

Vikki Howells AS/MS
Y Gweinidog Addysg Bellach ac Uwch
Minister for Further and Higher Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref: VH/PO/86/25

Mike Hedges MS,
Chair
Legislation, Justice and Constitution Committee

21 February 2025

Dear Mike,

The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2025

Thank you for your letter of 10 February 2025. As the Committee will be aware, the development of subordinate legislation generally entails a long lead-in time. Work is often scheduled well in advance of the date of laying before Senedd Cymru, to ensure that the various teams involved in the legislative process have sufficient availability and time to carry out the necessary tasks. The drafting of legislation, in particular, is typically completed well in advance of making and laying, so that it can be subject to quality-assurance, translation, equivalence-checking, final legal checks and Ministerial approval. In the case of the annual suite of student finance legislation, the process leading to making that legislation also involves the need to factor in engagement with the body which administers and operates the student support system on behalf of the Welsh Ministers.

At the point of receiving the Committee's report on the 2024 Regulations, in August 2024, the time allocated for the drafting of these Regulations in the English language was about to come to an end in accordance with the agreed timetable. At the point that the Committee received the Welsh Government's response to that report, in September 2024, these Regulations were in the first step of the quality-assurance process in accordance with the timetable agreed between the various teams involved in the making of the Regulations. At that same point began the drafting window for the next set of student finance regulations, which were timetabled to be made in February 2025 – just over one month after these Regulations were due to be made.

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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.

Between September 2024 and January 2025, these Regulations were scheduled for translation, review of Welsh language draft, equivalence-checking, final legal checks and Ministerial approval (in addition to various intermediary tasks), each at specific points in accordance with the agreed timetable.

Therefore, it was considered that there was insufficient time in which to include the necessary corrections relating to the 2024 Regulations in these Regulations, as to have done so would have increased the drafting window for these Regulations beyond that agreed in the timetable. This would have almost certainly derailed the subsequent stages of the legislative process and almost certainly resulted in missing the coming into force date of these Regulations with consequent operational delays to the administration of the student support system for the forthcoming academic year.

At the point of responding to the Committee's report on the 2024 Regulations, it was considered that there was another, more suitable in the circumstances, item of legislation in which to include the necessary corrections, the Education (Student Finance) (Amounts) (Miscellaneous Amendments) (Wales) Regulations 2025. This was reflected in the response to the Committee's report on the 2024 Regulations and that legislation was made on 19 February 2025.

This approach was taken as the issues identified in need of correction were considered minor, and not urgent as they did not carry a realistic risk of having a detrimental impact operationally.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'V. Howells', with a long horizontal flourish underneath. The signature is positioned above a yellow rectangular stamp.

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