



Llywodraeth Cymru
Welsh Government

WELSH LANGUAGE AND EDUCATION (WALES) BILL

Integrated Impact Assessment

July 2024

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1. What action is the Welsh Government considering and why?

1.1. Long term

The Well-being of Future Generations (Wales) Act 2015 requires public bodies across Wales named in that 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, including promoting and facilitating the use of Welsh. Section 78 of the Government of Wales Act 2006 also requires Welsh ministers to adopt a strategy that sets out how they intend to promote and facilitate the use of Welsh. The '[Cymraeg 2050: A million Welsh speakers](#)' strategy was developed in the context of the Well-being of Future Generations (Wales) Act 2015.

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 daily, 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 Welsh Language and Education (Wales) Bill (hereafter 'the Bill') seeks to contribute to the realisation of these targets by widening access to Welsh for pupils in Wales, regardless of the language category of the school they attend, or in which community they live. The current education system leads to vastly different linguistic outcomes, depending on the language medium of education. We want the education system to embrace Welsh as a language that belongs to all pupils in Wales, thereby reducing the gap in linguistic outcomes. The Bill seeks to ensure that the Welsh language provision in all schools provides opportunities for pupils to develop their Welsh language skills and become confident and independent Welsh speakers by the end of compulsory school age. 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:

- Giving a statutory basis to the target of a million Welsh speakers, and the statutory education system's contribution towards realising that target, will lay a strong foundation as we widen access to the Welsh language for pupils in Wales.
- The introduction of a Code to establish a standard method for describing Welsh language ability will enable learners, teachers, parents, and employers to have a shared understanding of an individual's journey as they learn the Welsh language.
- Establishing a statutory system for categorising schools according to the Welsh language provision will give schools a framework to make progress, whether that is to improve or increase the Welsh language provision within a category or moving to a higher language category. Categorising schools will also offer clarity and consistency to learners and parents/guardians in relation to the Welsh language learning goals.
- A National Framework for Welsh Language Education and Learning Welsh will, amongst other things, provide strategic direction to local authorities regarding what is expected of them in terms of increasing and improving their Welsh language education provision in schools, guidance to those providing support to the education system with regard to acquiring and learning Welsh, and set out the steps the Welsh

ministers will take to provide opportunities for persons of all ages in Wales to learn Welsh.

- Each local authority's Local Welsh in Education Strategic Plan (WESP) will set out how it will promote and facilitate Welsh language education and the use of Welsh in schools in its area, responding to targets set for the local authority in the National Framework and taking account of factors relevant to the local area. This will lay the foundations for facilitating the language journey for all maintained schools in Wales.
- The promotion of Welsh-medium education and the promotion and provision of late immersion education in Welsh will lay a strong foundation for a local authority to make ambitious decisions regarding Welsh-medium education and will widen access to the Welsh language for pupils in Wales, including pupils wishing to access Welsh-medium education after the end of foundation learning.
- The aim in centralising provision for lifelong Welsh language learning is to provide stability and long-term direction for the Welsh language learning sector.

1.2. Prevention

The Bill's provisions will widen the access of children and young people in Wales to the Welsh language and increase and improve Welsh language provision in schools across Wales over time, contributing to the objectives of *Cymraeg 2050*. This will lead to more pupils in statutory education, the length and breadth of Wales, having greater Welsh language ability, contributing to the promotion of the Welsh language in all parts of Wales. The Bill's provisions will create opportunities for education planners to better understand why some groups are currently under-represented in Welsh-medium education and to put measures in place to address any barriers identified.

Promoting Welsh-medium education and late immersion education in Welsh will 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. In turn, this will contribute to the number of learners attending Welsh-medium education.

1.3. Integration

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

- Provision and promotion of late immersion education in Welsh: The Welsh Government's Programme for Government refers to 'Expanding the immersion programme'.
- The Code describing Welsh language ability: The Programme for Government refers to 'Establishing and implementing a single continuum of Welsh language learning.'
- The Welsh language is a mandatory element of the Curriculum for Wales, and the Progression Code notes how a school's curriculum must make provision for all pupils to make progress in their learning.

1.4. Collaboration

For specific provisions of the Bill, the main partners with a common interest in these provisions are identified below, as well as how they have been involved in their development:

- The Code describing Welsh language ability: The National Centre for Learning Welsh, Estyn, Qualifications Wales, WJEC, universities and local authorities. Delegates have contributed by being members of a Task Group.
- Categorisation of schools based on the amount of Welsh language education provided: Local authorities, headteachers, school governing bodies, parents and learners. 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.
- A National Framework for Welsh Language Education and Learning Welsh: Discussions with local authorities have taken place in local authority education forums, and local authorities largely welcomed the idea of the Welsh Government setting a strategic direction for them. The Culture, Communications, Welsh Language, Sport, and International Relations Committee, in its report into '[The legislative framework that supports Welsh-medium education provision](#)', May 2023, recommended the Welsh Government develop 'a national framework to ensure a consistent national approach to Welsh language education planning and delivery' (recommendation 4). To inform its report, the committee received oral and written evidence from the following organisations: ESTYN, Education Workforce Council, Childrens Commissioner for Wales, Welsh Language Commissioner, Colleges Wales, Regional Consortia, Qualifications Wales, Coleg Cymraeg Cenedlaethol, Dyfodol i'r Iaith, Welsh Local Government Association (WLGA), Rhieni Dros Addysg Gymraeg (RHAG), Undeb Cenedlaethol Athrawon Cymru (UCAC), Mudiad Meithrin, NASUWT, Cymdeithas yr Iaith, Association of School and College Leaders (ASCL), Association of Directors of Education Wales (ADEW).
- Local Welsh in Education Strategic Plans: Local authorities have contributed by developing and implementing the existing WESPs and providing feedback on that system. Each local authority was invited to contribute to developing guidance on analysing data about the education workforce and four took up this opportunity. Initial discussions were held with Estyn about its monitoring role.
- Support for learning Welsh: Discussions have been held with practitioners in the statutory and post-statutory education sector, Local Authorities, the National Centre for Learning Welsh, the Coleg Cymraeg Cenedlaethol, the Welsh Language Commissioner, universities in their role as providers of Welsh language learning provision for adults and as centres for language research and acquisition, Further Education institutions.

1.5. Involvement

For specific provisions of the Bill, the main partners affected by the provisions, and how they have been involved in their development, are identified below. There was engagement with these partners during the consultation period.

- The Code to describe Welsh language ability: Practitioners, learners, the National Centre for Learning Welsh.
- Categorisation of schools based on the amount of Welsh language education provided: There has been regular engagement with schools, particularly via the

National Categorisation Group, which welcomed the proposal to publish more detailed guidance regarding categorisation. Initial discussions were held with Estyn about their proposed role.

- National Framework for Welsh Language Education and Learning Welsh: The National Framework will have relevance to the work of the National Centre for Learning Welsh, local authorities, the education consortia, Estyn, the Coleg Cymraeg Cenedlaethol, Further Education Colleges, Medr (the Commission for Tertiary Education and Research), the Education Workforce Council, initial teacher education providers and universities. Evidence from several of these bodies informed a report by the Culture, Communications, Welsh Language, Sport, and International Relations Committee, which recommended that the Welsh Government develop a national framework to ensure a consistent national approach to Welsh language education planning and delivery.
- Local Welsh in Education Strategic Plans: Local authorities and Estyn. The proposal will also impact regional consortia, headteachers and school governing bodies.
- Support for learning Welsh: Initial discussions were held with the National Centre for Learning Welsh regarding how support for achieving the Bill's objectives could be delivered.

In addition to the engagement described above, an engagement exercise was commissioned by the Welsh Government to support the development of the Regulatory Impact Assessment (RIA) and Integrated Impact Assessment (IIA). As part of the engagement, a series of workshops was conducted on behalf of the Welsh Government with a range of external stakeholders and key potential delivery partners.

Two online workshops were conducted with local authorities to explain the proposed changes outlined in the Bill and to gather feedback regarding the anticipated costs and benefits. At the same time, all local authorities were invited to provide input by completing a series of questions on costs and benefits in a survey format. Feedback was received from 13 local authorities.

Feedback on costs and benefits was also received from 23 schools. Initial contact was made with 295 schools, stratified by primary and secondary provision, geographic area and language category. The 23 responses included a range of schools across the stratified categories.

Stakeholder engagement extended beyond local authorities and schools to encompass organisations identified in the white paper, as well as those likely to be impacted by the proposed changes. A discussion was held with the Policy Development & Implementation Working Group (which has representation from education unions alongside the Welsh Local Government Association (WLGA) and a local authority representative). Interviews were conducted with representatives from Estyn, the National Centre for Learning Welsh, Mudiad Meithrin, the Education Workforce Council, and four Initial Teacher Education providers.

The IIA also drew on data available on the education system in Wales, including the Pupil Level Annual School Census (PLASC) and GCSE data.

The Welsh Government issued a consultation on the proposals for a Welsh Language and Education (Wales) Bill on 27 March 2023, which closed on 16 June 2023. There were 538 responses, 366 of which were unique.

The Welsh Government has engaged with children and young people through workshops undertaken on its behalf by Urdd Gobaith Cymru in February 2024. Over 66 participants aged 11-18 took part in the workshops. The workshops were held in Welsh- and English-medium schools and youth clubs in Cardiff, Gwynedd, Denbighshire, Bridgend, Isle of Anglesey, Merthyr Tydfil, Wrexham, the Vale of Glamorgan and Caerphilly. The workshops explored the broad principles and aims underpinning the Bill.

A qualitative survey was also conducted by Children in Wales' Young Wales team during its residential course in February 2024. Ten young people participated, with one doing so in Welsh.

1.6. Impact

The RIA details the main arguments for the Bill's provisions, alongside the range of options.

1.7. Costs and Savings

The RIA explores the estimated costs and potential savings associated with the Bill's provisions.

1.8. Mechanism

Primary legislation is necessary to achieve the Bill's aims.

2. What will be the effect on social well-being?

2.1. People and Communities

The Bill aims to ensure that all children, no matter where they live in Wales and regardless of linguistic or other background, have the opportunity to become confident, independent Welsh speakers. The Children's Rights, Equalities and Rural Proofing Impact Assessments detail the potential impact and mitigations for specific groups of children and young people.

The Bill may have some positive impact upon communities and social opportunities in time. Increased Welsh language skills may offer more cultural and social opportunities for children and young people. More people may be able to access and engage with Welsh-medium spaces and to engage with social and cultural activities through the medium of Welsh.

2.2. Children's Rights

The Bill aims to effect changes that will ensure that more children and young people will have the opportunity to leave the education system with Welsh language skills. This supports the rights of children to an education; their right to learn and use the language of their families; and their right to relax, play and engage with a wide range of activities.

The Bill will have a positive impact on Welsh learners in schools in every language category by increasing and improving Welsh language provision. It will do this by setting a new Welsh language learning goal for the education system, enabling more children

to become confident Welsh speakers, regardless of the language category of the school they attend, or the community in which they live.

Enabling more children to become confident Welsh speakers could lead to a wider range of lifelong opportunities for 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.

The Children's Rights Impact Assessment acknowledges potential negative impacts upon some groups of children and young people, alongside the mitigations already in place or planned.

The full Children's Rights Impact Assessments is available in Annex A

2.3. Equality

The Bill will 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 independent Welsh speakers.

The full Equality Impact Assessment is available at Annex B.

2.4. Rural Proofing

The full

Annex E – Rural Proofing Impact Assessment is available at Annex E

2.5. Health

The Bill's provisions concern education planning, with impacts upon children's education evolving over an extended period. No significant impact is expected on health as a result of the provisions.

The Bill may have a minimal positive impact upon communities and social opportunities in time. Increased Welsh language skills may offer more cultural and social opportunities for children and young people. More people may be able to access and engage with Welsh-medium spaces and to engage with social and cultural activities through the medium of Welsh. Having the opportunity to become confident, independent Welsh speakers may also support children and families who have moved into primarily Welsh-speaking communities to engage with and become part of those Welsh-speaking communities. This may contribute to the wellbeing of children and young people.

2.6. Privacy

Will the proposal involve processing information that could be used to identify individuals?

No.

3. What will be the effect on cultural well-being and the Welsh language?

3.1. Cultural Well-being

The Well-being of Future Generations (Wales) Act 2015's goal for culture is 'A society that promotes and protects culture, heritage and the Welsh language and which encourages people to participate in the arts and sports and recreation'. Culture includes museums, archives, libraries and the arts; heritage includes the built historic environment as well as intangible heritage such as traditions; arts encompass performance and creative sectors including music, literature, theatre and art, whilst sports and recreation include both elite and community sports as well as opportunities to participate in wider outdoor recreation.

3.1.1. How can the proposal actively contribute to the goal to promote and protect culture and heritage and encourage people to participate in the arts, sports and recreation?

The Bill relates primarily to the education system and specifically to the planning and delivery of Welsh language education within all maintained schools. The secondary impacts, however, may contribute to the goal of promoting and protecting culture and heritage. Specifically, the Welsh Government believes that increased Welsh language skills may enable children and young people to access more Welsh-language arts, cultural and heritage opportunities.

3.1.2. Is it possible that the proposal might have a negative effect on the promotion and protection of culture and heritage, or the ability of people to participate in arts, sports and recreation? If so, what action can you take to avoid or reduce that effect (for example by providing alternative opportunities)?

The Welsh Government does not believe the Bill will have any negative effect on the promotion and protection of culture and heritage.

3.1.3. Welsh Language

The full Welsh Language Impact Assessment is available at Annex C.

4. What will be the effect on economic well-being?

4.1. Business, the general public and individuals

The Bill may have a minimal to moderate positive impact on business and the public. Specifically, the Code will establish a standard and clear method for describing Welsh language ability. Upon entry into the labour market, the Code will enable all learners to better define their skills to employers, regardless of location and cultural-linguistic context of the employer. Likewise, employers will be better placed to understand a candidate's ability in the language by drawing on common reference levels, consistent with international best practice.

The increase in Welsh language skills over time will enable more businesses to offer more and better-quality services through the medium of Welsh.

The Bill is not expected to incur any costs upon businesses. Some opportunities may be generated from the demand for more and more varied Welsh-medium education resources.

4.2. Public Sector including local government and other public bodies

The Bill will likely have a minimal to moderate positive impact upon the public sector. Specifically, the increase in Welsh language skills over time of pupils entering the workforce may enable public bodies to comply with Welsh language Standards and improve Welsh language services. As with businesses, the Code describing Welsh language ability will enable entrants to the labour market to better define their skills to employers and for employers to understand a candidate's ability in the Welsh language by drawing on common reference levels, consistent with international best practice. The Bill is expected to result in costs for some public sector institutions, particularly local authorities and schools. More detail is provided in the RIA.

4.3. Third Sector

The Bill may have a minimal to moderate positive impact on the third sector. Specifically, the Code will establish a standard and clear method for describing Welsh language ability. Upon entry into the labour market, this Code will enable all learners to better define their skills to employers, regardless of location and cultural-linguistic context of the employer. Likewise, employers will be better placed to understand a candidate's ability in the Welsh language by drawing on common reference levels, consistent with international best practice.

The increase in Welsh language skills over time may enable more organisations to offer more and better-quality services through the medium of Welsh. This will benefit organisations working with Welsh language communities in particular.

4.4. Justice Impact

The Bill's potential impacts on the justice system have been considered. The Welsh Government does not consider there to be any impacts on the justice system in England and Wales given that the Bill is administrative in nature, making changes to the way in which education in Wales is planned in order to increase the amount of Welsh language education.

The Bill does not:

- create or amend a criminal offence
- create or amend a new civil sanction or fixed penalty
- create a civil order or injunction, breach of which may lead to further proceedings or criminal sanctions
- create or amend sentences or penalties
- create or amend court or tribunal procedure rules
- involve changes to applications to the courts or tribunals, including judicial review
- involve a new tribunal jurisdiction
- create an appeals mechanism
- require enforcement mechanisms for civil debts, civil sanctions or criminal penalties
- result in a change in the number of adult offenders being committed to custody or probation
- result in a change in the number of children and young people entering the criminal justice system, or the numbers of children and young people in custody
- result in a change in the length of custodial sentences

5. What will be the effect on environmental well-being?

Under Section 9 of the Environment (Wales) Act 2016, the Welsh ministers are required to prepare, publish and implement a natural resources policy and to take all reasonable steps to implement it and to encourage others to take such steps. The Natural Resources Policy was published in August 2017.

