

# Agenda – Culture, Welsh Language and Communications Committee

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Meeting Venue:	For further information contact:
Committee Room 2 – Senedd	Steve George
Meeting date: 8 November 2018	Committee Clerk
Meeting time: 09.30	0300 200 6565
	<a href="mailto:SeneddCWLC@assembly.wales">SeneddCWLC@assembly.wales</a>

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- 1 Introductions, apologies, substitutions and declarations of interest**
- 2 Scrutiny of the Welsh Government Draft Budget 2019–20 – Minister for Culture, Tourism and Sport**  
(09.30–10.30) (Pages 1 – 32)  
Dafydd Elis–Thomas AM, Minister for Culture, Tourism and Sport  
Jason Thomas, Director, Culture, Sport and Tourism  
Huw Davies, Head of Finance, Culture, Sport & Tourism
- 3 Supporting and promoting the Welsh language: An inquiry into the legislative, policy and wider context: Evidence session 5**  
(10:30 – 11:30) (Pages 33 – 81)  
Llinos Roberts, Head of Corporate Communications, Welsh Language and International, Coleg Cambria (representing Colegau Cymru)  
Professor R. Gwynedd Parry, Professor of Law and Legal History, Director of Learning and Teaching, College of Law, Swansea University  
Lois Roberts, Welsh Language Officer, Coleg y Cymoedd
- 4 Supporting and promoting the Welsh language: An inquiry into the legislative, policy and wider context: Evidence session 6**  
(11:30 – 12:30) (Pages 82 – 111)  
Dr Ioan Matthews, Chief Executive, Coleg Cymraeg Cenedlaethol



Rebecca Williams, Deputy General Secretary and Policy Officer, UCAC  
Dr Gwenllian Lansdown Davies, Chief Executive, Mudiad Meithrin

## **5 Paper(s) to note**

### **5.1 Funding for and access to music education: Additional information from the Welsh Local Government Association**

(Pages 112 – 115)

### **5.2 Short inquiry into the implications of Brexit on areas within the Committee's remit: Additional information from Equity**

(Pages 116 – 120)

### **5.3 Annual scrutiny of Arts Council of Wales: Reply from the Arts Council of Wales to a letter from the Chair**

(Pages 121 – 125)

## **6 Motion under Standing Order 17.42(vi) to resolve to exclude the public from the meeting for the following business:**

## **7 Private debrief**

(12:30 – 13:00)

# Agenda Item 2

Document is Restricted

# Culture, Welsh Language and Communications Committee – Thursday 8 November 2018

Minister for Culture, Tourism & Sport

## Memorandum on the Culture Draft Budget Proposals for 2019-20

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### 1.0 Introduction

This paper provides background financial information to the Committee regarding my spending plans as the Minister for Culture, Tourism and Sport – in respect of the Culture and Heritage budgets within my portfolio, as set out in the detailed Draft Budget published on 23 October 2018.

Due to the continuing fiscal uncertainty; ongoing pursuit of austerity by the UK Government and the considerable uncertainty surrounding the shape and nature of the negotiations for the future deal with the EU, means the decision was taken to publish revenue plans for 2019-20 only, with capital plans for the next two years – 2019-20 and 2020-21.

In the letter dated 25 September 2018 inviting me to attend the Committee session, the Committee has requested information on specific budgetary matters. Responses are incorporated within this Evidence paper.

### 2.0 Commentary on Actions and detail of Budget Expenditure Line (BEL) allocations

#### 2.1 Summary of Budget Changes

An overview of the Draft Revenue and Capital budget allocations for Culture and Heritage (including Annually Managed Expenditure (AME)) is summarised in **Tables 1** and **2** below.

**Annex A** gives a breakdown of the Draft Budget figures by Action, and by Budget Expenditure Line (BEL) within each Action.

These budgets include the figures for the Welsh Books Council, but do not include any budgets for Creative Wales or Support for Film and Television Production, as these budgets are the responsibility of the Cabinet Secretary for Economy & Transport.

## Resource Budget

**TABLE 1: OVERVIEW OF RESOURCE BUDGET (Including AME)**

<b>Culture and Heritage</b>	<b>2018-19 First Supp Budget June 2018 £'000</b>	<b>2019-20 Indicative Final budget 2018-19 £'000</b>	<b>2019-20 New Plans Draft Budget £000</b>
Support for the Arts	66,924	65,859	65,859
Media and Publishing	3,649	3,649	3,649
Support for the Historic Environment	13,129	13,129	13,129
<b>Total Resource</b>	<b>83,702</b>	<b>82,637</b>	<b>82,637</b>
Museums & Libraries Pension	3,013	3,013	3,013
<b>Total AME</b>	<b>3,013</b>	<b>3,013</b>	<b>3,013</b>

The only changes are:

- £0.045m has been transferred from the Support for the Arts BEL to consolidate the Support for Culture BEL;
- The budget for Support for Culture and the Arts has reduced by £1.065m. However, this is solely due to Invest to Save repayments due from the National Museums of Wales.

The key point to note is that funding for the main bodies supported from the Culture portfolio has been maintained at the same level as 2017-18, as a result of the Two Year Budget Agreement with Plaid Cymru to provide recurrent funding to the sector of **£2.233m** in each of 2018-19 and 2019-20. The amount of £2.233m has been allocated to the Arts Council for Wales **£1.056m**, the National Museums for Wales **£0.730m**, the National Library for Wales **£0.324m** and the Welsh Books Council **£0.123m**. These are in line with the allocations for 2017-18, and the total figures for each body are shown in the BEL table at **Annex A**.

