



Llywodraeth Cymru
Welsh Government

PUBLICATION

Welsh Language Education Bill: integrated impact assessment

An assessment of Welsh Language Education Bill.

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Section 1: what action is the Welsh Government considering and why?

Long-term

The Well-being of Future Generations (Wales) Act 2015 requires public bodies across Wales named in the act to work towards fulfilling seven well-being goals, one of which is 'a Wales of vibrant culture and thriving Welsh language'. The Welsh Government has a duty to promote and facilitate the use of Welsh and to work towards achieving the well-being goals.

The 'Cymraeg 2050' strategy states that the education system has a key role in realising the targets of creating one million Welsh speakers by 2050 and increasing the percentage of the population who speak Welsh each day, and who can speak more than a few words of Welsh to 20% by 2050. One of the strategy's goals is to 'create a statutory education system which increases the number of confident Welsh speakers.' The proposals seek to contribute to the realisation of these targets by widening access to the Welsh language for pupils in Wales, regardless of the language category of the school they attend, or in which community they live, and by ensuring that the Welsh language provision in all schools provides opportunities for pupils to develop their Welsh language skills and become confident Welsh speakers. In the long term, this would contribute to upskilling the workforce, including the education workforce, with more pupils entering the workplace with better Welsh language skills.

Specifically:

- The proposal regarding giving a statutory basis to the target of a million Welsh speakers and the statutory education system's contribution towards realising that target would lay a strong foundation as we widen the access to the Welsh language for pupils in Wales.

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- The introduction of a single continuum of Welsh language skills would be a means of describing the language journey of all pupils in Wales as they learn the Welsh language and make progress in their language skills.
- Establishing a statutory categorisation system would describe the Welsh language provision in maintained schools and give them the framework to make progress with regard to this provision, whether that is an increase within a language category or moving to a higher category, and arrangements would be in place for local authorities to monitor that this is happening.
- The National Plan would provide strategic direction to local authorities regarding what is expected of them in terms of increasing their Welsh language provision, and guidance to those providing support to the education system with regard to acquiring and learning Welsh.
- The Local Authorities' Welsh in Education Implementation Plans would set out the progress expected in each catchment area in Welsh-medium education, taking account of a number of different factors relevant to those catchment areas. This would lay the foundations for facilitating the language journey for all maintained schools in Wales.
- The promotion of Welsh-medium education and the provision of late immersion education would lay a strong foundation for a local authority to make ambitious decisions regarding Welsh-medium education and would widen access to the Welsh language for pupils in Wales, including pupils wishing to access Welsh-medium education at different access points.
- The aim in centralising provision for lifelong Welsh language learning would be to provide stability and long-term direction for the Welsh language learning sector.

Prevention

These proposals would widen the access of children and young people in Wales to the Welsh language and Welsh language provision over time, contributing to

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the objectives of 'Cymraeg 2050'. These proposals would increase the Welsh language provision in schools in all areas, leading to more pupils in statutory education, the length and breadth of Wales, having more Welsh language provision, contributing to the promotion of the Welsh language in all areas.

Promoting Welsh-medium education would help parents and carers to understand the options available to them in terms of the language of their children's education, allowing them to make informed decisions and in turn, contribute to the number of learners attending Welsh-medium education.

Integration

The links of specific proposals to public policy agendas are outlined below:

- Provision and promotion of late immersion education: The Welsh Government's Programme for Government refers to 'Expanding the immersion programme'
- Continuum: The Programme for Government refers to 'Establishing and implementing a single continuum of Welsh language learning.' The Curriculum for Wales sets a requirement for all schools to teach Welsh.

Collaboration

The main partners with a common interest in these proposals, as well as how they have been involved in developing the proposal and planning to make it a reality, have been identified on a proposal-by-proposal basis:

- Continuum: The National Centre for Learning Welsh, Estyn, Qualifications Wales, universities and local authorities. Delegates have contributed by being members of a Task Group.
- Categorisation: Local authorities, headteachers, school governing bodies,

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parents and learners. There has been engagement with schools on the concept of categorisation in the context of the non-statutory guidelines, and meetings have been held.

- National Plan: Discussions with local authorities have taken place in county education forums, and local authorities have welcomed the idea of the Welsh Government setting a strategic direction for them.
- Local authority plans: Local authorities have contributed by developing and implementing the existing WESPs, and providing feedback on that system. Each authority was invited to develop guidance on analysing data about the education workforce and four took advantage of this opportunity. Initial discussions have been held regarding their proposed role.
- Support: Practitioners in the statutory and post-statutory education sector, the National Centre for Learning Welsh, the Coleg Cymraeg Cenedlaethol, the Welsh Language Commissioner, universities in their role as providers of Welsh language lessons and as centres for language research and acquisition, Further Education.