The following assessments have been considered and completed where appropriate:

- Natural Resources Policy national priorities, challenges and opportunities - required for all proposals (5.1a and 5.1b)
- Biodiversity - required for all proposals (5.2)
- Climate Change - required for all proposals (5.3)
- Strategic Environmental Assessment - certain plans and programmes requiring SEA under the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 (5.4)
- Habitats Regulations Assessment - proposals which may affect a Special Area for Conservation or a Special Protected, Area (SAC/SPA) (5.5)
- Environmental Impact Assessment - certain projects relating to town and country planning; transport; agriculture; forestry; marine, land drainage; and electricity which require EIA under the various EIA Regulations (5.6)

5.1. Natural Resources

5.1.1. How will the proposal deliver one or more of the National Priorities in the Natural Resources Policy (NRP)?

The Bill relates to the planning and delivery of Welsh language education within maintained education settings. They are likely to have a negligible impact on proposals to deliver the National Priorities in the Natural Resources Policy.

5.1.2. Does the proposal help tackle the following national challenges and opportunities for the sustainable management of natural resources?

The Bill relates to the planning and delivery of Welsh language education within maintained education settings. Overall, they are likely to have a negligible impact on challenges and opportunities for the sustainable management of natural resources.

- Reverse the decline in biodiversity – by developing resilient ecological networks

Negligible impact.

- Safeguard and increase carbon stores in soils and biomass

Negligible impact.

- Maintain productive capacity, in particular by improving soil quality and biosecurity

Negligible impact.

- Reducing the risk of flooding

Negligible impact.

- Supporting climate change mitigation and adaptation through ecosystem approaches

Negligible impact.

- Reducing noise pollution and pollution levels in our air, and enhance air quality

Negligible to minimal impact. Increasing and improving provision of Welsh-medium education may lessen the need for learners to travel further than their immediate localities to access education in the language of their choice.

- Improve the quality and ensure the quantity of our water

Negligible impact.

- Taking action to reduce the pressures on natural resources, such as through resource efficiency and renewable energy

Negligible impact.

- Supporting preventative approaches to health outcomes, with a particular focus on key public health issues of transport related air and noise pollution, tackling physical inactivity and mental health

Negligible impact.

- Supporting action to tackle health and economic inequalities

The Bill may have a minimal positive impact upon communities and social opportunities in time. Increased Welsh language skills may enable children and young people to access more cultural and social opportunities through the medium of Welsh, and to engage with Welsh-medium spaces. Having the opportunity to become confident, independent Welsh speakers may also support children and families who have moved into primarily Welsh-speaking communities to engage with and become part of those Welsh-speaking communities. These points may contribute to the wellbeing of children and young people.

- Supporting community cohesion

The Bill may lead to a moderate positive impact upon the communities and use of services within those communities in rural areas. Welsh-speaking communities are often found within rural areas and contain a range of Welsh-medium spaces. Access to these communities and spaces can be challenging for people who do not speak Welsh. The linguistic balance of the communities, spaces and services can also be disrupted if residents must frequently switch to English. With more opportunities for more people to become confident, independent Welsh speakers, more people may be able to access and engage with Welsh-medium spaces and Welsh-speaking communities. Having the opportunity to become confident, independent Welsh speakers may also support children and families who have moved into primarily Welsh-speaking communities to engage with and become part of those Welsh-speaking communities.

- Supporting secure and stable employment

The Bill may have a minimal positive impact. Enabling more children and young people to become confident Welsh speakers could provide an additional skill, which lead to a wider range of employment opportunities.

5.2. Biodiversity

The Bill relates to the planning and delivery of Welsh language education within maintained education settings. It is likely to have a negligible impact on biodiversity.

5.3. Climate Change

Climate change has been identified as one of the biggest threats facing our future generations. We need to reduce our emissions through decarbonisation action (5.3a) and to adapt to the impacts of climate change by increasing our resilience (5.3b).

5.3.1. Decarbonisation

Negligible to minimal impact. Increasing and improving provision of Welsh-medium education may lessen the need for learners to travel further than their immediate localities to access education in the language of their choice. A more thorough assessment of the effect on emissions is not considered necessary.

5.3.2. Adaptation

The Bill relates to the planning and delivery of Welsh language education within maintained education settings. It is likely to have a negligible impact on the ability to adapt to the effects of climate change.

5.4. Strategic Environmental Assessment (SEA)

The Bill relates to the planning and delivery of Welsh language education within maintained education settings. It is likely to have a negligible impact on the environment. A Strategic Environmental Assessment is not considered necessary.

5.5. Habitats Regulations Assessment (HRA)

The Bill relates to the planning and delivery of Welsh language education within maintained education settings. It is likely to have a negligible impact on habitats. A Habitats Regulations Assessment is not considered necessary.

5.6. Environmental Impact Assessment (EIA)

The Bill relates to the planning and delivery of Welsh language education within maintained education settings. It is likely to have a negligible impact on the environment. An Environmental Impact Assessment is not considered necessary.

6. What will be impact on Socio-economic disadvantage?

6.1. The Socio-economic Duty

A full socio-economic impact assessment is available at Annex D below.

7. Conclusion

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

For each Part of the Bill, the main partners affected have been identified. There has been engagement with these partners during and since the consultation period. Representatives of partners with an interest in the Code have had the opportunity to contribute to the discussion on planning and realisation of this provision as members of a Task Group. There has been engagement with schools about the language categorisation system in the context of the non-statutory guidelines. Discussions have been held with Estyn about their proposed role. In education forums, local authorities, key partners for the National Framework for Welsh Language Education and Learning Welsh, largely welcomed the idea of the Welsh Government setting a strategic direction. Evidence from key partners informed a [report](#) by the Culture, Communications, Welsh Language, Sport, and International Relations Committee, which recommended that the Welsh Government develop ‘a national framework to ensure a consistent national approach to Welsh language education planning and delivery’. Local authorities have contributed to provisions relating to Local Welsh in Education Strategic 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 took place with Estyn on its monitoring role. Discussions have also been held with practitioners in the statutory and post-statutory education sector, local authorities, the National Centre for Learning Welsh, the Coleg Cymraeg Cenedlaethol, the Welsh Language Commissioner, universities in their role as providers of Welsh language learning provision for adults and as centres for language research and acquisition and Further Education institutions about support to realise the Bill’s objectives.

The Welsh Government issued a consultation on the proposals for a Welsh Language and Education (Wales) Bill on 27 March 2023, which closed on 16 June 2023. There were 538 responses, 366 of which were unique.

An engagement exercise was commissioned by Welsh Government to support the development of the RIA and IIA. As part of the engagement, a series of workshops were conducted on behalf of the Welsh Government with a range of external stakeholders and key potential delivery partners.

Two online workshops were conducted with local authorities to explain the proposed changes outlined in the Bill and to gather feedback on the potential positive and negative impacts. At the same time, all local authorities were invited to provide input by completing a series of questions on costs and benefits in a survey format. Feedback was received from 13 local authorities.

Feedback on costs and benefits was also received from 23 schools. Initial contact was made with 295 schools, stratified by primary and secondary provision, geographic area and language category. The 23 responses included a range of schools across the stratified categories.

Stakeholder engagement extended beyond local authorities and schools to encompass organisations identified in the white paper, as well as those likely to be impacted by the proposed changes. A group discussion was held with the Policy Development & Implementation Working Group (which has representation from education unions alongside the Welsh Local Government Association (WLGA) and a local authority representative), while interviews were conducted with representatives from Estyn, National Centre for Learning Welsh, Mudiad Meithrin, the Education Workforce Council, and four Initial Teacher Education providers.

The Welsh Government has also engaged with children and young people through workshops undertaken on its behalf by Urdd Gobaith Cymru in February 2024. Over 66 participants aged between 11-18 took part in workshops across Wales. The workshops were held in Welsh- and English-medium schools and youth clubs in several local authorities across Wales. A qualitative survey was also conducted by Children in Wales' Young Wales team during its residential course in February 2024. Ten young people participated, with one doing so in Welsh. These engagement exercises explored the broad principles and aims underpinning the bill.

7.2. What are the most significant impacts, positive and negative?

7.2.1 Planning, resourcing and supporting schools to increase and improve Welsh language education

The Bill introduces changes that primarily relate to planning, resourcing and supporting the development of Welsh language education in schools throughout Wales. There will be direct impacts of the Bill's provisions on education planning and the workforce. Local authorities and schools will be better placed to plan effectively for more and better Welsh language education in all maintained schools and settings in Wales, thus impacting positively on the Welsh language learning of pupils. The review of Welsh language Standards will consider how the Standards align with the Bill's provisions. However, this IIA does not cover possible impacts of the outcome of this review, which are unknowable at this

stage. With clarity on language provision and learning goals within each school language category, schools will be in a better position to plan and develop their provision and workforce over time through their Welsh language education delivery plans so that pupils progress. This will be supported by the common understanding provided by the Code, which will establish a standard method for describing Welsh language ability for all ages, including pupils and the school workforce. The WESPs, alongside the Welsh in Education Workforce Plan, support effective strategic planning for the changes needed in schools over time. They will allow effective and responsive planning in relation to learners that are currently under-represented in Welsh-medium education.

A National Framework for Welsh Language Education and Learning Welsh will provide strategic coherence to the development of Welsh language education throughout Wales, with all local authorities more aware of the specific and appropriate contribution they can make to the aim of securing a million Welsh speakers by 2050. It will also provide local authorities with a more comprehensive and consistent picture of the expectations on them in terms of increasing the percentage of pupils learning through the medium of Welsh.

The Bill will establish a new statutory body, the National Institute for Learning Welsh, which will facilitate and support people of all ages to learn Welsh and develop their Welsh language skills. The Institute will be a one-stop-shop for supporting all aspects of Welsh language learning. It will provide strategic leadership and support for lifelong Welsh language learning at a national level. Centralising strategic leadership and expertise within one body will ensure a more coordinated approach to Welsh language learning. It will have responsibility for ensuring that Welsh language learning and transmission is given due attention within the whole education system, including in the school sector. This will help all schools meet the challenges of increasing the amount and improving the quality of Welsh language education, ultimately benefitting all learners in Wales.

7.2.2 Impact upon children and young people

There will be an impact upon children and young people as a result of the changes to planning, resourcing and supporting schools, which will evolve over an extended time period. The impact will be largely positive, as learners will have more opportunities to become independent and confident speakers of the Welsh language.

Some respondents to the white paper consultation noted that some children are currently unable to access Welsh-medium education, as there is no provision available in the vicinity of their homes. In the workshops undertaken by Urdd Gobaith Cymru and the qualitative survey conducted by Children in Wales, children and young people noted their view that all pupils in Wales should have the opportunity to learn Welsh. In the qualitative survey by Children in Wales, children and young people emphasised the importance of choice, opportunity, and fairness in relation to opportunities to learn Welsh.

The Bill will increase and improve Welsh language education in schools in all areas, leading to more pupils in statutory education across Wales having more and better Welsh language provision, contributing to the promotion of the Welsh

language in all areas. The Bill will create opportunities for education planners to better understand why some groups are currently under-represented in Welsh-medium education and to put measures in place to address any barriers identified. These opportunities, alongside a range of further and specific support measures will be key to mitigating potentially negative impacts of the Bill on groups of learners that are currently less likely on average to access Welsh-medium education. If successful, the Bill will widen access to the Welsh language, and address any barriers that some learners may face.

Parents/guardians and learners will also be better placed to make decisions regarding children's education. School language categorisation will provide clarity to parents/guardians and learners on the language provision of schools in their area and the Welsh language learning goals. Placing duties on local authorities to include steps in their WESPs to promote Welsh-medium education will improve understanding of the benefits of Welsh-medium education. Moreover, promoting and providing late immersion education in Welsh will widen access to the Welsh language for children and young people in Wales who wish to access Welsh-medium education at various entry points. This will be of particular benefit to families and learners who move into the education system in Wales later in their school life.

Providing clarity and defining the Welsh language learning goal for pupils by the end of compulsory school age through school language categories will lead to further positive impact and opportunities for learners, both in employment and in their daily lives. Individuals entering the workforce will be able to articulate and define their language ability, and employers will be able to draw on common reference levels, consistent with international best practice. With more individuals entering the workforce with better Welsh language skills, businesses, the public sector and third sector organisations may be better placed to offer Welsh-language services, to comply with Welsh language Standards, and to better reflect and serve the diverse linguistic communities in Wales.

The Welsh Government believes that the Bill could contribute to the tackling poverty agenda by equipping children and young people with Welsh language skills that they might not otherwise have had the opportunity to develop. As a result, it is possible these individuals will be able to apply for jobs where the Welsh language is desirable or essential, thereby enabling them to benefit from more opportunities within the labour market which might otherwise have been closed to them. The engagement exercises found similar views among children and young people, and largely agreement amongst participants that ability in Welsh is "an important skill for jobs in Wales" (engagement exercise participant).

The clear direction from the Welsh Government regarding lifelong acquisition of the Welsh language will also support more children, young people and adults, whatever their age, to continue to learn and to improve their Welsh language skills.

7.3. 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 provisions of the Bill are key to the Welsh Government's *Cymraeg 2050* strategy, and the Wellbeing goal of a vibrant culture and thriving Welsh language.

The Welsh Government has a duty to work towards achieving the well-being goals, including promoting and facilitating the use of Welsh. Section 78 of the Government of Wales Act 2006 also requires Welsh ministers to adopt a strategy that sets out how they intend to promote and facilitate the use of Welsh. The *Cymraeg 2050* strategy was developed in the context of the Well-being of Future Generations (Wales) Act 2015, and its aims align with the well-being goal of a Wales of vibrant culture and thriving Welsh language.

More specifically, the targets of *Cymraeg 2050* align with well-being indicators 36 (Percentage of people who speak Welsh daily and can speak more than just a few words of Welsh) and 37 (Number of people who can speak Welsh), whilst indicator 37 also relates directly to the well-being milestone of a million Welsh speakers by 2050.

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 daily, 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 Bill seeks to contribute to the realisation of these targets by widening access to the Welsh language for all pupils in Wales, regardless of the language category of the school they attend, or the community in which they live, and by ensuring that the Welsh language education in all schools provides opportunities for pupils to develop their Welsh language skills and become confident Welsh speakers. In the long term, this is expected to contribute to upskilling the workforce, including the education workforce, with more pupils entering the workplace with better Welsh language skills.

Specifically:

- Giving a statutory basis to the target of a million Welsh speakers, and the statutory education system's contribution towards realising that target, will lay a strong foundation for widening access to the Welsh language for pupils in Wales.
- The introduction of a Code to establish a standard method for describing Welsh language ability will enable learners, teachers, parents and employers to have a shared understanding of an individual's journey as they learn the Welsh language.
- Establishing a statutory system for categorising schools according to Welsh language provision will give schools a framework to make progress, whether that is to improve or increase the Welsh language provision within a category or moving to a higher language category. Categorising schools will also offer clarity and consistency to learners and parents/guardians in relation to the Welsh language learning goals.
- The National Framework for Welsh Language Education and Learning Welsh will 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.
- Each local authority's WESP will set out how it will promote and facilitate Welsh language education and the use of Welsh in schools in its area, responding to targets

set for the local authority in the National Framework and taking account of factors relevant to the local area. This will lay the foundations for facilitating the language journey for all maintained schools in Wales.

- The promotion of Welsh-medium education and the promotion and provision of late immersion education in Welsh will lay a strong foundation for a local authority to make ambitious decisions regarding Welsh-medium education and will widen access to the Welsh language for pupils in Wales, including pupils wishing to access Welsh-medium education after the end of foundation learning.
- The aim in centralising provision for lifelong Welsh language learning is to provide stability and long-term direction for the Welsh language learning sector.

In broadening access to the Welsh language and Welsh language education, the Bill might impact over the long-term perceptions towards culture and identity and further support children's right to learn and use the language and customs of their families (in relation to the Welsh language). The Bill will also provide opportunities to better understand why some groups are currently under-represented in Welsh-medium education and to put measures in place to address any barriers identified.

Increasing the Welsh language ability of learners in Wales, and ultimately contributing to a million Welsh speakers, may also support the resilience of Welsh language communities. The Bill is expected to support families and children in all parts of Wales to fully engage with Welsh language communities, spaces and activities.

7.4. How will the impact of the proposal be monitored and evaluated as it progresses and when it concludes?

Plans for post-implementation review are set out within the RIA. To ensure that the post implementation review effectively monitors, reviews and evaluates the policy, an evaluability assessment will need to be completed soon after the Bill becomes law. This will help determine the nature and scope of the evaluation programme and the availability of relevant data to monitor progress. This process will also serve as an opportunity to revisit the original Theory of Change designed for the Bill, account for any changes made to the policy during the legislative drafting process and ensure that intended outcomes and impacts of different policy interventions are clearly articulated and identified. It is on this basis that evaluation for the Bill will be designed.

A formative evaluation will be conducted within the initial few years of the Bill becoming law and will focus on whether policy changes are being implemented as intended and are resulting in improvements to the infrastructure underpinning Welsh language policy planning. This is particularly pertinent for certain elements of the Bill such as the National Framework and the new process for categorising schools based on the amount of Welsh language education provided.

Summative evaluation will be conducted towards the end of the ten-year appraisal period (incorporating development of the first two National Frameworks and WESPs) to determine whether the Bill has had the desired impact on the number of pupils leaving statutory education able to speak Welsh independently with confidence.

