



Llywodraeth Cymru  
Welsh Government

**WG52741**

Welsh Government  
Consultation – summary of response

## **Regulating the Inspection of Further Education and Training**

Revoking and replacing of the Inspection of Education and Training  
(Wales) Regulations 2001

15 August 2025

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.  
This document is also available in Welsh.

## Overview

The Welsh Government recently consulted on the draft Inspection of Education and Training (Wales) Regulations 2026 ('the 2026 Regulations') which will revoke and replace the Inspection of Education and Training (Wales) Regulations 2001 ('the 2001 Regulations') to reflect the role of the Commission for Tertiary Education and Research (now known as Medr) in the inspection and quality arrangements for the inspection of post compulsory education and training, and on legislative changes to Estyn's reporting period to bring the further education and training post-16 sectors into alignment with the reporting periods for other sectors. The consultation was live between 28 April 2025 and 20 June 2025. It attracted 9 responses from institutions and organisations based in Wales, including Medr and Estyn.

## Action required

This document is for information only.

## Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

Link to the consultation documentation: [Regulating the inspection of Further Education and Training | GOV.WALES](#)

## Contact details

For more information:  
TERA Implementation Team  
Tertiary Education Directorate  
Welsh Government  
Cathays Park  
Cardiff  
CF10 3NQ

email: [TER.Consultations@gov.wales](mailto:TER.Consultations@gov.wales)

 [@WG\\_Education](#)

 [Facebook/EducationWales](#)

## Additional copies

This summary of response and copies of all the consultation documentation are published in electronic form only and can be accessed on the Welsh Government's website.

This document is also available in Welsh: <https://www.llyw.cymru/rheoleiddio-arylygu-addysg-bellach-hyfforddiant>



# Contents

<b>Background</b>	<b>3</b>
<b>Introduction</b>	<b>4</b>
<b>Summary of responses</b>	<b>5</b>
Question 1	5
Summary analysis	5
The Welsh Government response	5
Question 2	5
Summary analysis	6
The Welsh Government response	6
Question 3	6
Summary analysis	6
The Welsh Government response	7
Question 4	7
Summary analysis	7
The Welsh Government response	7
Question 5	8
Summary analysis	8
The Welsh Government response	8
Additional issues raised	8
<b>Annex 1: List of respondents</b>	<b>9</b>

## Background

The Tertiary Education and Research (Wales) Act 2022 (“TERA”) received Royal Assent on 8 September 2022. TERA provided for the establishment of Medr and the dissolution of the Higher Education Funding Council for Wales (“HEFCW”). Medr was established as a legal entity on 15 December 2022 and became operational on 1 August 2024, with HEFCW also being dissolved on that date.

Following the commencement of all relevant provision within TERA, Medr will be responsible for the funding, oversight and regulation of tertiary education and research in Wales, covering the following sectors:

- Further education, including colleges and school sixth forms
- Higher education, including research and innovation
- Adult education and adult community learning
- Apprenticeships and training

From April 2026, Medr will become responsible for the oversight and funding of Estyn’s core further education and training inspection work as specified in section 57(1) of TERA, area inspections, as specified in section 63 of TERA, and thematic reviews,

Estyn will also be under a duty to provide advice and guidance relating to the inspection and quality of post compulsory further education and training (including school sixth form element of school inspection) to the Welsh Ministers and Medr.

## Introduction

The Welsh Government recently consulted on the draft Inspection of Education and Training (Wales) Regulations 2026 ('the 2026 Regulations') which will revoke and replace the Inspection of Education and Training (Wales) Regulations 2001 ('the 2001 Regulations') to reflect the role of Medr in the inspection and quality arrangements for the inspection of post compulsory education and training, and on legislative changes to Estyn's reporting period to bring the further education and training post-16 sectors into alignment with the reporting periods for other sectors.

The consultation was live between 28 April 2025 and 20 June 2025. A total of 9 responses were submitted in response to the consultation from institutions and organisations based in Wales. One written response was also received that addressed matters outside the scope of the consultation.

A full list of respondents to the consultation can be found at Annex 1.

For analysis purposes, all responses were securely saved. Where agreement was indicated, respondents' details were logged along with the details from the consultation responses.

This document provides a summary of the responses received to the specific questions asked and outlines the proposed way forward.

# Summary of responses

## Question 1

Do you agree with the proposal to revoke and replace the Inspection of Education and Training (Wales) Regulations 2001 to consolidate and reflect the statutory role of the Commission in exercising its statutory duties and functions as set out in the Tertiary Education and Research (Wales) Act 2022?

Agree: 7

Disagree: 1

Neither agree nor disagree: 1

## Summary analysis

The majority of respondents supported this proposal, highlighting the need for the Regulations to reflect the statutory roles of Estyn and Medr as set out in the TERA. Some respondents emphasised the need for continued dialogue with further education (FE) institutions to ensure that future arrangements reflect the specific needs of the sector.

One respondent disagreed, expressing concern about the complexity of FE institutions and the implications of regulatory changes.

Another respondent neither agreed nor disagreed, citing the diversity of post-16 education providers and the challenge of applying a uniform regulatory framework.

## The Welsh Government response

The Welsh Government welcomes the broad support for the proposal to revoke and replace the Inspection of Education and Training (Wales) Regulations 2001. The Welsh Government intends to make the 2026 Regulations and provide for their coming into force on the 1 April 2026.