Involvement

The main partners affected by the proposals, and how they have been involved in developing the proposals and planning to make them a reality, have been identified on a proposal-by-proposal basis. There will be engagement with these partners during the consultation period.

- Continuum: Practitioners, learners.
- Categorisation: There has been regular engagement with schools, particularly via the National Categorisation Group, which welcomed the idea of publishing more detailed guidance regarding categorisation. Initial discussions were held with Estyn about their proposed role.
- National Plan: The Plan will touch upon the work of the National Centre for Learning Welsh, local authorities, the education consortia, Estyn, the Coleg Cymraeg Cenedlaethol, Further Education Colleges, the Tertiary Education

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and Research Commission, the Education Workforce Council, initial teacher education providers and universities.

- Local authority plans: Local authorities and Estyn, as stated above. The proposal will also impact regional consortia, headteachers and school governing bodies.
- Support: Initial discussions have been held with the National Centre for Learning Welsh and the Coleg Cymraeg Cenedlaethol about this proposal.

Impact, costs and savings

The initial stages of gathering evidence to support an assessment of costs, benefits and advantages associated with these proposals have been noted in the outline of costs and impacts that will form the basis of a Regulatory Impact Assessment.

Section 8: conclusion

8.1 How have the people most likely to be affected by the proposal been involved in developing it?

Representatives of some of the partners with an interest in the continuum proposal, namely the National Centre for Learning Welsh, Estyn, Qualifications Wales, universities and local authorities have had the opportunity to contribute to the planning and realisation of the proposal by sitting on a Task Group. There has been engagement with schools about the categorisation system in the context of the non-statutory guidelines, and the idea of producing more detailed guidance was welcomed. Initial discussions were held with Estyn about their proposed role. In education forums, local authorities, the main partners of the National Plan proposal have welcomed the idea of the Welsh Government

setting a strategic direction. Local authorities have contributed to proposals of Welsh in Education Implementation Plans by developing and implementing the existing WESPs and providing feedback on that system. Four local authorities took the opportunity to contribute to the development of guidance around data analysis and education workforce planning. Initial discussions have taken place with Estyn on its proposed role in monitoring. Initial discussions have also been held with the National Centre for Learning Welsh about support to realise the Bill's objectives. Practitioners and parents or carers, as well as the stakeholders named above, will have the opportunity to give their opinion on the proposals during the consultation period.

8.2 What are the most significant impacts, positive and negative?

Specific impact assessments have been undertaken on the following topics:

- Children's Rights
- Equality
- Welsh Language

Children's Rights

- The proposals would expand children and young people's access to the Welsh language and Welsh language provision over time and develop their Welsh language skills, enabling them to become confident Welsh speakers, regardless of the language category of the school they attend, or in which community they live.
- The proposals would have a positive impact on Welsh learners in schools in every language category, increasing Welsh language provision and developing their Welsh language skills.
- The proposals would lead to more children and young people leaving the

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education system with Welsh language skills by making a new linguistic outcome for the education system. This could lead to a wider range of opportunities for these individuals both in employment and in their daily lives. This fits in with the tackling poverty agenda by empowering children and young people who will have an additional skill when they leave the education system.

Equality

- The proposals would widen the access of all pupils in Wales to the Welsh language and Welsh language provision, over time, so that they have the opportunity to become confident and proficient Welsh speakers.
- The proposals may, in time, contribute to the tackling poverty agenda by equipping pupils with Welsh language skills which they might not have had the opportunity to develop to the same level were it not for these proposals. As a result, it is possible those children would be able to apply for jobs where the Welsh language is desirable or essential, thereby enabling them to benefit from a sector of the labour market which might otherwise have been closed to them.
- As we develop the White Paper's proposals further, we will consider the implications of the Human Rights Convention.

Welsh Language

- These proposals would have a positive impact on the Welsh language and contribute to the realisation of the objectives of 'Cymraeg 2050' and the aim 'to create a statutory education system which increases the number of confident Welsh speakers'. They will do this by widening access to the Welsh language for pupils in Wales over time, regardless of the language category of the school they attend, or in which community they live, and also by ensuring that the Welsh language provision in all schools gives pupils

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opportunities to develop their Welsh skills and become confident Welsh speakers.