The summative evaluation will also serve as an opportunity to determine whether the Bill has resulted in the desired behaviour change with regard to Welsh language planning. Utilising behaviour change models such as COM-B may be useful during this process to

understand whether the Capability, Opportunity and/or Motivation of key stakeholders to engage in the desired behaviour has occurred as a result of the Bill.

Effective implementation of the Bill will depend on understanding why specific groups (as identified in the impact assessments) are currently under-represented in Welsh-medium education and any unintended consequences of the Bill. Furthermore, there will be a need to determine the extent of the positive intended outcomes of the Bill in terms of access to Welsh language education for all children in Wales. This will be factored into both summative and formative evaluations.

Finally, an economic evaluation will be completed to identify any differences between actual costs of the Bill and the costs forecasted in the RIA.

Annex A - Children's Rights Impact Assessment

Introduction

The Children's Rights Impact Assessment (CRIA) considers the effect of the Welsh Language and Education (Wales) Bill on children in Wales and their rights under the United Nations Convention on the Rights of the Child (UNCRC).

The UNCRC is an international human rights treaty that applies to all children and young people up to the age of 18. It was ratified by the UK in December 1991 and came into force in the UK in January 1992.

The Welsh Government adopted the convention as the basis for policymaking for children and young people in Wales in 2004. Children's rights in Wales are further protected by the Rights of Children and Young Persons (Wales) Measure 2011, which requires Welsh ministers to have due regard to the substantive rights and obligations within the UNCRC and its optional protocols.

CRIs are a key mechanism for implementing the UNCRC. The Welsh Government has committed to undertaking them as a means of ensuring that due regard is given to children's rights when introducing legislation or exercising ministerial functions.

In preparing the Bill, consideration was given to whether children and particular groups of children may be affected. This has informed the analysis of how the Bill impacts on the articles of the convention.

Policy objectives

The Welsh Language and Education (Wales) Bill is presented in the context of the significant challenge set by the *Cymraeg 2050* strategy, and the target of one million speakers. This calls for transformative changes to the way we think about the Welsh language in general, and specifically the role of education within that. The Bill sets out steps to enable all pupils in Wales to become independent and confident Welsh speakers through the statutory education system. The Bill also makes provision for supporting the Welsh language more widely than the education sector.

PART 1: Promotion and facilitation of use of the Welsh language

Reflect the target of a million Welsh speakers by 2050 in law

- Provide a statutory basis for the target of one million speakers by requiring any Welsh language strategy developed by the Welsh ministers under section 78 of the Government of Wales Act 2006 to include a target of one million Welsh speakers by 2050 as well as other targets relating to the use of the language.
- Place a duty on Welsh ministers to review the standards set under section 26 of the Welsh Language (Wales) Measure 2011 within 12 months of publishing the Code describing Welsh language ability. This review will determine whether certain standards need to be revised to reflect the Code and to meet the targets set in the Welsh language strategy.

PART 2: Describing Welsh language ability

Prepare a code to establish a standard method of describing Welsh language ability

- Establish the concept of three types of Welsh language user.

- Describe the general characteristics of Welsh language users on the basis of the six common reference levels of the Common European Framework of Reference for Languages.
- Place a duty on Welsh ministers to prepare a code that will establish a standard method of describing the specific characteristics of Welsh language users based on the common reference levels. This will facilitate a shared understanding by learners, teachers, parents and employers of an individual's journey to learn the Welsh language and the expected linguistic outcomes at each stage of that journey.

PART 3: Welsh language education

Categorise the Welsh language education provided by schools; delivery plans; and late immersion provision

- Establish a statutory regime to categorise the provision of Welsh language education. The Bill states that there will be three categories: (i) “Primarily Welsh Language” (ii) “Dual Language” and (iii) “Primarily English Language, partly Welsh”. These will be accompanied by provisions to:
 - give Welsh ministers the power to set the range of Welsh language provision for each category. The Bill sets out the Welsh language learning goals for schools in each category;
 - provide that 10% is the minimum provision of Welsh language education for a “Primarily English Language, partly Welsh” school;
 - allow ministers, in regulations, to increase the minimum provision of Welsh language education over time as factors such as workforce availability change;
 - require schools to provide Welsh language education provision in accordance with the range of their language category;
 - allow “Primarily English Language, partly Welsh” schools to apply for a temporary exemption to the duty to provide education provision in accordance with their category where more time is required to reach the statutory minimum;
 - require each local authority to maintain a list of the language category of each school in its area and any new schools proposed.
- Require schools to prepare delivery plans outlining, amongst other things, how they will improve or increase their Welsh language provision and where applicable, plan to move to a higher language category over time.
- Give local authorities the role of approving a school's delivery plan and language category.
- Place a requirement on local authorities to take all reasonable steps to provide late immersion education in Welsh and encourage demand for and participation in late immersion education.

PART 4: Planning Welsh Language Education and Learning

National Framework for Welsh Language Education and Learning Welsh

- Place a duty on Welsh ministers to produce a National Framework for Welsh Language Education and Learning Welsh which sets out the education provided for pupils of

compulsory school age and for lifelong Welsh language learning. The Framework will create a link between the national targets and the targets at local authority level in relation to Welsh in education. The Framework will need to be updated every five years and achievement against the targets reported annually.

Welsh in Education Strategic Plans

- Change the system of Welsh in Education Strategic Plans, by shifting the focus towards plans that outline the steps the local authority intends to take to achieve the targets set upon them by Welsh ministers in the National Framework for increasing Welsh language provision in their schools.
- Require such plans to detail the steps the local authority will take to:
 - promote and facilitate Welsh language education and the use of Welsh in schools in its area;
 - improve the provision of Welsh language education in the maintained schools in its area;
 - improve the process of planning the provision of Welsh language education in its area;
 - promote and provide information about the Welsh language education provided in “Primarily Welsh Language” schools and “Dual Language” schools;
 - meet its duty to promote late immersion education and to take all reasonable steps to provide late immersion education in its area;
 - facilitate progression in teaching Welsh and education through the medium of Welsh between nursery education and education for pupils of compulsory school age, and between education for pupils of compulsory school age and tertiary education.
- The plans will also need to include information about the education workforce.
- Omit Part 4 of the School Standards and Organisation (Wales) Act 2013.

PART 5: National Institute for Learning Welsh

- Establish the National Institute for Learning Welsh (“the Institute”) as a new statutory body, and provide for its membership, its governance and its functions.
- The Institute's objective is to facilitate and support people to learn Welsh, so that more people (of all ages) are learning the language and using it daily.
- The Bill places a number of duties on the Institute in order to achieve this objective, including to:
 - provide strategic leadership and direction to all Welsh language learning providers;
 - provide opportunities to learn Welsh and improve levels of ability in Welsh for those over compulsory school age;
 - provide, or facilitate the provision of, Welsh language learning materials;

- develop a national curriculum for Welsh language learning for those over compulsory school age, and arrange provision to facilitate progress along the common reference levels;
- design and develop Welsh language learning provision for those over compulsory school age, or facilitate such work. The provision must include a variety of learning levels based on the common reference levels;
- plan the development of the education workforce and provide training in order to improve Welsh language teaching methods;
- collect and publish data on Welsh learners.
- Enable the Institute to give financial assistance to Welsh language learning providers, provide advice to any persons on teaching and learning Welsh and co-ordinate and commission research on teaching and learning Welsh.
- Require the Institute to:
 - promote innovation and continuous improvement in relation to learning Welsh;
 - promote equality of opportunity and increasing participation in Welsh language learning by those in under-represented groups;
 - promote collaboration and co-ordination in relation to learning Welsh and share best practice;
 - prepare a strategic plan and set out the Institute's arrangements for preparing, submitting, publishing and revising the strategic plan;
 - prepare and publish an annual report on the exercise of its functions. The Welsh ministers must lay the report before the Senedd.

Gathering evidence and engaging with children and young people

In gathering evidence to support the Impact Assessment, officials have engaged with a range of policy, legal and research colleagues within the Welsh Government. Policy officials have also undertaken / considered the following in relation to the possible impacts of the Bill:

- The Welsh Government issued a consultation on the proposals for a Welsh Language and Education (Wales) Bill on 27 March 2023, which closed on 16 June 2023. There were 538 responses, 366 of which were unique. The consultation posed 36 questions relating to various aspects of the proposals. The responses were varied and, as with the proposals themselves, related mainly to the proposed changes to planning and resourcing Welsh language provision in schools. Some responses did relate specifically to the impacts upon children and young people. These are referenced in the analysis below. A summary of responses is [available](#).
- Cymdeithas yr Iaith collected comments on postcards at the Urdd Eisteddfod in Carmarthenshire between 29 May and 3 June 2023. The postcards were submitted to Welsh Government officials for consideration as part of the consultation. They are understood to be mainly comments from children and young people, although a small number of responses appeared to have been completed by parents/guardians.

- A total of 239 postcards were received. 192 offered comments giving reasons why they want every child in Wales to receive a Welsh language education. 47 signed the postcard without further comment. The vast majority of responses were received in Welsh, 9 responses were in English. All responses were without exception supportive of the Welsh language. No comments disagreed with the text of the template. A summary of the main themes is included in [Appendix 3](#) of the summary of responses.
- The IIA drew on data available on the education system in Wales, including PLASC and GCSE data.
- The National Survey for Wales and the Welsh Language Use Survey were used to gain a better understanding of attitudes towards the Welsh language.
- Secondary sources referenced explicitly in this document include:
 - BBC News. (2020). [Black and Welsh: The assumptions and questions people face](#). BBC News.
 - Black and Welsh. (2020b). BBC One Wales. 26 October
 - Welsh Language Commissioner and Children’s Commissioner for Wales. (2023). [The Welsh Language in the Additional Learning Needs System](#). issue brief. Online.
 - Welsh Government. (2021a). [Parent beliefs, behaviours and barriers: childcare and early education](#). Cardiff: Welsh Government.
 - Welsh Government. (2021b). [The Additional Learning Needs Code](#). Cardiff: Welsh Government.
 - Welsh Government. (2022). [Welsh in Education Workforce Plan](#). Cardiff: Welsh Government.
 - Welsh Government. (2023b). [Education guidance to support Gypsy, Roma and Traveller children and young people](#). Cardiff: Welsh Government.
 - Welsh Government. (2024). [Child Poverty Strategy for Wales 2024](#). Cardiff: Welsh Government.
 - Welsh Government. (2023a). [Evaluation of the Additional Learning Needs system](#). Cardiff: Welsh Government.

The white paper consultation and the engagement exercise commissioned by the Welsh Government drew responses from a range of stakeholders, some of whom, such as the Children and Young People’s Commissioner for Wales, were in a position to represent the views of children and young people.

However, the Welsh Government is aware that the Children’s Commissioner for Wales had expressed disappointment about the lack of specific engagement with children regarding the white paper’s proposals. The Welsh Government consequently engaged with children and young people through workshops undertaken on its behalf by Urdd Gobaith Cymru in February 2024. Over 66 participants aged between 11-18 took part in the workshops. The workshops were held in Welsh- and English-medium schools and youth clubs in Cardiff, Gwynedd, Denbighshire, Bridgend, Isle of Anglesey, Merthyr Tydfil, Wrexham, the Vale of Glamorgan and Caerphilly. The workshops explored the broad principles and aims underpinning the bill.

The responses were overwhelmingly supportive of the Bill's aims and particularly the notion that all pupils, regardless of which school they attend, should have the opportunity to learn and speak Welsh independently by the age of 16: "Learning the language of your country should be your right [author's translation]" (Workshop Participant, Vale of Glamorgan). A small number of respondents caveated their supportive remarks with the suggestion that learning Welsh should not be compulsory: "Yes, they should have the opportunity to learn Welsh if they want [author's translation]" (Workshop Participant, Vale of Glamorgan).

Participants discussed the benefits of learning Welsh, with many highlighting the social and professional benefits: "It can broaden your job opportunities and help you get better jobs in the future" (Workshop Participant, Merthyr Tydfil). Participants also believed that there were a range of social, cultural and professional benefits related to all learners having the opportunity to learn Welsh.

A qualitative survey was also conducted by Children in Wales' Young Wales team during its residential course in February 2024. Ten young people participated, with one doing so in Welsh. Participants largely believed that pupils in Wales should have the chance to learn Welsh by age 16. They emphasised the importance of choice, opportunity and fairness in relation to opportunities to learn Welsh. Participants also saw value in being an independent and confident speaker, particularly in relation to future careers. However, some participants expressed a concern that the teaching of Welsh should not overshadow or diminish the quality of teaching of key subjects such as Maths, Science and English.

The post implementation review will explore the views of children and young people and will consider the assessments of children and young people as a measure of the Bill's success.

Analysing the evidence and assessing the impact

In 2017-18, the National Survey for Wales included questions about the Welsh language, exploring Welsh speakers' confidence to speak the language as well as attitudes towards the language of both those who speak Welsh and those who do not. 82 per cent of respondents aged 16-24 agreed that Welsh was something to be proud of. 73 per cent of those from the same age category said that they would like to learn Welsh. Furthermore, 70 per cent of this age group agreed that the Welsh language needed more support.

The 2019/20 Welsh Language Use Survey provides additional insights into the attitudes of young Welsh speakers towards the Welsh language. The young people version of the survey found that half of 11 to 15 year olds who are able to speak Welsh agreed or strongly agreed that the Welsh language was an important element of their identity (54 per cent). Furthermore, 80 per cent of 11 to 15 year olds who spoke Welsh said that they were glad that they were able to speak Welsh.

The National Survey and Welsh Language Use Survey results suggest that most young people in Wales are supportive of the Welsh language and would welcome the opportunity to learn Welsh, providing further support for the Bill's aim to widen the access of children and young people to the Welsh language, ensuring that all children, no matter where they live in Wales and regardless of linguistic or other background, have the opportunity to become confident, independent Welsh speakers.

This will initially involve improving and strengthening the planning and resourcing infrastructure underpinning Welsh language education in schools throughout Wales, which

in turn will ensure that all learners have the opportunity to become independent and confident Welsh speakers.

The Welsh Government believes that the Bill could contribute to the tackling poverty agenda by equipping children and young people with Welsh language skills that they might not otherwise have had the opportunity to develop. As a result, it is possible that these individuals will be able to apply for jobs where the Welsh language is desirable or essential, thereby enabling them to benefit from more opportunities within the labour market which might otherwise have been closed to them. The engagement exercises found that similar views were held by children and young people, with largely agreement amongst participants that ability in Welsh is “an important skill for jobs in Wales” (engagement exercise participant). The clear direction from the Welsh Government regarding lifelong acquisition of the Welsh language will also lead to more children, young people and adults, whatever their age, being able to continue to learn and to improve their Welsh language skills.

Alongside the potential employment benefits of bilingualism and Welsh language skills, the Welsh Government believes that increased Welsh language skills may offer more cultural and social opportunities for children and young people. Whether within professional or other contexts, more people will have opportunities to engage in activities in a choice of languages. More people, including children and young people, will also be able to access and engage with Welsh-medium spaces. Having the opportunity to become confident, independent Welsh speakers may also support children and families who have moved into primarily Welsh-speaking communities to engage with and become part of those Welsh-speaking communities.

The Welsh Government nonetheless acknowledges the potential for the Bill to impact on children and young people in different ways, and a degree of mitigation is required to avoid any potential negative impacts for some groups of children and young people. Potential negative impacts are discussed in detail below, alongside the mitigations in place to limit them.

Each Part of the Bill is addressed in turn below, detailing the ways in which the provisions may impact children. The possible impact upon children and young people with a protected characteristic(s) is discussed in detail within the Equalities Impact Assessment. However, some points are also included below.

PART 1: Promotion and facilitation of the use of the Welsh language

Reflect the target of one million Welsh speakers by 2050 in the law

In making the target of a million Welsh speakers by 2050 a statutory target and making provision for a linguistic outcome for learners through the education system, the Bill seeks to ensure that all learners in Wales, regardless of geography or local cultural-linguistic context, are part of and supported to contribute to the national mission of increasing the number of Welsh speakers to a million by 2050.

The Welsh Government believes this will have a positive impact upon all children and young people who attend maintained schools. Some respondents to the white paper consultation noted that that some children are currently unable to access Welsh-medium education, as there is no provision available in the vicinity of their homes. In the workshops undertaken by Urdd Gobaith Cymru and the qualitative survey conducted by Children in Wales, children and young people noted their view that all pupils in Wales should have the opportunity to

learn Welsh. Further, in the qualitative survey by Children in Wales, children and young people emphasised the importance of choice, opportunity and fairness in relation to opportunities to learn Welsh. This Bill will widen access to Welsh language education. Providing clarity and defining a Welsh language learning goal (aligned to the school language category) at the end of compulsory school age could also lead to a wider range of opportunities for learners, both in employment and in their daily lives.

