established for the first time through this primary legislation. School Development Plans derive from the Education (School Development Plans) (Wales) Regulations 2014.</p>

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<p>Recommendation 8. The Welsh Government should clarify the role of the tertiary education sector in delivery of the National Framework. In doing so they should specify what role Medr will play. This could be done in the Bill's Explanatory Memorandum.</p>	Accept	No	Yes	We will amend the Explanatory Memorandum to clarify the role of the tertiary education sector in the context of the National Framework.
<p>Recommendation 9. The Welsh Government should consider how the Bill can be amended to include tertiary education in the definition of Welsh language education for the purpose of the National Framework.</p>	Accept	Yes	Yes	The Welsh Government accepts the recommendation and has considered including tertiary education in the definition of Welsh language education. We believe that the Bill should make it clear that tertiary education is covered by the National Framework, and we will introduce an amendment to this end.
<p>Recommendation 10. The Welsh Government strengthens the Bill's provisions on Local Strategic Plans to ensure that they will take account of youth services and other mechanisms to encourage opportunities for Welsh to be used in the community.</p>	Accept in principle	No	Yes	<p>We agree that ensuring opportunities to use the language in the community is crucial, but do not believe that the Local Welsh in Education Strategic Plans are the appropriate instrument to detail the steps taken to this end. The Welsh Government is of the opinion that there could be a risk of losing the focus of the local Welsh Language in Education Strategic Plans if they extended beyond the use of the Welsh language in schools.</p> <p>Rather, the role of the local authorities' Welsh Language Promotion Strategies, which are prepared in accordance with the Promotion Standards under the Welsh Language (Wales) Measure 2011, is to increase the use of the Welsh language locally.</p>

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				<p>The review of Welsh language standards to be carried out in accordance with section 4 of the Bill will be an opportunity for the Welsh Ministers to decide whether there is a need to amend the promotion standards. Section 4 specifically provides that the Welsh Ministers must review the standards with a view to determining whether it is necessary to amend one or more Welsh language promotion standards in order to facilitate the achievement of a target specified in Part 1 of the Bill. Those targets include increasing the use of the Welsh language socially.</p> <p>We will amend the Explanatory Memorandum to explain the interrelationship between the Welsh Language in Education Local Strategic Plans and Welsh Language Promotion Strategies.</p>
<p>Recommendation 11. The Welsh Government should provide greater clarity as to how the National Institute will fit into the wider tertiary education sector, in particular how the roles of Medr, Coleg Cymraeg Cenedlaethol and the National Institute will interact.</p>	<p>Accept</p>	<p>No</p>	<p>Yes</p>	<p>The Welsh Government accepts that greater clarity should be given regarding the role of the National Institute in the context of the tertiary education sector. This will be done in the Explanatory Memorandum.</p>