- In the long term, this would contribute to upskilling the workforce, including the education workforce, with more pupils entering the workplace with better Welsh language skills.
- The proposals concerning the target of a million speakers and a linguistic outcome for learners set a strong foundation for a local authority to make ambitious decisions about Welsh language provision in order to increase the number of Welsh speakers in their area.
- The National Plan would provide strategic direction and clear leadership to local authorities about what is expected regarding increasing their Welsh-medium provision, and direction to those who support the education system in terms of acquiring and learning Welsh. This would lay the foundations for facilitating the language journey for schools and pupils in Wales.
- The proposals concerning establishing a statutory categorisation system and the associated delivery plans would impose a requirement for maintained schools to make progress on Welsh language provision, whether that is progress within a language category or through moving to a higher category, and arrangements would be in place for local authorities to monitor this.
- Local authorities' Welsh in Education Implementation Plans could lead to maintaining or improving the sustainability of Welsh-speaking communities, through the education system.
- Promoting late immersion education could widen access to the Welsh language for pupils in Wales, including pupils wishing to access Welsh-medium education at different access points.
- The aim of centralising specialist support for lifelong Welsh language learning would be to provide stability and long-term direction to the Welsh language learning sector. Due consideration will be given to any human rights matters arising from this. The proposals regarding centralising the support within one organisation have been produced with the intention that they are realised outside the Bill.

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8.3 In light of the impacts identified, how will the proposal:

- **maximise contribution to our well-being objectives and the seven well-being goals; and/or**
- **avoid, reduce or mitigate any negative impacts?**
- The Well-being of Future Generations (Wales) Act 2015 requires public bodies across Wales named in the act to work towards fulfilling seven well-being goals, one of which is 'a Wales of vibrant culture and thriving Welsh language'. The Welsh Government has a duty to work towards achieving the well-being goals. These proposals will contribute directly to this duty by contributing to the realisation of the objectives of 'Cymraeg 2050' and the aim 'to create a statutory education system which increases the number of confident Welsh speakers.'
- The proposals will contribute to the well-being aim of ensuring a more equal Wales, by widening access to Welsh for pupils in Wales over time regardless of the language category of the school they attend, or in which community they live and also by ensuring that the Welsh language provision in all schools provides opportunities for pupils to develop their Welsh language skills and become confident Welsh speakers.
- The proposals could contribute to the well-being goal of a prosperous Wales, by equipping children and young people with Welsh language skills that they might not have had the opportunity to develop were it not for these proposals, thus contributing to the poverty tackling agenda. As a result, it is possible those children will be able to apply for jobs where the Welsh language is desirable or essential, thereby enabling them to benefit from a sector of the labour market which might otherwise have been closed to them.
- We will consult with partners and stakeholders to avoid, reduce or mitigate

any risks that will emerge as the proposals are developed.

8.4 How will the impact of the proposal be monitored and evaluated as it progresses and when it is achieved?

Local authorities would publish annual revision reports for the Welsh Government on Welsh in Education Implementation Plans, reporting on progress made to meet the target(s) given to the authority by the Welsh Ministers and the targets in the proposed WEIP.

The Welsh Ministers would publish a national report of progress against the targets in the National Plan annually, using the information provided by the local authorities in their annual reports amongst other sources. The reports would provide a foundation for planning the National Plan for the next 5-year period.

The RIA will set out the proposed methods for monitoring, reviewing and evaluating the proposals after implementation.

Children's rights impact assessment

Policy objectives

The proposals are intended to transform the way we think about the Welsh language and the role of education in this context, placing a clear and decisive focus on pupils' linguistic outcomes. The proposals include:

- Placing the target of one million Welsh speakers on the face of the Bill so that it has a statutory basis.
- Imposing a duty on local authorities to work towards achieving a linguistic outcome by the end of statutory education by 2050, that all pupils can speak

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Welsh with confidence – as a minimum at a level synonymous with B2 on the Common European Framework of Reference for Languages.

- Placing a duty on the Welsh Ministers to publish the Welsh language skills continuum.
- Establishing a statutory system to categorise schools by medium of language and creating a mechanism to move schools to a higher category.
- Placing a duty on the Welsh Ministers to produce a National Plan for Welsh language acquisition and learning including setting targets for the Welsh language education workforce.
- Reforming the system of Welsh in Education Strategic Plans and placing a duty on all local authorities to create a Welsh in Education Implementation Plan for meeting the targets set by the Welsh Ministers in the National Plan with regard to increasing Welsh language provision in their area.
- Supporting schools and the wider education system to realise the objectives of the Bill and to bridge support for schools with Welsh language learning provision for all ages.
- Centralising specialist support for lifelong Welsh language learning, including school education, within the organisation. To be realised outside the Bill.