PART 2: Describing Welsh language ability

A Code to establish a standard method of describing Welsh language ability

The Welsh Government believes that a Code which describes Welsh language ability based on the six common reference levels of the 'Common European Framework of Reference for Languages' will contribute to children and young people's understanding of the expected linguistic outcomes at each stage of the journey to learn Welsh. Upon entry into the labour market, this Code will enable all learners to better define their skills to employers, regardless of location and cultural-linguistic context of the employer. Likewise, employers will be better placed to understand a candidate's level of ability in the language by drawing on common reference levels, consistent with international best practice. Consequently, this may lessen the risk of employers drawing on subjective and potentially prejudicial or stereotyped judgements of a candidate's language abilities. Black Welsh people for example, are sometimes assumed to be unable to speak Welsh (see BBC, 2020; 2020b).

A Code to establish a standard method for describing Welsh language ability may support children and young people to maintain and build upon their Welsh language skills and reap the benefits of bilingualism in adulthood.

White paper consultation respondents also believed that a single framework, such as this, would provide a general understanding and increased clarity for parents and pupils regarding the likely linguistic outcomes for learners in every school language category.

PART 3: Welsh language education

Categorising the Welsh language education provision of schools; Welsh language education delivery plans; and late immersion provision

A statutory system for categorising schools based on the amount of Welsh language education provided, along with increasing and improving Welsh language provision, will lead to a widening of children and young people's access to Welsh language education wherever they live. This process will also provide clarity to parents/guardians and learners in relation to the language provision in their school and the learners' expected linguistic outcomes in Welsh.

Respondents to the white paper consultation noted that a statutory system for categorising schools based on the amount of Welsh language education provided would allow for accurate definition and regular monitoring, and it would set a foundation for progress in line with the *Cymraeg 2050* targets. Organisations responding to the white paper consultation also acknowledged that, ultimately, the categorisation process would benefit parents/guardians and pupils.

“Creating a categorisation system for maintained schools according to language category will clarify schools' curricular offer, making it easier for parents and carers to make informed choices”

With clarity regarding language provision within each category, schools will be in a better position to plan and develop their provision and workforce over time. Indeed, a number of respondents to the white paper consultation believed that defining the category descriptions in regulations would provide improved consistency across schools and reinforce the need for schools to plan for their workforce's professional learning needs. Categorisation, therefore, whilst primarily a process relating to education planning, will help bring about the changes necessary to impact the experience of children as the Bill intends, by increasing and improving Welsh language education within schools over time.

Duties will be placed on the Welsh ministers to specify the amount of Welsh language education provision provided for each language category, including a minimum provision of Welsh language education. The minimum for the 'Primarily English Language, partly Welsh' category is 10%. Increasing the amount of Welsh language education provision from the lowest base to the minimum of 10% in these schools may have impact on some learners. In general, we consider the impact to be positive as it will help, alongside the provisions regarding the Welsh language learning goals for each language category and the schools' Welsh language education delivery plans, to ensure that learners in all schools have the opportunity to become confident, independent Welsh speakers. The potential negative impacts could be that increasing Welsh language education provision could mean reducing the amount of time available on the school timetable for other elements of the curriculum. The minimum of 10% Welsh language provision equates to approximately 2.5 hours on average per week. In 'Primarily English Language, partly Welsh' schools, this would likely be mainly fulfilled by Welsh lessons. The Welsh Government will publish guidance relating to extending the provision of Welsh language education, and how to do so in a proportionate manner. The guidance will also discuss when and how to appropriately extend provision in relation to a range of subjects/areas. This is consequently considered a low risk, with low impact that can be mitigated.

PART 4: Planning of Welsh Language Education and Learning Welsh

National Framework for Welsh Language Education and Learning Welsh

The National Framework will help to ensure that lifelong Welsh language education and learning Welsh provision is developed and enhanced. In addition to setting out the steps the Welsh ministers will take to increase and improve provision of Welsh language education in schools, the National Framework will set out the steps that Welsh ministers will take to provide opportunities for persons of all ages in Wales to learn Welsh, including through childcare to those below compulsory school age, through nursery education, through tertiary education, in the workplace and in the community. These steps are expected to impact positively on children at all stages of their childcare and education journey. The National Framework must also provide an assessment of the number of education practitioners needed in each local authority to meet the targets it will place on local authorities in relation to Welsh language education in schools. This will help ensure that all areas of Wales can develop and enhance their capacity to provide Welsh language education. This, in turn, will enhance access and opportunities to learn Welsh for all learners.

Local Welsh in Education Strategic Plans

The primary impact of these provisions will be to improve education planning, leading to an increase and improvement in the provision of Welsh language education for all pupils over time. The WESPs will help to widen pupils' access to Welsh language education across

Wales wherever they live and increase the number of pupils developing Welsh language skills. This includes provision for additional learning needs (ALN) in line with the duties set out in the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (see below for more details on ALN). The impact on children, therefore, will be to have more access to improved Welsh language education in schools over time.

These provisions will also allow for more effective and responsive planning in relation to groups of learners that have been under-represented in Welsh-medium education in the past. The Welsh Government believes that education planners will have opportunities to develop over time a better understanding of the support and learning requirements of all learners living within their area.

Placing duties on local authorities to include in their WESPs steps to promote Welsh-medium education will improve understanding of the benefits of Welsh-medium education. Welsh is a minority language, and as such, there is a need to take additional steps to explain Welsh-medium education to parents that do not speak Welsh or are not familiar with the cultural-linguistic or educational context in Wales. Whilst beneficial to a range of people, Welsh Government believes that this provision will have a particular impact upon people with less understanding and familiarity with the cultural-linguistic context in Wales, or who may not be aware that children from families that do not speak Welsh can also attend Welsh-medium schools.

Respondents to the white paper consultation emphasised that placing a duty on local authorities to promote Welsh-medium education could help to provide greater clarity and information for parents in relation to the language categories of schools in their area, and the expected linguistic outcomes of learners. With a formal mandate in place, parents could access more comprehensive information about the options available to them in terms of Welsh-medium education. This, according to some white paper consultation respondents, could empower parents to make more informed decisions on their children's education. Qualitative research in relation to childcare and early education noted that parents who felt unable to make use of Welsh-medium or bilingual education and childcare, may be encouraged to do so if they had greater awareness of Welsh-medium settings in the local authority (Welsh Government, 2021a: 52).

Moreover, providing and promoting late immersion education in Welsh will widen access to the Welsh language for children and young people in Wales who wish to access Welsh-medium education at various entry points. This provision will enable all children and young people to access Welsh-medium education, and ensure the necessary support will be available to them if they choose to do so.

PART 5: National Institute for Learning Welsh

Establishing a new statutory body: the National Institute for Learning Welsh.

Establishing a new statutory body, the National Institute for Learning Welsh, will facilitate and support people of all ages to learn Welsh and develop their Welsh language skills.

As well as supporting adults to learn Welsh, the Institute will also become key in supporting schools, learners and parents/guardians once it is established. In particular, it could build on the experience and record of the National Centre for Learning Welsh in developing courses and teaching Welsh to adults whose first language is not English. This will further support and enable schools and education planners to develop responsive and effective provision,

including to children from diverse linguistic backgrounds, helping to widen access to the Welsh language.

Through specialist language training to education professionals; co-operating with stakeholders to develop resources to support Welsh language learning and teaching; and acting as a one-stop-shop for supporting all aspects of Welsh language learning, the Institute will help all schools meet the challenges of increasing the amount and improving the quality of Welsh language education, ultimately benefitting all learners in Wales.

Possible impacts in relation to additional learning needs

The Welsh Government recognises the challenges relating to additional learning provision (ALP) through the medium of Welsh, and this was an issue raised by a number of respondents to the white paper consultation. In their policy paper ‘The Welsh Language in the Additional Learning Needs System’, the Welsh Language Commissioner and the Children’s Commissioner for Wales noted that several local authorities cannot determine if needs are being met whilst most local authorities reported that they cannot offer provision through the medium of Welsh for many additional learning needs. In these cases, some learners must receive support in English, or choose English-medium education from the outset, knowing that Welsh-medium ALP is lacking. The report notes that there are two key challenges to providing adequate ALN support through the medium of Welsh: a lack of specialised workforce with the language skills and the difficulty in offering specialised provision when numbers likely to take advantage of the provision is comparatively low (see Welsh Language Commissioner and Children’s Commissioner for Wales. 2023).

The Welsh Government’s scoping report to inform the approach to the evaluation of the ALN system identified the following challenges:

“In summary, based on the evidence reviewed there are clear challenges to realising the core aim of creating a bilingual ALN system. These challenges include weaknesses in strategic planning to support and develop Welsh-medium ALP, limited Welsh language resources, and a shortage of qualified staff able to support ALN learners through the medium of Welsh. The evaluation will need to explore how these issues are being addressed and whether there is effective implementation of the ALN system in Welsh-medium settings” (Welsh Government, 2023a: 82).

With an increase in students accessing Welsh-medium education, there is likely to be an increase in demand for specialist education services or resources through the medium of Welsh. Left unaddressed, there is potential for children and young people with ALN to continue facing challenges in accessing specialist education services. It is also possible that some children with ALN may not fully benefit from wider access to Welsh-medium education if a choice is made to access English-medium education due to insufficient Welsh-medium ALP. As ‘Primarily English Language, partly Welsh’ schools develop their Welsh language education, and increase the learning offered through the medium of Welsh, there may be additional challenges for some students with ALN associated with wider subject lessons potentially being delivered in Welsh, or an increase in Welsh (subject) lessons should it lead to a reduction in the teaching of other elements of the curriculum.

Mitigations

Planning is already in place to increase ALP through the medium of Welsh. The ALN Code sets out requirements and guidance for schools, further education institutions, local authorities, NHS bodies and others on the ALN system. One of the ALN Code's core principles is to create a bilingual system:

“(e) A bilingual system where all reasonable steps are taken to deliver ALP in Welsh for children and young people who require support through the medium of Welsh, with scope for increasing the delivery of ALP in Welsh over time” (Welsh Government, 2021b: 37).

The ‘Welsh in education workforce plan’ also sets out a number of actions that aim to develop capacity and expertise to support learners with ALN (see Welsh Government, 2022: 26-27). Moreover, WESPs will enable more effective planning in relation to the workforce and the specialist provision needed to expand and improve Welsh-medium education. Local authorities are already required to use the findings of its reviews under section 63 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 to improve Welsh language provision for persons with ALN and for workforce planning within the ALN sector. This will continue to be monitored annually through the WESPs.

The Welsh Government also acknowledges that the likely increase in demand for specialist ALP through the medium of Welsh as a result of the Bill, may help alleviate key challenges facing planners and schools at the moment. Currently:

“...local authorities fail to see viable solutions considering the clear financial and resource constraints they face and the need to provide ALN support in a way that meets the needs of the majority” (Welsh Language Commissioner and Children's Commissioner for Wales, 2023).

With demand for the provision likely to increase, alongside more strategic and deliberate efforts to plan and increase the number of practitioners able to teach through the medium of Welsh, the Bill may make Welsh-medium ALP more cost effective.

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 also sets out the statutory obligation on Welsh ministers to review and report on the sufficiency of ALP in Welsh. The first report on the outcome of the review must be published before 1 September, five years after the commencement of the Act (which is 1 September 2026). The Welsh Government has established an ALN Welsh-medium implementation steering group to advise on recommendations to improve access to Welsh-medium provision and develop an evidence base for the review. A dedicated Welsh language national ALN implementation lead has also been recruited whose role includes considering the availability of provision across Wales and working to develop and improve access to, and quality of, Welsh-medium provision and resources. The ministers must publish subsequent reports before 1 September in every fifth year after the first report. This presents a further opportunity to explore and address the adequacy of Welsh medium ALP. The post-implementation review offers a further opportunity to build on this, exploring the Bill's implementation and impacts in relation to Welsh-medium ALP.

Possible additional challenges for Black, Asian and Minority Ethnic pupils and pupils that qualify for free school meals

PLASC data (February 2022) indicates that of those who attend Welsh-medium education, 4.3% are Black, Asian and Minority Ethnic pupils and 13.5% are eligible for free school

meals. Of those attending English-medium education, in comparison, 15.5% are Black, Asian and Minority Ethnic pupils and 23.3% are eligible for free school meals. There are limitations in the data available on the language of education specifically of Gypsy, Roma and Traveller children and young people. However, it is similarly believed that the percentage of Gypsy, Roma and Traveller children is lower in Welsh-medium schools than in English-medium schools. Of course, there is likely to be considerable diversity within these groups of learners in relation to access to Welsh-medium education, which we do not yet fully understand.

The Welsh Government recognises the need to develop a better understanding of why some groups of learners are under-represented in Welsh-medium schools and to identify any potential barriers. In discussions with local authority officers in relation to Welsh medium education, for example, Welsh Government officials have noted that a lack of, or misleading information regarding, Welsh-medium education may be a barrier to access. These discussions reflect the findings of qualitative research in relation to childcare and early education, which noted that parents who felt unable to make use of Welsh-medium or bilingual education and childcare at present, may be encouraged to do so if they had greater awareness of Welsh-medium settings in the local authority (Welsh Government, 2021: 52).

The Welsh Government expects the Bill to involve a greater degree of change and reform over a longer timeframe within 'Primarily English Language, partly Welsh' schools, and particularly schools moving from the lowest base toward the minimum required hours (10%). Comprehension and familiarity with the Welsh language is likely to be lowest amongst learners in these schools. Black, Asian and Minority Ethnic learners and those who are eligible for free school meals are on average more likely to attend these schools. Consequently, these learners are more likely on average to experience the impacts of the increase and improvement in Welsh language education in these schools, including the enhanced opportunities but also any challenges associated with wider subject lessons potentially being delivered in Welsh, or an increase in Welsh (subject) lessons should this lead to a reduction in the teaching of other elements of the curriculum. Responses to the Children in Wales' Young Wales Team consultation included concerns that the teaching of Welsh should not overshadow or diminish the quality of teaching of key subjects such as Maths, Science and English.

Mitigations

'Primarily English Language, partly Welsh' schools moving from the lowest base toward the minimum required hours of 10% will be supported in many ways. The minimum hours will not be introduced immediately upon passing of the Bill. There will be a period of time when regulations are developed, which will give all schools time to plan appropriately for raising their Welsh language provision toward the minimum. Furthermore, the Bill also enables schools to apply for a temporary exemption (up to 3 years initially, with the possibility of up to a further 3 years) to the requirement to provide Welsh language education in accordance with their language category, where more time is needed to reach the statutory minimum.

There is a specific risk that wider education may be impacted as the amount of Welsh language education increases, possibly at the expense of other elements of the curriculum. The minimum of 10% Welsh language provision equates to approximately 2.5 hours on average per week. In 'Primarily English Language, partly Welsh' schools, this would likely be mainly fulfilled by Welsh lessons. The Welsh Government will publish guidance relating

to extending the provision of Welsh language education, and how do so in a proportionate manner. The guidance will also discuss when and how to appropriately extend provision in relation to a range of subjects/areas. This is consequently considered a low risk, with low impact that can be mitigated.

The Welsh Government regards the Bill as an opportunity to improve the linguistic outcomes of groups of learners who are currently under-represented in Welsh-medium schools, including Black, Asian and Minority Ethnic learners and those who are eligible for free school meals – whatever language category of the schools they attend. The Welsh Government recognises the need to develop a better understanding of why some groups are currently under-represented in Welsh-medium education and to put measures in place to address any barriers identified.

Ensuring Welsh-medium education is a choice and accessible to all is a priority for the Welsh Government. The Bill will require local authorities to prepare WESPs and to improve the planning of education provision through the medium of Welsh in its area. Ensuring access to the language will be a key part of each local authority's WESP and all local authorities are instructed by the Welsh Government's guidance to consider how it will increase opportunities for all learners to access Welsh-medium education. This would include groups who have been under-represented in Welsh-medium education in the past, including Black, Asian and Minority Ethnic learners and learners eligible for free school meals.

The Bill will establish the National Institute for Learning Welsh, which will build on the experience of the National Centre for Learning Welsh. The National Centre for Learning Welsh has experience in engaging with people from diverse backgrounds, including those who are new to Wales and those whose English is limited. The National Centre for Learning Welsh has developed and tailored courses and resources to support the learning of Welsh, and developed a strategy to increase engagement with Black, Asian and Minority Ethnic people. The Institute will be able to build on the experience and resources already developed to further support and enable education planners and schools to identify and overcome any barriers affecting some groups of learners, whilst developing responsive and effective provision for all.

The Welsh Government has published guidance on how schools and settings can improve support for learners from Gypsy, Roma and Traveller communities (see Welsh Government, 2023b). This should further support work to develop effective and responsive provision for this group of students.