We acknowledge the concerns raised about the complexity and diversity of the post-16 education sector and reaffirm our commitment to ongoing engagement with Estyn, Medr and other stakeholders to ensure that the new regulatory framework is proportionate, inclusive, and responsive to the needs of all providers.

## Question 2

Do you agree with the transitional arrangements included within the draft regulations as set out in the table in regulation 2 which ensures the continuity of the current 6-year inspection period that started under the 2001 Regulations?

Agree: 7

Disagree: 1

Neither agree nor disagree: 1

## Summary analysis

Most respondents agreed with the proposed transitional arrangements to ensure continuity of the current 6-year inspection period.

While generally supportive, two respondents highlighted potential areas of concern. One noted that pilot inspections in 2024 might lead to earlier cycle starts, whilst another highlighted the need for clarity as to whether inspections would be conducted campus-wide or by provision area.

One respondent neither agreed nor disagreed, citing the varied nature of post-16 institutions.

## The Welsh Government response

We are encouraged by the general agreement with the proposed transitional arrangements to maintain continuity of the current six-year inspection cycle. The Welsh Government recognises the importance of clarity and fairness in the transition process.

The comments regarding pilot inspections and the need for further detail on how inspections will be structured across different types of provision are noted and have been passed to Estyn for consideration. However, it's important to note that neither the Welsh Government, Medr nor Estyn wish to overburden the sector and these points will be considered carefully to ensure that the implementation of the new framework is equitable and transparent.

## Question 3

Do you agree with amending the timeframe within which further education and training inspection reports must be made, from 70 working days to 35 working days to be in line with other inspections undertaken by Estyn?

Agree: 7

Disagree: 2

Neither agree nor disagree: 0

## Summary analysis

The majority of respondents agreed with the proposal to amend the inspection report timeframe from 70 to 35 working days. Highlighted benefits included more timely feedback and alignment with school inspections.

One respondent suggested that thematic reports should also adhere to this timeframe to maintain relevance.

Two respondents disagreed, raising concerns about the complexity and scale of FE institutions, the risk of rushed and lower-quality reports, and the perception that FE is being forced into a school-based model.

## **The Welsh Government response**

Given the support to the proposal to reduce the timeframe for publishing inspection reports from 70 to 35 working days, the Welsh Government intends to include this provision within the proposed 2026 Regulations.

The Welsh Government acknowledges the concerns raised about the potential impact on report quality and the operational challenges for larger and more complex institutions.

The Welsh Government worked closely with Estyn to develop this proposal and will continue to do so to ensure that the revised timeframe is implemented in a way that maintains the rigor and usefulness of inspection outcomes.

The provision within the proposed 2026 Regulations in respect of the timeframes within which inspection reports are required to be made and published relates to inspections of specific education and training and area inspections.

As such reports produced following a thematic review do not fall within the scope of the proposed 2026 Regulations. Thematic reviews are more research based and can vary in size and complexity, as such the timeframe for each report is individually negotiated.

## **Question 4**

What, in your opinion, would be the likely effects of the legislation on the Welsh language? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the Welsh language less favourably than English.

Do you think that there are opportunities to promote any positive effects?  
Do you think that there are opportunities to mitigate any adverse effects?

## **Summary analysis**

While some respondents felt the changes would have a limited direct impact, others identified both opportunities and risks.

Positive opportunities included the promotion of Welsh-medium education and compliance with Welsh Language Standards, leading to a likely increase in the use of Welsh language in tertiary education and research settings. Respondents also suggested that establishing mechanisms for continuous feedback from students and staff can help identify and address any issues relating to the implementation of the Regulations.

Concerns were raised about the shortage of bilingual inspectors and the need for sufficient resources and capacity within both Estyn and institutions.

## **The Welsh Government response**

We are grateful for the thoughtful responses regarding the potential effects of the proposed legislation on the Welsh language. The Welsh Government remains committed to promoting the Welsh language and ensuring it is treated no less favorably than English.

The Welsh Government will continue to monitor the implementation of the regulations, along with the wider legislative framework, to ensure that Welsh-medium provision is supported.

## **Question 5**

In your opinion, could the legislation be formulated or changed so as to:

- have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English; or
- mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English?

## **Summary analysis**

The responses to this question were mixed, with some respondents offering no further comment and others calling for assurances that the Welsh language will be fully integrated into all aspects of implementation.

## **The Welsh Government response**

The Welsh Government reiterates its commitment to the Welsh Language Standards and will ensure that all regulatory processes uphold the principle of linguistic equality. We will also work with Medr to explore opportunities to strengthen the role of the Welsh language in tertiary education through ongoing policy development and stakeholder engagement.

## **Additional issues raised**

A further issue raised by respondents related to the challenges in ensuring a unified regulatory system that could function across FE, school sixth forms, and higher education, given the diversity of provision across these sectors.

In addition to the primary responses received to the consultation, we also received a letter on related issues that, while not directly within the scope of the consultation, are important to acknowledge. These issues include mental health impact of inspections, workload and work life balance, and a call for a broader, more holistic approach to inspection reform.

## **Annex 1: List of respondents**

- UCAC
  - Estyn
  - Colegau Cymru
  - Cardiff and Vale College
  - Medr
- 
- 4 respondents chose to remain anonymous