The 'Cymraeg 2050: A million Welsh speakers' strategy notes that the education system has a key role in achieving the targets of creating one million Welsh speakers by 2050 and increasing the percentage of the population who speak Welsh every day, and who can speak more than a few words of Welsh to 20 per cent by 2050. One of the strategy's goals is to 'create a statutory education system which increases the number of confident Welsh speakers'. These proposals contribute to the realisation of these targets by widening access to the Welsh language for pupils in Wales, regardless of the language category of the school they attend, or in which community they live, and by ensuring that the Welsh language provision in all schools provides opportunities for pupils to develop their Welsh language skills and become confident Welsh speakers.

Gathering evidence and engaging with children and

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young people

Engagement with children and young people will take place during the consultation period.

Analysing the evidence and assessing the impact

General

- The proposals would expand children and young people's access to the Welsh language and Welsh language provision over time and give them opportunities to develop their Welsh language skills, and to become confident Welsh speakers, regardless of the language category of the school they attend, or in which community they live.

Specific

- The aim of working towards realising linguistic outcomes at the end of the statutory period could lead to a wider range of opportunities for learners in employment and in their daily lives.
- The language skills continuum would contribute to children and young people's understanding of the expected linguistic outcomes at each stage of the journey to learn Welsh.
- A statutory system for categorising schools, along with the incentives to increase Welsh language provision and monitoring arrangements, would lead to children and young people's access to Welsh language provision being widened in whatever area they live, and ensuring that the Welsh language provision in all schools provides opportunities for children and young people to develop their Welsh language skills.

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- The National Plan's proposal could, in turn, contribute to the tackling poverty agenda by equipping children and young people with Welsh language skills that they might not have had the opportunity to develop were it not for this proposal. As a result, it is possible those individuals will be able to apply for jobs where the Welsh language is desirable or essential, thereby enabling them to benefit from a sector of the labour market which might otherwise have been closed to them. The clear direction from the Welsh Government regarding lifelong acquisition of the Welsh language would lead to more children, young people and adults, whatever their age, being able to continue to learn and to improve their Welsh language skills.
- The Welsh in Education Implementation Plans proposal could widen pupils' access to Welsh-medium education across Wales, whatever area of Wales they live in, and increase the number of pupils developing Welsh language skills.
- More schools offering Welsh language provision would lead to more children and young people being educated through the medium of Welsh. The intention would be for this in turn to increase opportunities for people to interact and communicate with each other in the Welsh language, in both formal and informal contexts, including the workplace.
- Increasing the number of Welsh-medium schools could allow children and young people to stay in their communities and cut down on travel.
- The proposal regarding promoting late immersion provision would widen access to the Welsh language for children and young people in Wales who wish to access Welsh-medium education at various entry points.
- As we further develop the proposals in the White Paper, we will consider the implications of the Human Rights' Convention.

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Convention Articles or Optional Protocols

Convention Articles or Optional Protocols	Enhances (X)	Challenges (X)	Explanation
Article 28: States Parties recognize the right of the child to education, with a view to achieving this right progressively and on the basis of equal opportunity.	X		These proposals ensure that all local authorities have a duty to improve the provision of Welsh language provision and to support those wishing to benefit from it.
Article 29: States Parties agree that the education of the child shall be directed to the development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living.	X		These proposals support the 'Cymraeg 2050' strategy which aims to ensure a million Welsh speakers by 2050. These proposals promote the Welsh language and the culture of Wales through the statutory education system and encourage children to take advantage of them through the provisions delivered by means of these proposals.
Article 30: In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to that minority, or who is indigenous, shall not be denied the right to enjoy his or her own culture, to profess and practise his or her own	X		The intention of these proposals, when developed further, is to promote the rights of children and young people to benefit from the Welsh language and Welsh culture by promoting informal opportunities to use the language in accordance with

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Convention Articles or Optional Protocols	Enhances (X)	Challenges (X)	Explanation
religion, or to use his or her own language in community with other members of his or her group.			their right to cultural participation.
<p>Article 31</p> <p>1. States Parties recognise the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.</p> <p>2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.</p>	X		The intention of these proposals, when developed further, is that local authorities promote informal activities through the medium of Welsh, which will include leisure, cultural and artistic activities.

Ministerial Advice and Ministerial Decision

The impact analysis will be shared with the Ministers as they make decisions regarding the publication of the White Paper.

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Monitoring and Reviewing

Local authorities will publish annual review reports to the Welsh Government on Welsh in Education Implementation Plans, reporting on progress made to meet the target(s) given to the authority by the Welsh Ministers.

The Welsh Ministers will publish a national report on progress against the targets in the National Plan every five years, using the information provided by the local authorities in their annual reports among other sources. The reports before the end of the 5-year period would provide a foundation for planning the National Plan for the next 5-year period.

The Regulatory Impact Assessment will set out the proposed method for monitoring, reviewing and evaluating the proposals after implementation.

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