The Welsh Government will monitor the success of the Bill's implementation as well as emerging lessons from schools and local authorities as they plan for and implement Bill provisions. The post-implementation review will include consideration of how the Bill has increased access to Welsh-medium education among all learners as well as under-represented groups, and the aspects of implementation at national and local levels that have underpinned the changes observed. The Welsh Government would consider an increase in the proportion of Black, Asian and Minority Ethnic learners, including Gypsy, Roma and Traveller learners, and those who are eligible for free school meals, who can speak Welsh to be a measure of the Bill's success.

Informal opportunities

Whilst the Bill focuses on the statutory education system, informal opportunities to learn and use the language are an important aspect of language learning. Schools will be required to

develop delivery plans, detailing how they will increase and/or improve their Welsh language provision over a period of time. The delivery plans will require schools to set out how they will promote a Welsh language ethos and culture within the school and promote use of the Welsh language within the school.

Child Poverty objectives

The Child Poverty Strategy for Wales 2024 sets the long-term objectives and priorities for contributing towards the eradication of child poverty, and the eradication of the worst effects of being in poverty in Wales for the next decade or more. The strategy presents five objectives. The provisions set out in this Bill may contribute in the following ways.

Objective 1: to reduce costs and maximise the incomes of families.

Whilst not directly aimed at reducing costs and maximising incomes, the indirect impact of the proposals will support this objective. Firstly, and more immediately, as Welsh-medium provision is developed across Wales, this will diminish the need for learners to travel beyond their local areas to access Welsh-medium education. Qualitative research conducted with parents suggested that improving transport to Welsh-medium settings is one of the factors that would encourage parents to make use of Welsh-medium and bilingual provision (Welsh Government, 2021: 52).

Secondly, enabling pupils to become confident and independent Welsh speakers, and to demonstrate their ability in line with internationally-recognised common reference levels through the Code, could lead to a wider range of employment opportunities for them in the future.

Objective 2: to create pathways out of poverty so that children and young people and their families have opportunities to realise their potential.

As noted in relation to Objective 1 above, improved Welsh language skills may open up access to employment opportunities where the Welsh language is a desirable or necessary skill. This will support children to access pathways out of poverty through employment.

Objective 3: to support child and family wellbeing and make sure that work across the Welsh Government delivers for children living in poverty, including those with protected characteristics, so that they can enjoy their rights and have better outcomes.

The Welsh Government anticipates that increased Welsh language skills will offer more cultural and social opportunities for children and young people. More people will be able to access and engage with Welsh-medium spaces and to engage with social and cultural activities through the medium of Welsh. Having the opportunity to become confident, independent Welsh speakers will also support children and families who have moved into primarily Welsh-speaking communities to engage with and become part of those Welsh-speaking communities.

The Equalities Impact Assessment details the positive impact Bill provisions will have upon children with protected characteristics. Ultimately, the aim will be to understand why some groups are currently under-represented in Welsh-medium education and to put measures in place to address any barriers identified for these groups, which includes Black, Asian and Minority Ethnic learners, learners with ALN, and those who are eligible for free school meals.

Objective 4: to ensure children, young people and their families are treated with dignity and respect by the people and services who interact with and support them and to challenge the stigma of poverty.

Ultimately, the Bill seeks to ensure that all learners in Wales have the opportunity to become independent and confident Welsh speakers. This will include, as detailed above, deliberate planning to understand why some groups are currently under-represented in Welsh-medium education and to put measures in place to address any barriers identified for these groups, including those from lower income families who are eligible for free school meals.

Objective 5: to ensure that effective cross-government working at the national level enables strong collaboration at the regional and local level.

These proposals seek to ensure that better and more coordinated planning takes place for Welsh language education at the national, local authority and school levels as well as between these levels. Moreover, the Bill proposes to establish the National Institute for Learning Welsh, which will offer further support to local authorities and schools to plan and deliver more and better Welsh language education.

- How does your proposal enhance or challenge children’s rights, as stipulated by the UNCRC articles and its Optional Protocols? Please refer to the [articles](#) to see which ones apply to your own policy.

The Welsh Government is eager for the proposals to enhance children’s rights, and believes that the Bill will do so in relation to articles 2, 8, 22, 28, 29, 30 and 31. The Welsh Government does not believe that the proposals will challenge any articles.

UNCRC Articles or Optional Protocol	Enhances (X)	Challenges (X)	Explanation
Article 2 The Convention applies to everyone whatever their race, religion, abilities, whatever they think or say and whatever type of family they come from.	X		The Bill will increase and improve Welsh language education for all pupils in Wales, regardless of race, religion, abilities, whatever they think or say and whatever type of family they come from.
Article 8 Governments should respect children’s right to a name, a nationality and family ties.	X		For some, the Welsh language is a component of national identity. Providing access to the language to all pupils in Wales will enhance children’s right to their conception of their Welsh nationality.
Article 22 Children who come into a country as refugees should have the same rights as children born in that country.	X		The Bill will increase and improve Welsh language education for all pupils, regardless of background. Local authorities will be required to make immersion provision in Welsh available to newcomers and latecomers to Welsh-medium

			education. This will ensure access to Welsh-medium education to learners that move to Wales. This will further support and enable such families to engage with the communities in which they live and ensure that their children are able to access the same educational opportunities as all other learners in Wales.
<p>Article 28</p> <p>Children have a right to an education. Discipline in schools should respect children's human dignity. Primary education should be free. Wealthy countries should help poorer countries achieve this.</p>	X		The Bill will increase and improve Welsh language education. All learners in Wales will have opportunities to become confident, independent Welsh speakers through their education.
<p>Article 29</p> <p>Education should develop each child's personality and talents to the full. It should encourage children to respect their parents', their own and other cultures and the environment.</p>	X		The Bill supports the <i>Cymraeg 2050</i> strategy, which aims to achieve one million Welsh speakers by 2050. Through the statutory education system, the Bill's provisions promote the Welsh language and Welsh culture, and encourage children to take advantage of them. In time, every learner will have the opportunity to become a confident and independent Welsh speaker. Alongside the employment benefits of bilingualism and Welsh language skills, the Welsh Government believes that increased Welsh language skills will offer more cultural and social opportunities for children and young people.
<p>Article 30</p> <p>Children have a right to learn and use the language and customs of their families, whether these are shared by the majority of people in the country or not.</p>	X		The Bill will promote the rights of children and young people to access the Welsh language and Welsh culture by promoting formal and informal opportunities to use the language in line with their rights to cultural participation.

<p>Article 31</p> <p>All children have a right to relax and play, and to join in a wide range of activities.</p>	<p>X</p>	<p>The Bill intends for schools to promote informal activities through the medium of Welsh, which will include leisure, cultural and artistic activities.</p> <p>The increased Welsh language skills that all pupils will have opportunities to acquire, will offer more cultural and social opportunities for children and young people.</p>
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Annex B – Equality Impact Assessment

How will the proposal promote equality?

Principle and aims of the Bill

The Welsh Language and Education (Wales) Bill introduces a number of provisions that primarily relate to planning, resourcing and supporting the development of Welsh language education throughout Wales. There will be an impact on children and young people's education as a result of the changes to planning, resourcing and supporting schools, which will evolve over an extended period of time. More learners, including learners who have been under-represented within Welsh-medium education in the past, will have the opportunity to become independent and confident Welsh speakers. The Bill is therefore intended to promote equality, and specifically equality of opportunity and access to Welsh language education.

The Bill will widen access to the Welsh language and ensure, in time, that all pupils can learn the language and become independent speakers, at least. However, implementation of the Bill also offers an opportunity to further consider Welsh language provision for disabled individuals and in relation to the anti-racism agenda specifically. The Bill's provisions create opportunities to purposefully plan to ensure that the Welsh language is inclusive for all. This opportunity has been acknowledged by key stakeholders:

“This Bill offers a genuine opportunity to make Welsh a language for all, as the education system plays the most prominent role in teaching Welsh to children across Wales, regardless of race or ethnicity.” (white paper consultation response, Mudiad Meithrin)

Specific components of the Bill

In making the target of a million Welsh speakers by 2050 a statutory target and making provision for Welsh language learning goals for schools, the Bill seeks to ensure that all learners in Wales, regardless of geography or local cultural-linguistic context, are part of and supported to contribute to the national mission of increasing the number of Welsh speakers to a million by 2050.

A Code will establish a standard method for describing Welsh language ability. Upon entry into the labour market, the common reference levels will enable all learners to better communicate and define their skills to employers, regardless of location and cultural-linguistic context of the employer. Likewise, employers will be better placed to understand a candidate's level of ability in the language by drawing on common reference levels, consistent with international best practice. Consequently, this may lessen the risk of employers drawing on subjective and potentially prejudicial or stereotyped judgements of a candidate's language abilities. Black Welsh people, for example, are sometimes assumed to be unable to speak Welsh (see BBC, 2020; 2020b).

White paper consultation respondents believed that a single Welsh language continuum such as this would provide a general understanding and increased clarity for parents and pupils regarding Welsh language learning goals for learners in every school language category. The proportion of organisations who, in responding to the white paper consultation, agreed with the principle of introducing a continuum of Welsh language skills was 93%, whilst no organisations disagreed. It was believed that a Welsh language skills continuum would provide a common framework to support employers during recruitment

processes to assess and communicate the Welsh language skills required within individual job roles.

“Such a continuum could provide a planning and measurement framework for the whole education sector from the very foundation, and beyond that, in the world of work and employment.” (White paper consultation response, Welsh Language Commissioner)

In relation to **school language categorisation**, the Welsh Government aims to ensure clarity in relation to the amount of Welsh language education provided in schools within each language category. Categorisation will provide clarity to parents/guardians and learners in relation to the language provision in their school and the Welsh language learning goals. A number of respondents to the white paper consultation strongly agreed that providing statutory status to the system of categorising schools according to Welsh language education provision would set a stronger foundation. These respondents also believed that the category descriptions would improve consistency across schools. Moreover, respondents felt that categorisation would reinforce the need for schools to plan for their workforce’s professional learning needs, in turn driving the change required in all schools to ensure that all learners can access Welsh language education and opportunities to become independent speakers over time.

Local Welsh in Education Strategic Plans (WESPs) will allow for more effective and responsive planning in relation to minority groups. The Welsh Government believes that education planners will have opportunities over time to develop a better understanding of the support and learning requirements of all learners living within their area. Respondents to the white paper consultation also noted that they believed that the proposal that Welsh ministers set local targets for all local authorities, which link to national targets via the National Framework, would be a way of establishing appropriate, challenging and achievable aims for different local authorities. In turn, this would allow education planning to reflect different linguistic contexts and demographic considerations across Wales. The support offered to education planners will further enable more responsive planning and provision of Welsh language education, leading to better linguistic outcomes for learners.

Placing **duties on local authorities to proactively promote Welsh-medium education** will improve understanding of the benefits of Welsh-medium education, and clarify the Welsh language learning goals. Welsh is a minority language, and as such, there is a need to take additional steps to explain Welsh-medium education to parents who do not speak Welsh, or who are not familiar with the cultural-linguistic or educational context in Wales. All people will benefit from being better informed of the linguistic context in Wales, and consequently better equipped to make decisions about the education of their children. However, the Welsh Government believes that the proposal will have a particular impact upon people with less understanding and familiarity with the cultural-linguistic context in Wales, or who are not aware that children from families that do not speak Welsh can also attend Welsh-medium schools. Among others, this might particularly benefit some groups, including people who have moved to Wales, and Black, Asian and Minority Ethnic learners who have been under-represented in Welsh-medium education in the past.

White paper consultation respondents emphasised that placing a duty on local authorities to promote Welsh-medium education could help provide greater clarity and information for parents, both in relation to the provision within schools and the Welsh language learning

goals. With a formal mandate in place, respondents felt that parents could access more comprehensive information about the options available to them in terms of Welsh-medium education. This, according to some respondents, could empower parents to make informed decisions on their children's education. Qualitative research in relation to childcare and early education also noted that parents who felt unable to make use of Welsh-medium or bilingual education and childcare at present may be encouraged to do so if they had greater awareness of Welsh-medium settings in the local authority (Welsh Government, 2021: 52).

The Bill requires local authorities to make immersion education in Welsh available to newcomers and latecomers to Welsh-medium education, as well as to encourage demand and provide information and advice about its availability. This provision will widen access to Welsh-medium education and make the necessary support available to those who choose to access it at various entry points. This is also particularly relevant to families that move to Wales. It will further support and enable such families to engage with the communities in which they live, whilst also ensuring that their children are able to access the same educational opportunities as all other learners in Wales.

The Bill will establish a new statutory body, the **National Institute for Learning Welsh**, which will facilitate and support people of all ages to learn Welsh and develop their Welsh language skills. The Institute will be key in supporting schools, learners and parents/guardians as the Bill is implemented. This will be key to realising the objectives of the Bill. It is expected that the Institute will undertake, amongst other things, the functions currently undertaken by the National Centre for Learning Welsh. The Centre was praised in a [recent review by Estyn](#) and a [Rapid Review Report](#) in 2021. The former review recommended that the Centre share its expertise in acquiring and learning the language with schools.

The National Centre for Learning Welsh has prepared a strategy to increase their engagement with Black, Asian and Minority Ethnic people to ensure that they have adequate and suitable opportunities to access opportunities to Learn Welsh. The Centre also has experience in engaging with people who have moved to and are new to Wales, and those with limited English. The Centre has, for example, recently developed courses and resources to support the learning of Welsh through the medium of Ukrainian, Cantonese, Syrian Arabic, Farsi and Pashto. Moreover, the Centre has, in partnership with the Red Cross, refined and developed its support for refugees and asylum seekers by developing face-to-face lessons in appropriate locations.

The Institute will be able to build on the Centre's experience and record in developing courses and teaching Welsh to people whose first language is not English - albeit only in the post-16 sector at present - to further support and enable schools and education planners to develop responsive and effective provision to all, and to help ensure all learners have an opportunity to become confident and independent Welsh speakers.

What are the possible negative impacts on people in protected groups and those living in low income households and how will you mitigate for these?

Possible additional challenges for Black, Asian and Minority Ethnic and Gypsy, Roma and Traveller pupils

PLASC data (February 2022) indicates that 4.3% of those who attend Welsh-medium education are Black, Asian and Minority Ethnic pupils. compared to 15.5% of those who attend English-medium schools (see Table 1).

Table 1: Number and proportion of learners who are Black, Asian and Minority Ethnic by language medium of school

Type of school	Number of Black, Asian and minority ethnic pupils	Percentage of pupils who are Black, Asian or Minority Ethnic by language medium of school
Welsh Medium	3,284	4.3%
Twin stream	501	6.8%
Transitional	14	3.7%
Bilingual type A	270	2.6%
Bilingual type B	593	5.8%
Bilingual type C	153	5.2%
Bilingual type Ch	0	(z)
English with significant use of Welsh	1,247	11.2%
English medium	52,917	15.5%

Source: Pupil Level Annual School Census (PLASC), February 2022 (z = not applicable)

The Welsh Government recognises the need to develop a better understanding of this pattern. Discussions with local authority officers in relation to Welsh-medium education have suggested that a lack of, or misleading information regarding Welsh-medium education may be a barrier to access. These discussions reflect the findings of qualitative research in relation to childcare and early education, which noted that parents who felt unable to make use of Welsh-medium or bilingual education and childcare at present, may be encouraged to do so if they had greater awareness of Welsh-medium settings in the local authority (Welsh Government, 2021: 52). There are limitations in the data available on the language of education specifically of Gypsy, Roma and Traveller children and young people. However, it is similarly believed that the percentage of Gypsy, Roma and Traveller children is lower in Welsh-medium schools than in English-medium schools.

The Welsh Government expects the Bill to involve a greater degree of change and reform over a longer timeframe within 'Primarily English Language, partly Welsh' schools, and particularly within schools moving from the lowest base toward the minimum required hours (10%). Comprehension and familiarity with the Welsh language is likely to be lowest amongst learners in these schools. Black, Asian and Minority Ethnic learners are on average more likely to attend these schools. Consequently, they are more likely on average to experience the impacts of the increase and improvement in Welsh language education in these schools, including the enhanced opportunities but also any challenges associated with wider subject lessons potentially being delivered in Welsh, or an increase in Welsh (subject) lessons should this lead to a reduction in the teaching of other elements of the curriculum. Responses to the Children in Wales' Young Wales Team consultation noted concerns that the teaching of Welsh should not overshadow or diminish the quality of teaching of key subjects such as Maths, Science and English.

Mitigation

The 'Primarily English Language, partly Welsh' schools moving from the lowest base toward the minimum required hours of 10% will be supported in many ways. The minimum hours will not be introduced immediately upon passing of the Bill. There will be a period of time

when regulations are developed, which will give all schools time to plan appropriately for raising their Welsh language provision toward the minimum.

There is a specific risk that wider education may be impacted as the amount of Welsh language education increases, possibly at the expense of other elements of the curriculum. The minimum of 10% Welsh language provision equates to approximately 2.5 hours on average per week. In 'Primarily English Language, partly Welsh' schools this would likely be mainly fulfilled by Welsh (subject) lessons. The Welsh Government will publish guidance relating to extending the provision of Welsh language education, and how to do so in a proportionate manner. The guidance will also discuss when and how to appropriately extend provision in relation to a range of subjects/areas. This is consequently considered a low risk, with low impact that can be mitigated.

More broadly, the Welsh Government regards the Bill as an opportunity to improve the linguistic outcomes of groups of learners who are currently under-represented in Welsh-medium schools, including Black, Asian and Minority Ethnic learners, including Gypsy, Roma and Traveller learners, and children and young people from lower income families – whatever language category of the schools they attend. The Welsh Government recognises the need to develop a better understanding of why some groups are currently under-represented in Welsh-medium education and to put measures in place promptly to address any barriers identified.

The Bill will establish the National Institute for Learning Welsh, which will build on the experience of the National Centre for Learning Welsh. The National Centre for Learning Welsh has experience in engaging with people from diverse backgrounds, including those who are new to Wales and those whose English is limited. The National Centre for Learning Welsh has developed and tailored courses and resources to support the learning of Welsh, and developed a strategy to increase engagement with people of Black, Asian and Minority Ethnic communities. The Institute will be able to build on the experience and resources already developed to further support and enable education planners and schools to identify and overcome any barriers affecting some groups of learners, whilst developing responsive and effective provision for all.

The Welsh Government has published guidance on how schools and settings can improve support for learners from Gypsy, Roma and Traveller communities (see Welsh Government, 2023). This should further support work to develop effective and responsive provision for this group of pupils.

The Welsh Government will monitor the success of the Bill's implementation as well as emerging lessons from schools and local authorities as they plan for and implement Bill provisions. The post-implementation review will include consideration of how the Bill has increased access to Welsh-medium education among all learners as well as under-represented groups, and the aspects of implementation at national and local levels that have underpinned the changes observed. The Welsh Government would consider an increase in the proportion of Black, Asian and Minority Ethnic learners, including Gypsy, Roma and Traveller, learners, and those who are eligible for free school meals who can speak Welsh to be a measure of the Bill's success.

Diversifying the profession

Respondents to the white paper consultation identified a further and key challenge for the Welsh Government. Some respondents noted the current lack of diversity within the

education sector, and the need to take steps to attract more individuals from minority groups to the profession. This was supported by the submission of the Children and Young People's Commissioner, who noted that young people have often raised the lack of diversity within the profession, particularly in relation to Black, Asian and Minority Ethnic and disabled teachers.

Mitigation

The Welsh Government recognises that a diverse profession will greatly support efforts to develop effective and responsive teaching and access to the Welsh language for all. The Bill places duties on local authorities to include in their WESPs information on the education workforce within their area and the steps they will take to ensure sufficient workforce with the necessary Welsh language skills to implement their plans. The Welsh Government would expect local authorities to acknowledge and seek to address within their WESPs the challenges in their long-term planning for the workforce. The 'Welsh in education workforce plan' is the Welsh Government's 10-year plan for developing the Welsh language workforce in schools to realise the vision of *Cymraeg 2050*. It sets out a number of actions, including those to help increase the number of Black, Asian and Minority Ethnic Welsh-medium teachers in line with the 'Initial Teacher Education Black, Asian and Minority Ethnic Recruitment plan' (see Welsh Government, 2021; 2023: 16).

The Welsh Government also intends to monitor the make-up of the workforce capable of teaching through the medium of Welsh, further informing and supporting efforts to diversify the profession and to create role models and champions for minority groups.

The Welsh Government recognises, however, that some schools may not have vacancies arising in the short term, and that diversifying the workforce can only take place over a longer timeframe. This highlights the need to explore additional, alternative means of addressing this challenge in the short term. These would be non-statutory actions, which are not included in the Bill.

In the short term, the Welsh Government is exploring the local teacher model / peripatetic provision as a means of diversifying the teaching workforce with whom pupils come into contact. The Bill provides greater certainty for late immersion education in Welsh and will require greater certainty in relation to funding. Late immersion centres will therefore be in a position to recruit staff on a more permanent basis. The late immersion providers will also be better placed to recruit new, and a more diverse staff compared to the existing teaching workforce. The providers, through their peripatetic provision, could also look to diversify the teaching staff with whom learners currently engage.

Possible impacts in relation to additional learner needs

The Welsh Government recognises the challenges relating to additional learning provision (ALP) through the medium of Welsh, and this was an issue raised by a number of respondents to the white paper consultation. In their policy paper 'The Welsh Language in the Additional Learning Needs System', the Welsh Language Commissioner and the Children's Commissioner for Wales noted that several local authorities cannot determine if needs are being met whilst most local authorities reported that they cannot offer provision through the medium of Welsh for many additional learning needs. In these cases, some learners must therefore receive support in English, or choose English-medium education from the outset, knowing that Welsh-medium ALP is lacking. The report notes that there are two key challenges to providing adequate ALP through the medium of Welsh: a lack of

specialised workforce with the language skills and the difficulty in offering specialised provision when numbers likely to take advantage of the provision is comparatively low (see Welsh Language Commissioner and Children’s Commissioner for Wales, 2023).

With an increase in students accessing Welsh-medium education, there is likely to be an increase in demand for specialist education services or resources through the medium of Welsh. Left unaddressed, there is potential for children and young people with ALN to continue to face challenges in accessing specialist education services. It is also possible that some children with ALN may not fully benefit from wider access to Welsh-medium education if a choice is made to access English-medium education due to insufficient Welsh-medium ALP. As ‘Primarily English Language, partly Welsh’ schools develop their Welsh language education, and increase the learning offered through the medium of Welsh, there may be additional challenges for some students with ALN associated with wider subject lessons potentially being delivered in Welsh, or an increase in Welsh (subject) lessons leading to a reduction in the teaching of other elements of the curriculum.

Mitigation

Planning is already in place to increase ALP through the medium of Welsh. The ALN Code sets out requirements and guidance for schools, further education institutions, local authorities, NHS bodies and others on the ALN system. One of the ALN Code’s core principles is to create a bilingual system:

“(e) A bilingual system where all reasonable steps are taken to deliver ALP in Welsh for children and young people who require support through the medium of Welsh, with scope for increasing the delivery of ALP in Welsh over time” (Welsh Government, 2021b: 37).

The ‘Welsh in education workforce plan’ also sets out a number of actions that aim to develop capacity and expertise to support learners with ALN (see Welsh Government, 2022: 26-27). Moreover, WESPs will enable more effective planning in relation to the workforce and the specialist provision needed to expand and improve Welsh-medium education. Local authorities are already required to use the findings of its reviews under section 63 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 to improve Welsh language provision for persons with additional learning needs and for workforce planning within the additional learning needs sector. This will continue to be monitored annually through the WESPs.

The Welsh Government also acknowledges that the likely increase in demand for specialist ALP through the medium of Welsh as a result of the Bill, may help alleviate key challenges facing planners and schools at the moment. Currently:

“...local authorities fail to see viable solutions considering the clear financial and resource constraints they face and the need to provide ALN support in a way that meets the needs of the majority.” (Welsh Language Commissioner and Children’s Commissioner for Wales, 2023).

With demand for the provision likely to increase, alongside more strategic and deliberate efforts to plan and increase the number of practitioners able to teach through the medium of Welsh, the Bill may make Welsh-medium ALP more cost effective.

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 also sets out the statutory obligation on Welsh ministers to review and report on the sufficiency of ALP in

Welsh. The first report on the outcome of the review must be published before 1 September, five years after the commencement of the Act (which is 1 September 2026). The Welsh Government has established an ALN Welsh-medium implementation steering group to advise on recommendations to improve access to Welsh-medium provision and develop an evidence base for the review. A dedicated Welsh language national ALN implementation lead has also been recruited whose role includes considering the availability of provision across Wales and working to develop and improve access to, and quality of, Welsh-medium provision and resources. The ministers must publish subsequent reports before 1 September in every fifth year after the first report. This presents a further opportunity to explore and address the adequacy of Welsh medium ALP. The post-implementation review offers a further opportunity to build on this, exploring the Bill's implementation and impacts in relation to Welsh-medium ALP.

Treating one language more favourably than another

In relation to placing duties on local authorities to include in their WESP steps to promote Welsh-medium education, some respondents to the white paper consultation were concerned that favouring one language or one model could inadvertently discriminate against English speakers. Whilst 'English speakers' are not defined by respondents, and is not a protected characteristic, the Welsh Government acknowledges that it may include people with a protected characteristic.

Mitigation

The Welsh Government does not believe that the Bill provisions 'favour' one language over another. Rather, they promote the availability of and access to provision through a minority language. Welsh is a minority language, and as such, there is a need to take additional steps to explain Welsh-medium education to parents who do not speak Welsh, or are not familiar with the cultural-linguistic or educational context in Wales. The proposals will improve access to information about Welsh-medium education for all, but particularly benefitting groups that have been under-represented in Welsh-medium education in the past.

In responding to the white paper consultation, 85% of respondents agreed with the proposals, and respondents called for more communication and promotion of the benefits of bilingualism and using the Welsh language as well as the advantages of Welsh-medium education.

Record of impacts by protected characteristic:

Please complete the next section to show how this policy / decision / practice could have an impact (positive or negative) on the protected groups under the Equality Act 2010. It is important to note any opportunities you have identified that could advance or promote equality of opportunity. This includes identifying what we can do remove barriers and improve participation for people who are under-represented or suffer disproportionate disadvantage.

Lack of evidence is not a reason for *not assessing equality impacts*. Please highlight any gaps in evidence that you have identified and explain how/if you intend to fill these gaps.

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate impacts?
Age (think about different age groups)	No impact noted	These proposals directly affect statutory education.	
Disability (consider the social model of disability ¹ and the way in which your proposal could inadvertently cause, or could be used to proactively remove, the barriers that disable people with different types of impairments)	Positive and negative	<p>Positive</p> <p>The proposals will give children and young people the opportunity to develop their Welsh language skills and ensure they are supported to do so throughout their education journey.</p> <p>One of the outcomes in the WESPs will be to improve provision and support for pupils with ALN, enabling more of those who need ALP to access it through the medium of Welsh.</p> <p>Negative</p> <p>As schools develop their Welsh language provision, and increase the learning offered through the medium of Welsh, there may be an increase in demand for specialist education services through the medium of Welsh. Left unaddressed, there is the potential for some protected groups such as children and young people with ALN to continue facing challenges in accessing specialist education services through the medium of Welsh. As 'Primarily English Language, partly Welsh' schools develop their Welsh language education, and increase the learning offered through the medium of Welsh, there may be additional</p>	WESPs and the 'Welsh in education workforce plan' will support the improvement of ALP through the medium of Welsh. The likely increase in demand may enable education planners to provide more cost-effective responses to key challenges and barriers to ALP through the medium of Welsh.

¹ Welsh Government uses the social model of disability. We understand that disabled people are not disabled by their impairments but by barriers that they encounter in society. Ensuring that your proposal removes barriers, rather than creating them, is the best way to improve equality for disabled people. For more information, go to the intranet and search 'social model'.

		challenges for some students with ALN associated with wider subject lessons potentially being delivered in Welsh, or an increase in Welsh (subject) lessons leading to a reduction in the teaching of other elements of the curriculum.	
Gender Reassignment (the act of transitioning and Transgender people)	No impact noted		
Pregnancy and maternity	No impact noted		
Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)	Positive and negative	<p>Positive</p> <p>The Bill will give all children and young people the opportunity to learn and gain Welsh language skills and ensure they are supported to do so throughout their education journey. The provisions will widen access to Welsh-medium education for all learners, including Black, Asian and Minority Ethnic learners, including Gypsy, Roma and Traveller children, who are currently under-represented in Welsh-medium education.</p> <p>Local authorities will be required to make immersion education in Welsh available to newcomers and latecomers to Welsh-medium education. This provision will enable all children and young people to access Welsh-medium education, and receive the necessary support if they choose to access it.</p> <p>The increased focus on increasing and improving Welsh language education will give all learners and parents/guardians more choice in their children's education. The categorisation of schools based on the amount of Welsh language provision, meanwhile, will provide parents</p>	<p>The Welsh Government regards the Bill as an opportunity to improve the linguistic outcomes of learners who are currently under-represented in Welsh-medium schools, including Black, Asian and Minority Ethnic learners, including Gypsy, Roman and Traveller learners.</p> <p>The promotion and provision of late immersion education in Welsh will improve access to the Welsh language to people who move to Wales during their education journey.</p> <p>The National Institute for Learning Welsh will build on the experience and resources of the National Centre for Learning Welsh in supporting Black, Asian and Minority Ethnic adults, those who are new to Wales and those whose English is limited. The Institute will be able to build on this work to further support education planners and schools to identify and overcome any barriers that</p>

		<p>and learners with a better understanding of schools' language provision as well as the Welsh language learning goals.</p> <p>Negative</p> <p>Black, Asian and Minority Ethnic learners, including Gypsy, Roma and Traveller learners, are on average more likely to attend 'Primarily English Language, partly Welsh' schools, which face the most change and reform to achieve the minimum required hours of 10%. They are consequently more likely on average to experience the impact of any challenges in these schools associated with wider subject lessons potentially being delivered in Welsh, or an increase in Welsh (subject) lessons should this lead to a reduction in the teaching of other elements of the curriculum.</p>	<p>may affect some groups of learners, whilst developing responsive and effective provision for all.</p> <p>The post-implementation review will include consideration of how the Bill has increased access to Welsh-medium education among all learners as well as under-represented groups.</p>
Religion, belief and non-belief	No impact noted	<p>Whilst no specific impact has been noted, many voluntary aided or controlled schools are also schools with a religious character or have formal links with a faith-based organisation. These schools will still be categorised and be under duty to prepare delivery plans.</p>	
Sex / Gender	No impact noted		
Sexual orientation (Lesbian, Gay and Bisexual)	No impact noted		
Marriage and civil partnership	No impact noted		
Children and young people up to the age of 18	Positive	<p>The Bill is expected to have a positive impact on children and young people.</p>	

		<p>It will give all children and young people the opportunity to develop their Welsh language skills and ensure they are offered support to do so throughout their education journey.</p> <p>This will also mean that children and young people have better Welsh language skills, potentially widening their future employment opportunities to include those where the Welsh language is a desirable or necessary skill.</p>	
Low-income households	Positive	<p>This issue is discussed in detail within the 'Socio-economic duty Impact Assessment'.</p> <p>Positive Learners that are eligible for free school meals have been under-represented within Welsh-medium education. These learners will have the opportunity to become independent and confident speakers of Welsh. Improved Welsh language skills may widen their future employment opportunities to include those where the Welsh language is a desirable or necessary skill. This will potentially support pathways out of poverty through employment.</p> <p>Negative The Welsh Government recognises the risk of the provisions impacting negatively upon these learners in the short term, as the schools which they attend develop and increase their Welsh language provision over time.</p> <p>Specifically, there is a risk that wider education may be impacted as the amount of Welsh language education increases, possibly at the expense of other elements of the curriculum.</p>	<p>The minimum of 10% Welsh language provision equates to approximately 2.5 hours on average per week. In 'Primarily English Language, partly Welsh' schools, this would likely be mainly fulfilled by Welsh (subject) lessons.</p> <p>The Welsh Government will publish guidance relating to extending the provision of Welsh language education, and how do so in a proportionate manner. The guidance will also discuss when and how to appropriately extend provision in relation to a range of subjects/areas. This is consequently considered a low risk, with low impact that can be mitigated.</p>

Annex C – Welsh Language Impact Assessment

Introduction

Cymraeg 2050 is our national strategy for increasing the number of Welsh speakers to a million by 2050.

The Welsh Government is fully committed to the strategy, with the target of a million speakers included in its Programme for Government. A thriving Welsh language is also included in one of the seven well-being goals in the Well-being of Future Generations (Wales) Act 2015.

We also have a statutory obligation to fully consider the effects of our work on the Welsh Language. This means that any Welsh Government policy should consider how our policies affect the language and those who speak it. The **Cymraeg 2050 strategy** has 3 interrelated themes:

Theme 1: Increasing the number of Welsh speakers

- Language transmission in the family
- The early years
- Statutory education
- Post-compulsory education
- The education workforce, resources and qualifications

Theme 2: Increasing the use of Welsh

- The workplace
- Services
- Social use of Welsh

Theme 3: Creating favourable conditions - infrastructure and context

- Community and economy
- Culture and media
- Wales and the wider world
- Digital technology
- Linguistic infrastructure
- Language planning
- Evaluation and research

The headings under each theme outline the scope of activities that can affect the language.

As a general rule, if your policy has the potential to impact on people, it will impact in some way on Welsh speakers and therefore on the Welsh language.

Does the proposal demonstrate a clear link with the Welsh Government's strategy for the Welsh language – *Cymraeg 2050: A million Welsh speakers* and the related Work Programme?

Yes – 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 every 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 Bill seeks to realise these targets by widening access to the Welsh language for pupils in Wales, wherever they live, and by ensuring that Welsh language education in all schools provides opportunities for pupils to develop their Welsh language skills and become independent and confident Welsh speakers.

Providing a statutory basis for the *Cymraeg 2050* target of one million Welsh speakers is a means of increasing awareness of the link between the education system and efforts to realise the objectives of the strategy.

The *Cymraeg 2050* strategy refers to Welsh-medium immersion education as the 'principal method' for ensuring that children can develop their Welsh language skills, and for creating new speakers. The Bill also includes a provision to promote and provide late immersion education in Welsh to widen access to Welsh-medium education for those wishing to access it at a later entry point.

Cymraeg 2050 notes that the English-medium sector has an important contribution to make to the aim of developing Welsh speakers. The strategy identifies the need to 'transform' how the Welsh language is taught in these schools. It states the intention to develop 'a single continuum for the teaching of Welsh' and the provisions in the Bill regarding describing Welsh language ability, and providing Welsh language learning goals for schools according to language category, links clearly to this. This will ensure that learners, teachers, parents and employers have a shared understanding of the journey to learn Welsh and the expected linguistic outcomes at each stage of that journey.

Cymraeg 2050 states that local authorities have a role in responding to and supporting the aim of the strategy to increase the number of Welsh speakers through the statutory education system, through clear leadership and ambition and also through intentional linguistic and educational planning. The provisions in the Bill to reform local authorities' WESPs links to this.

The Bill provisions link to several commitments presented in the *Cymraeg 2050* Work Programme 2021-26 – and in some cases have gone further:

- "Develop a five-year strategy for the acquisition and lifelong learning of Welsh - from the early years, during statutory and post-compulsory education, in the workplace and in the community"
- "Introduce a Welsh-medium Education Bill to strengthen and increase Welsh-medium education across Wales and ensure that the Welsh in Education Strategic Plans (WESPs) are delivered in each county to make Welsh-medium education more accessible and fair"
- "Expand the late Immersion Programme to ensure that all newcomers to the language have access to Welsh-medium education when they need it and wherever they are on their learning journey"
- "Simplify how we categorise schools according to their Welsh language provision to provide clarity about the expected linguistic progress and outcomes for pupils according

to the medium of school teaching, as well as encouraging and supporting schools to increase their provision of Welsh”

- “In collaboration with the regional consortia and local authorities, expand the role of the National Centre for Learning Welsh to support the teaching of Welsh in English-medium schools and provide a language learning pathway from school to post-compulsory education”

Describe and explain the impact of the proposal on the Welsh language, and explain how you will address these impacts in order to improve outcomes for the Welsh language.

These proposals will have a positive impact on the Welsh language by widening the opportunities for children and young people to develop their Welsh language skills, and to become independent and confident Welsh speakers, regardless of the language category of the school they attend, or in which community they live.

Impact of specific proposals

Reflecting the target of one million Welsh speakers by 2050 in law

Providing a statutory basis for the target of one million Welsh speakers will set a strong foundation for local authorities to make ambitious decisions about Welsh language provision in order to increase the number of Welsh speakers in their area. The target is intended to stimulate local authorities’ commitment to the ambition of creating a million speakers, and to put in place plans intended to meet the target.

In the long term, these duties are expected to contribute to improving the skills of the workforce, including the education workforce, with more pupils entering the workplace with better Welsh language skills.

The review of Welsh language Standards will also consider how the Standards align with the Bill’s provisions, and specifically the statutory target and the Code.

A Code to establish a standard method for describing Welsh language ability

The Code will contribute to laying a foundation for the planning of lifelong Welsh language learning and enable learners, teachers, parents and employers to have a shared understanding of an individual’s journey to learn the Welsh language and the outcomes expected at each stage of the journey.

Categorisation of schools according to Welsh language education provision and school delivery plans

This Bill’s provisions will lead to more pupils in statutory education across Wales receiving more and better Welsh language education. It will do this by increasing and improving Welsh language education in all schools, giving all pupils the opportunity to become confident and independent Welsh speakers. The Bill sets a requirement for maintained schools to increase and improve their Welsh language provision, whether that is an increase within a category or by moving to a higher category.

The Bill will lead to more pupils having more Welsh language skills the length and breadth of Wales. The intention is for this, in turn, to increase opportunities for people to interact and communicate with one another in Welsh, in both formal and informal contexts, including the workplace. In the long term, the proposal is expected to contribute towards improving the

workforce's skills, including the education workforce, with more pupils entering the workplace with better Welsh language skills.

National Framework for Welsh Language Education and Learning Welsh

Through the National Framework, Welsh ministers will set the strategic direction for the whole Welsh language learning and acquisition sector to reach the long-term goal of one million speakers and create a single system focused on learner outcomes.

This Bill provision will support the *Cymraeg 2050* aim 'to create a statutory education system which increases the number of confident Welsh speakers' by providing strategic direction and clear leadership to local authorities about what is expected of them regarding increasing their Welsh language provision. It will create a link through targets set for each local authority, between the target of one million speakers and the local authorities' WESPs. It will create a single coherent framework focused on learning and acquiring the Welsh language, bringing together all elements and ensuring that all partners in the field are working towards one goal. It will provide guidance to those who provide support to the education system on the acquisition and learning of Welsh and thereby lay the foundations for facilitating the language journey for schools and pupils in Wales.

This Bill provision will lead to pupils, regardless of age, being able to continue to learn and improve their Welsh language skills throughout their lives. It will widen access for pupils in Wales to Welsh language education, so that they have the opportunity to become independent and confident Welsh speakers. In this regard, it will contribute to promoting the Welsh language in all areas.

Ultimately, the National Framework will have a positive impact on adults, increasing Welsh language skills among the workforce, which will enable bodies and organisations of all types to offer services in Welsh.

Local Welsh in Education Strategic Plans

WESPs will support the increase and improvement in Welsh language education across Wales, and increase the number of pupils having the opportunity to become independent and confident Welsh speakers.

As part of this provision, local authorities will work towards meeting the individual target(s) set for them by the Welsh ministers in the National Framework. This will help to ensure that local authorities, through the education system, maintain or improve the sustainability of their Welsh speaking communities.

The collection of annual data on the numbers starting school, the Pupil Level Annual School Census (PLASC) data, as well as progress reports on implementation of WESPs, will allow the Welsh Government to track the progress and success of the Bill in growing Welsh-medium education based on evidence and data.

Promoting Welsh-medium education and late immersion education in Welsh

This provision will widen access to the Welsh language for pupils in Wales over time. It will 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. It will also support pupils wishing to access Welsh-medium education at a later entry point.

Centralising specialist support provision for lifelong Welsh language learning, including school education, within a single organisation

The proposal for centralising specialist support provision within the National Institute for Learning Welsh offers stability, consistency and long-term direction for the Welsh language learning sector.

Annex D – Socio-economic Duty Assessment

What evidence has been considered to understand how the proposal contributes to inequalities of outcome experience as a result of socio-economic disadvantage?

The Welsh Language and Education (Wales) Bill aims to widen access to the Welsh language, and to ensure that all children, no matter where they live in Wales and regardless of linguistic or any other background, have the opportunity to become confident, independent Welsh speakers. The Bill introduces a number of changes that primarily relate to planning, resourcing and supporting the development of Welsh language education in schools throughout Wales. There will be direct impacts of the Bill's provisions on education planning and the workforce. There will also be an impact on children and young people, over a longer time span, due to the changes to Welsh language education in schools. The impact is expected to be largely positive, as all learners will have more opportunities to become independent and confident speakers of the Welsh language.

In seeking to understand how the proposals contribute to inequalities of outcome experience, the following sources of evidence have been considered.

- Extensive discussions with Welsh Government officials
- The Welsh Government issued a consultation on the proposals for a Welsh Language and Education (Wales) Bill on 27 March 2023, which closed on 16 June 2023. There were 538 responses, 366 of which were unique.
- An engagement exercise was commissioned by Welsh Government to support the development of the RIA and IIA. As part of the engagement, a series of workshops was conducted on behalf of the Welsh Government with a range of external stakeholders and key potential delivery partners.
- Two online workshops were conducted with local authorities to explain the proposed changes outlined in the Bill and to gather feedback regarding the anticipated costs and benefits. All local authorities were invited to provide input by completing a series of questions on costs and benefits in a survey format. Feedback was received from 13 local authorities.
- Feedback on costs and benefits was also received from 23 schools. Initial contact was made with 295 schools, stratified by primary and secondary provision, geographic area and language category. The 23 responses included a range of schools across the stratified categories.
- Stakeholder engagement extended beyond local authorities and schools to encompass organisations identified in the white paper, as well as those likely to be impacted by the proposed changes. A group discussion was held with the Policy Development & Implementation Working Group (which has representation from education unions alongside the Welsh Local Government Association (WLGA) and a local authority representative), while interviews were conducted with representatives from Estyn, the National Centre for Learning Welsh, Mudiad Meithrin, the Education Workforce Council, and four Initial Teacher Education providers.
- The Welsh Government has engaged with children and young people through workshops undertaken on its behalf by Urdd Gobaith Cymru in February 2024. Over 66 participants aged 11-18 took part in the workshops. The workshops were held in Welsh- and English-

medium schools and youth clubs in several local authorities across Wales. The workshops explored the broad principles and aims underpinning the Bill. A qualitative survey was conducted by Children in Wales' Young Wales team during its residential course in February 2024. Ten young people participated, with one doing so in Welsh.

- The IIA drew on data available on the education system in Wales, including PLASC and GCSE data.
- The National Survey for Wales and the Welsh Language Use Survey was used to gain a better understanding of attitudes towards the Welsh language.
- Secondary sources. Those referenced explicitly in this document are:
 - Welsh Government. (2017). [Welsh speaker estimates 2011 to 2050: technical report](#). Cardiff: Welsh Government.
 - Welsh Government. (2021). [Parent beliefs, behaviours and barriers: childcare and early education](#). Cardiff: Welsh Government.
 - Welsh Government. (2021b). [Initial teacher education Black, Asian and Minority Ethnic recruitment plan](#). Cardiff: Welsh Government.
 - Welsh Government. (2022). [Welsh in education workforce plan](#). Cardiff: Welsh Government.
 - Welsh Government. (2024). [Child Poverty Strategy for Wales 2024](#). Cardiff: Welsh Government.
 - Welsh Language Commissioner and Children's Commissioner for Wales. (2023). [The Welsh Language in the Additional Learning Needs System. issue brief](#).

What information has been gained through engagement with those effected by the proposal/decision and specifically those who suffer socio-economic disadvantage?

Children and young people's responses in the Urdd Gobaith Cymru workshops were overwhelmingly supportive of the Bill's aims and particularly the notion that all pupils, regardless of which school they attend, should have the opportunity to learn and to speak Welsh independently by the age of 16: "Learning the language of your country should be your right [author's translation]" (Workshop Participant, Vale of Glamorgan). A minority of respondents caveated their supportive remarks with the suggestion that learning Welsh should not be compulsory: "Yes, they should have the opportunity to learn Welsh if they want [author's translation]" (Workshop Participant, Vale of Glamorgan).

Participants discussed the benefits they perceived of learning Welsh, with many stressing the social and professional benefits of learning Welsh: "It can broaden your job opportunities and help you get better jobs in the future" (Workshop Participant, Merthyr). Participants also believed that there was a range of social, cultural and professional benefits related to all learners having the opportunity to learn Welsh.

Respondents to the Children in Wales' Young Wales team's qualitative survey generally believed that pupils should have the chance to learn Welsh by age 16. They emphasised the importance of choice, opportunity and fairness when deciding in relation to opportunities to learn Welsh. Participants also saw value in being an independent and confident speaker, particularly in relation to future careers. However, some participants expressed a concern

that the teaching of Welsh should not overshadow or diminish the quality of teaching of key subjects such as Maths, Science and English.

In 2017-18, the National Survey for Wales included questions about the Welsh language, exploring Welsh speakers' confidence to speak the language as well as attitudes towards the language of both those who speak Welsh and those who do not . 82 per cent of respondents aged between 16-24 agreed that Welsh was something to be proud of. 73 per cent of those from the same age category said that they would like to learn Welsh. Furthermore, 70 per cent of this age group agreed that the Welsh language needed more support.

Have protected characteristics been considered?

Yes. The Equalities Impact Assessment details the analysis of the Bill's potential impact upon individuals with protected characteristics.

Have communities of interest and places interest been considered?

Yes. The Bill aims to improve access to Welsh language education to all learners in Wales, regardless of background.

The Rural Proofing Impact Assessment draws particular attention to rural communities that are home to a low proportion and number of Welsh speakers. These areas may face additional challenges in recruiting staff capable of teaching through the medium of Welsh. The issue and mitigations are discussed in detail within the relevant impact assessment.

What information has been considered regarding future trends?

The Welsh Government would expect each local authority's approved WESP to account for the challenges in their long-term planning for the workforce. The 'Welsh in education workforce plan' is the Welsh Government's 10-year plan for developing the Welsh language workforce in schools to realise the vision in *Cymraeg 2050* (see Welsh Government, 2021b; 2023). The WESPs and the 'Welsh in education workforce plan' will provide the mechanisms to develop and diversify the workforce. These strategies also align with the *Cymraeg 2050* strategy and its aims to increase the number of Welsh speakers to one million by 2050, in line with the projection and trajectory (see Welsh Government, 2017).

What data has been considered (national and local)?

See question 1 for an outline of the evidence and data that has been considered.

WESPs provide data at a local level, whilst the projection and trajectory within *Cymraeg 2050* relates to the national level.

Provide a summary of evidence and links

See question 1 for an outline of the evidence and data that has been considered.

How could the proposal potentially further exacerbate inequality of outcome experienced as a result of socio-economic disadvantage?

Please provide detail regarding inequalities of outcome likely to be impacted and those people and communities likely to be impacted

The Welsh Government expects the Bill to involve a greater degree of change and reform over a longer timeframe within 'Primarily English Language, partly Welsh' schools, and particularly schools moving from the lowest base toward the minimum required hours (10%).

Comprehension and familiarity with the Welsh language is likely to be lowest amongst learners in these schools. Learners who are eligible for free school meals are on average more likely to attend these schools. Consequently, these learners are more likely on average to experience the impact of the increase and improvement in Welsh language education in these schools, including the enhanced opportunities but also any challenges associated with wider subject lessons potentially being delivered in Welsh, or an increase in Welsh (subject) lessons should this lead to a reduction in the teaching of other elements of the curriculum.

There is a risk that wider education is impacted as the amount of Welsh language education increases, possibly at the expense of other elements of the curriculum. The minimum of 10% Welsh language provision equates to approximately 2.5 hours on average per week. In 'Primarily English Language, partly Welsh' schools, this would likely be mainly fulfilled by Welsh lessons. The Welsh Government will publish guidance relating to extending the provision of Welsh language education, and how to do so in a proportionate manner. The guidance will also discuss when and how to appropriately extend provision in relation to a range of subjects/areas. This is consequently considered a low risk, with low impact that can be mitigated.

The Welsh Government regards the Bill as an opportunity to improve the linguistic outcomes of learners who are eligible for free school meals who are currently under-represented in Welsh-medium education. The Bill places a duty on all local authorities to promote Welsh-medium education, which aims to help address the under-representation of certain groups. The Welsh Government also recognises the need to develop a better understanding of why some groups are currently under-represented in Welsh-medium education and to put measures in place promptly to address any barriers identified.

More broadly, the Bill will establish the National Institute for Learning Welsh, which will build on the experience of the National Centre for Learning Welsh. The National Centre for Learning Welsh has experience in engaging with, and developing and tailoring courses and resources to support the learning of Welsh to people from a wide range of backgrounds, among learners of post compulsory school age. The Institute will be able to build on the experience and resources already developed to further support and enable education planners and schools and to identify and overcome any barriers that may affect some groups of learners, whilst developing responsive and effective provision for all.

The Bill will increase and improve Welsh language education in schools in all areas, leading to more pupils in statutory education across Wales having more and better Welsh language provision, contributing to the promotion of the Welsh language in all areas. The Bill will create opportunities for education planners to better understand and address any barriers that some groups of learners may face in relation to accessing Welsh-medium education. These opportunities, alongside a range of further and specific support measures, will be key to mitigating potentially negative impacts of the Bill on groups of learners, including those eligible for free school meals, that have been less likely on average to access Welsh-medium education. If successful, the Bill will widen access to the Welsh language, and address the barriers that some learners may face.

Provide a summary of evidence and links

PLASC data (February 2022) indicates that 13.5% of pupils who attend Welsh-medium education are eligible for free school meals, compared to 23.3% of those who attend English-medium education (see Table 2).

Table 2: Number and proportion of learners who are eligible for free school meals by language medium of school.

Type of school	Number of pupils who are for free school meals	Percentage of pupils who are eligible for free school meals by language medium of school
Welsh Medium	10, 451	13.5%
Twin stream	1,477	19.8%
Transitional	101	26.0%
Bilingual type A	1,291	12.3%
Bilingual type B	1,575	15.3%
Bilingual type C	538	18.0%
Bilingual type Ch	0	(z)
English with significant use of Welsh	2,003	17.7%
English medium	80,293	23.3%

Source: Pupil Level Annual School Census (PLASC), February 2022 (z = not applicable)

See question 1 for an outline of other evidence and data that has been considered.

How could the decision potentially improve outcomes for those who experience socio-economic disadvantage?

Please provide detail regarding outcomes that will be improved and for who.

The Bill aims to ensure that all children, no matter where they live in Wales and regardless of linguistic or other background, have the opportunity to become confident, independent Welsh speakers. The Welsh Government believes that the Bill could contribute to the tackling poverty agenda by equipping children and young people with Welsh language skills that they might not otherwise have had the opportunity to develop. 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 more opportunities within the labour market which might otherwise have been closed to them. The engagement exercises found that similar views were held by children and young people, and largely agreement amongst participants that ability in Welsh is “an important skill for jobs in Wales” (engagement exercise participant).

Learners who are eligible for free school meals have, on average, been under-represented within Welsh-medium education. The Welsh Government sees the Bill and its implementation as an opportunity to better understand why some groups are currently under-represented in Welsh-medium education and to put measures in place to address any barriers identified.

The Code will establish a standard method for describing Welsh language ability. Upon entry into the labour market, the common reference levels will enable all learners to better communicate and define their skills to employers, regardless of location and cultural-linguistic context of the employer. Likewise, employers will be better placed to understand a candidate's level of ability in the language by drawing on common reference levels, consistent with international best practice.

Provide a summary of evidence and links

See question 1 for an outline of the evidence and data that has been considered.

How will you monitor the impact of this decision? (Please consider wider outcomes)

Plans for post-implementation review are set out within the RIA. To ensure that the post implementation review effectively monitors, reviews and evaluates the policy, including consideration of potential impacts on specific groups, an evaluability assessment will need to be completed soon after the Bill becomes law. This will help determine the nature and scope of the evaluation programme and the availability of relevant data to monitor progress. This process will also serve as an opportunity to revisit the original Theory of Change designed for the Bill, account for any changes made to the policy during the legislative drafting process, and ensure that intended outcomes and impacts of different policy interventions are clearly articulated and identified. It is on this basis that evaluation for the Bill will be designed.

Provide a summary of evidence and links

PLASC will provide data relating to eligibility for free school meals.

Annex E – Rural Proofing Impact Assessment

Describe and explain the impact of the proposal on rural people, businesses and communities.

For example: How will the proposal affect the lives of rural people, positively and negatively? For example as service users, workers and consumers.

The Welsh Language and Education (Wales) Bill aims to ensure that all children, no matter where they live in Wales and regardless of background, have the opportunity to become confident, independent Welsh speakers. The Bill introduces a number of changes that primarily relate to planning, resourcing and supporting the development of Welsh language education in schools throughout Wales. There will be limited impact of the provisions specifically on rural people. The impact upon rural areas, and specifically children who live in rural areas, will be the same as in other areas. and the impact will be over a long time span due to the changes to Welsh language education in schools. The impacts are expected to be largely positive, as learners living in rural areas, as in all areas, will have more opportunities to become independent and confident speakers of Welsh.

In addition, the Bill may lead to further positive impact upon the communities, and use of services within communities, in rural areas. Welsh-speaking communities are often found within rural areas and contain a range of Welsh-medium spaces. Access to these communities and spaces can be challenging for people who do not speak Welsh. The linguistic balance of the communities, spaces and services can also be disrupted if residents must frequently switch to English. With more opportunities for more people to become confident, independent Welsh speakers, more people will be able to access and engage with Welsh-medium spaces and Welsh-speaking communities. Having the opportunity to become confident, independent Welsh speakers may also enable children and families who have moved into primarily Welsh-speaking communities to engage with and become part of those Welsh-speaking communities.

Relevant to rural areas, with more and easier access to Welsh-medium education, the need for learners to travel far to school will also likely diminish.

Recruiting staff

In implementing the proposals, however, there are possible challenges in relation to recruiting teaching staff within rural areas.

Key to the success of the proposals will be the development, over the long term, of a workforce capable of delivering teaching through the medium of Welsh. Rural areas may face additional challenges in recruiting staff who can teach through the medium of Welsh. Rural areas that are home to a low proportion and number of Welsh speakers may face particular challenges, given the increased likelihood that local authorities will have to look to attract teaching staff into the area.

Mitigation

The Welsh Government would expect each local authority's approved WESP to account for the challenges described in their long-term planning for the workforce. The 'Welsh in education workforce plan' is the Welsh Government's 10-year plan for developing the Welsh language workforce in schools to realise the vision in *Cymraeg 2050*. The WESPs and the

'Welsh in education workforce plan' will provide the mechanisms to develop and diversify the workforce.

The Bill provides for the establishment of a National Institute for Learning Welsh, a centralised centre for support, building on the legacy of the National Centre for Learning Welsh. The Institute will provide support to schools and local authorities as they develop the provision of Welsh language education. The Centre has developed its online provision in recent years, particularly in response to the COVID pandemic. The Institute may therefore be in a position to advise and support the development of online provision to supplement teaching and reduce any short-term gaps.

The Welsh Government is also exploring the local teacher model / peripatetic provision as a means of diversifying the teaching workforce with which pupils come into contact in the short term. The Bill provides greater certainty for late immersion education in Welsh and will require greater certainty in relation to funding. Late immersion providers will therefore be in a position to recruit staff on a more permanent basis. They will also be better placed to recruit new staff, and consequently to attract more diverse staff compared to the existing teaching workforce. The providers, through their peripatetic provision could also look to focus on diversifying the teaching staff with which learners currently engage.

E-sgol is a blended learning initiative to provide online teaching and learning opportunities using direct, real-time and interactive methods. Using the range of tools and services available through Hwb, the project has enabled students from different schools to access digital teaching opportunities from qualified and experienced teachers. E-sgol may be a further means of providing additional support in the short-term to rural schools as they seek to increase and improve their Welsh language provision.

Annex F – Impact of the Bill on the Workload of Education School Staff

Introduction

The Welsh Government has set an aim of ensuring one million Welsh speakers in Wales by 2050. The main objective of this Bill is to contribute towards that goal by aiming to ensure that all pupils are confident and independent Welsh speakers, at least, by the time they reach the end of compulsory school age. Furthermore, the aim is for all pupils to develop oral skills equivalent to level B2, at least, of the Common European Framework of Reference for Languages.

Alongside new policy proposals, the Bill includes some changes to existing legislation. These changes will strengthen and complement existing processes to make them more effective. This will enable us to purposefully plan Welsh language education to improve the linguistic outcomes of our pupils.

The Bill also establishes a statutory body, the National Institute for Learning Welsh. One of the Institute's roles will be to plan the development of the education workforce and provide training for them in order to improve Welsh language learning in schools. It will also provide support for Welsh learners of all ages and promote innovation in relation to learning Welsh.

In summary, the Bill will:

- provide a statutory basis for the target of one million Welsh speakers by 2050, as well as other targets relating to the use of the language, including in the workplace and socially;
- establish a standard method for describing Welsh language ability based on the common reference levels of the Common European Framework of Reference for Languages;
- make provisions for designating statutory language categories for schools, along with requirements relating to the amount of Welsh language education provided (including a minimum amount), and Welsh language learning goals for each category;
- link linguistic planning at a national level (by placing a duty on the Welsh ministers to prepare a National Framework for Welsh Language Education and Learning Welsh), at local authority level (by placing a duty on the local authorities to prepare local Welsh in education strategic plans), and at a local school level (by placing a duty on schools to prepare Welsh language education delivery plans);
- establish a National Institute for Learning Welsh as a statutory body responsible for supporting people (of all ages) to learn Welsh.

Who have you engaged with about this proposal to assess the impact on workload, e.g. headteachers, teachers, local authorities?

The likely impacts of the Bill were identified using a variety of evidence sources, including white paper consultation responses, administrative data and research papers. A further evidence gathering exercise was also undertaken with a range of key stakeholders who are anticipated to be impacted by the proposed changes.

Two online workshops were conducted with local authorities to explain the proposed changes outlined in the Bill and to gather feedback regarding the anticipated impact. At the same time, all local authorities were invited to provide input by completing a survey which included questions on workload impacts. Feedback was received from 13 local authorities.

Feedback on costs and benefits was also received from 23 schools. Initial contact was made with 295 schools, stratified by primary and secondary provision, geographic area and language category. The 23 responses included a range of schools across the stratified categories.

Stakeholder engagement extended beyond local authorities and schools to encompass organisations identified in the white paper, as well as those likely to be impacted by the proposed changes. A discussion was held with the Policy Development & Implementation Working Group (which has representation from education unions alongside the Welsh Local Government Association (WLGA) and a local authority representative). Interviews were conducted with representatives from Estyn, National Centre for Learning Welsh, Mudiad Meithrin, the Education Workforce Council, and four Initial Teacher Education providers.

The Welsh Government issued a consultation on the proposals for a Welsh Language and Education (Wales) Bill on 27 March 2023, which closed on 16 June 2023. There were 538 responses, 366 of which were unique.

How have you built assessment of the impact of workload into this proposal?

The impact of the Bill's provisions on workload has been considered by officials at various stages during the policy development and Bill drafting process. On occasions, draft policy proposals were adapted to take account of the need to minimise their impact on workload, and in response to feedback from practitioners. In particular, the duties surrounding school delivery plans, the designation of school language categories and the process for schools to apply for exemptions to the minimum 10% Welsh language provision, have been designed to work together in a single process in order to minimise workload impacts. Where possible, the requirements in terms of what should be included in the delivery plans have been designed by taking into account initiatives that schools are already undertaking on a non-statutory basis (such as the Siarter Iaith and Cymraeg Campus initiatives). There are also provisions in the Bill to ensure a close inter-relationship between the Welsh language learning goals and Curriculum for Wales, so that expectations of curriculum progression are informed by the broader Welsh language learning goals.

What in the proposal is extra work for education staff?

Evidence gathered from stakeholders suggests that the following elements of the Bill represent areas of extra work for education staff:

PART 3: Welsh language education

Categorise the Welsh language education provided by schools; delivery plans; and late immersion provision

Establish a statutory regime to categorise the provision of Welsh language education. The Bill states that there will be three categories: (i) "Primarily Welsh Language" (ii) "Dual Language" and (iii) "Primarily English Language, partly Welsh". These will be accompanied by provisions to:

- give Welsh ministers the power to set the range of Welsh language provision for each category. The Bill sets out the Welsh language learning goals for schools in each category;
- provide that 10% is the minimum provision of Welsh language education for a "Primarily English Language, partly Welsh" school;

- allow ministers, in regulations, to increase the minimum provision of Welsh language education over time as factors such as workforce availability change;
- require schools to provide Welsh language education provision in accordance with the range of their language category;
- allow “Primarily English Language, partly Welsh” schools to apply for a temporary exemption to the duty to provide education provision in accordance with their category where more time is required to reach the statutory minimum;
- require each local authority to maintain a list of the language category of each school in its area and any new schools proposed
- require schools to prepare delivery plans outlining, amongst other things, how schools will improve or increase their Welsh language provision and where applicable, plan to move to a higher language category over time.

Give local authorities the role of approving a school's delivery plan and language category.

Place a requirement on local authorities to take all reasonable steps to provide late immersion education in Welsh and encourage demand for and participation in late immersion education.

PART 4: Planning Welsh Language Education and Learning

National Framework for Welsh Language Education and Learning Welsh

Place a duty on Welsh ministers to produce a National Framework for Welsh Language Education and Learning Welsh which sets out the education provided for pupils of compulsory school age and for lifelong Welsh language learning. The Framework will create a link between the national targets and the targets at local authority level in relation to Welsh in education. The Framework will need to be updated every five years and achievement against the targets reported annually.

Welsh in Education Strategic Plans

Change the system of Welsh in Education Strategic Plans, by shifting the focus towards plans that outline the steps the local authority intends to take to achieve the targets set upon them by Welsh ministers in the National Framework for increasing Welsh language provision in their schools.

Require such plans to detail the steps the local authority will take to:

- promote and facilitate Welsh language education and the use of Welsh in schools in its area;
- improve the provision of Welsh language education in the maintained schools in its area;
- improve the process of planning the provision of Welsh language education in its area;
- promote and provide information about the Welsh language education provided in “Primarily Welsh Language” schools and “Dual Language” schools;
- meet its duty to promote late immersion education and to take all reasonable steps to provide late immersion education in its area;

- facilitate progression in teaching Welsh and education through the medium of Welsh between nursery education and education for pupils of compulsory school age, and between education for pupils of compulsory school age and tertiary education.

The plans will also need to include information about the education workforce.

What work is being stopped or paused?

The Bill represents the next natural step towards realising the ambition of reaching one million speakers by 2050. It builds on established non-statutory infrastructure and places existing provisions on a statutory footing. In this sense, certain aspects of current Welsh language planning (e.g. WESPs, school categorisation) will stop or pause in their current form and evolve according to the new requirements outlined in the Bill.

Is any existing work being adapted and if so how will this impact on workload?

The Bill introduces changes that primarily relate to planning, resourcing and supporting the development of Welsh language education in schools throughout Wales. Therefore, education staff will have to adapt to new ways of working which will initially have an impact on workload. Local authorities and schools will be better placed to plan effectively for more and better Welsh language education in all maintained schools and settings in Wales. With clarity on language provision and learning goals within each school language category, schools will be in a better position to plan and develop their provision and workforce over time through their Welsh language education delivery plans. This will be supported by the common understanding provided by the Code, which will establish a standard method for describing Welsh language ability for all ages, including pupils and the school workforce.

There are likely to be some workload impacts each time a school prepares a Welsh language education delivery plan, which will be after three years in the first instance. The duty to prepare a Welsh language education delivery plan is placed on school governing bodies, although it is possible that other school staff may be involved. The impact on workload is likely to vary widely across schools, depending on the extent of planning they were already doing to increase or improve their Welsh language education.

Increasing the amount of Welsh language education to the minimum of 10% in 'Primarily English Language, partly Welsh' schools may have some workload impact as schools adjust to the changes. The extent of impact will vary across schools, depending on their current level of Welsh language provision, with the impact likely to be greatest in those schools starting from the lowest base.

Have you considered other ways of doing this and your conclusions?

Chapter 7 of the Explanatory Memorandum / Regulatory Impact Assessment provides a summary of the options that were considered for different parts of the Bill during policy development process.

If there is a clear workload impact, what is being put in place to mitigate this and for how long?

The evidence gathered from stakeholders suggests that the Bill will initially impact the workload of education staff as they adapt to new Bill provisions. The extent of the impact will vary considerably across schools depending on their current position in relation to Welsh language education. During the drafting phase of the Bill, steps have been taken to build on existing legislation, regulations and provisions in order to keep 'new' provisions to a

minimum. Impact on workload will be considered prior to and during the implementation phase of the Bill. There are also plans to consult and engage with stakeholders on the design and scope of the delivery plan proposed in Part 3 of the Bill and the Local Welsh in Education Strategic Plans proposed in Part 4 of the Bill.

The Welsh Government will publish guidance for schools relating to extending the provision of Welsh language education. The Bill will also establish a new statutory body, the National Institute for Learning Welsh, which will facilitate and support people of all ages to learn Welsh and develop their Welsh language skills. It will have responsibility for ensuring that Welsh language learning and transmission is given due attention within the whole education system, including in the school sector. Through specialist language training to education professionals; co-operating with stakeholders to develop resources to support Welsh language learning and teaching; and acting as a one-stop-shop for supporting all aspects of Welsh language learning, the Institute will help all schools meet the challenges of increasing the amount and improving the quality of Welsh language education, ultimately benefitting all learners in Wales.

'Primarily English Language, partly Welsh' schools moving from the lowest base toward the minimum required hours of 10% will be supported in many ways. The minimum hours will not be introduced immediately upon passing of the Bill. There will be a period of time when regulations are developed, which will give all schools time to plan appropriately for raising their Welsh language provision toward the minimum. Furthermore, the Bill also enables schools to apply for a temporary exemption (up to 3 years initially, with the possibility of up to a further 3 years) to the requirement to provide Welsh language education in accordance with their language category, where more time is needed to reach the statutory minimum.

Chapter 11 of the Explanatory Memorandum / Regulatory Impact Assessment also outlines the planned approach for monitoring, reviewing and evaluating the policy. An evaluability assessment will need to be completed soon after the Bill becomes law. This will help determine the nature and scope of the evaluation programme and the availability of relevant data to monitor progress. A formative evaluation will be conducted within the initial few years of the Bill becoming law and will focus on whether policy changes are being implemented as intended and are resulting in improvements to the infrastructure underpinning Welsh language policy planning. The impact on workload will be considered as part of this evaluability assessment and formative evaluation.