## Capital Budget

**TABLE 2: OVERVIEW OF CAPITAL BUDGET**

<b>Culture and Heritage</b>	<b>2018-19 First Supp Budget June 2018 £'000</b>	<b>2019-20 New Plans Draft Budget £'000</b>	<b>2020-21 New Plans Draft Budget £000</b>
Support for Culture and the Arts	5,422	10,459	3,062
Media and Publishing	30	30	30
Support for the Historic Environment	4,648	6,170	8,841
<b>Total Capital</b>	<b>10,100</b>	<b>16,659</b>	<b>11,933</b>

The main matters to note are:

- Support for Culture and the Arts for 2019-20 includes £5m from the Budget Agreement with Plaid Cymru to take forward the feasibility studies into a contemporary art galley and a football museum in North Wales;
- The total capital budget for 2020-21 reduces as a consequence of the above £5m a non recurrent allocation in 2019-20, together with a reduction in the capital maintenance budget for the National Library as major capital maintenance work is completed;
- The figures for Support for the Historic Environment increase as a consequence of additional funding (£3.800m in 2019-20 and £4.471m in 2020-21) allocated for investment in monuments in order to generate increased income in the future.

### Annually Managed Expenditure

Annually Managed Expenditure budgets of £3.013m support provision for any pension charges which may be necessary in respect of the pension schemes of Amgueddfa Cymru/National Museum of Wales (budget of £2.391m), and the National Library of Wales (budget of £0.622m)

## **2.2 Final out-turns for the 2017-18**

The final outturn for Culture and Heritage for 2017-18 is summarised in **Table 3**

**TABLE 3: SUMMARY OF FINAL OUTTURNS 2017-18**

<b>Culture and Heritage</b>	<b>Budget £'000</b>	<b>Actual £'000</b>	<b>Variance (Overspend)/ Underspend £'000</b>
Resource (near cash)	79,336	79,863	(527)
Resource (non cash)	5,898	5,437	461
<b>Total Resource</b>	<b>85,234</b>	<b>85,300</b>	<b>(66)</b>
Capital	12,809	13,074	(265)
<b>Total Capital</b>	<b>12,809</b>	<b>13,074</b>	<b>(265)</b>
<b>Total Culture and Heritage</b>	<b>98,043</b>	<b>98,374</b>	<b>(331)</b>

The main matters to highlight are:

- Additional resource funding was provided to the National Museums of Wales (£0.650m) and the National Library of Wales (£0.300m) to help fund the cost of pay settlements. This was funded by additional income generated by Cadw, and by a resource to capital switch in respect of the Music Endowment Fund of £0.500m;
- There was an underspend of £0.461m on non cash budgets as a result of capital maintenance charges for Cadw being lower than budgeted; and
- Additional capital funding, offset by a small capital underspend of £18k, was provided to the Welsh Books Council (£0.155m) and the National Botanic Garden (£0.128m) to enable them to address priority issues at their sites.

### **2.3 Forecast out-turn figures for 2018-19**

Forecast out-turn figures for 2018-19 are in line with budgets.

#### **Culture Overview**

Our vision for culture is set out in [Light Springs Through the Dark](#), and our cultural activities align directly with *Prosperity for All* and the cultural goal in the Well-being of Future Generations Act.

Culture involves all the things which make life worthwhile. The culture budget supports essential cultural infrastructure, as well as staff in the Welsh Government and our partner organisations to support cultural delivery across Wales.

The music and literature of Wales and our iconic castles shape our identity and tell the story of Wales to the world. Libraries, museums, archives, heritage sites and arts venues across Wales enable thousands to enjoy and engage with our culture. As well as being important in its own right, our culture protects and enhances our quality of life.

Culture creates jobs in heritage, construction and the arts. Our cultural attractions help sustain the 11,500 businesses in the tourism industry. Arts in Wales power our creative industries. Our culture is central to the Welsh brand and promoting Wales internationally.

We love culture. 75% of people in Wales attended at least 3 arts events last year. Thousands of people have benefited from free entry to our national museums. The national museum is the largest provider of education outside the classroom in Wales – over 180,000 school students enjoy education activities each year.

Culture also brings society together. Volunteering at a museum, library, archive, arts initiative or heritage site can help people gain new skills and friends, and even the confidence to apply for jobs. Digital volunteers across Wales are helping to save our heritage through the Cynefin initiative.

The Welsh Government's culture teams (Cadw, Arts and Museums Archives and Libraries) support our delivery partners – the Arts Council of Wales, Amgueddfa Cymru /the National Museum of Wales, the Royal Commission on Ancient and Historical Monuments of Wales and the National Library of Wales - who between them reach a huge audience in Wales and internationally. Through Cadw, the Welsh Government also delivers services directly to the public. Each year over 2.4 million people visit the 130 monuments in state care, whilst Cadw also supports 35,500 owners and occupiers who care for historic buildings and sites across Wales.

### **3.0 Response to Specific Information Requested by the Committee**

#### **3.1 Information on how the delivery of the Arts, Culture and Heritage portfolio and their associated outcomes are monitored and evaluated to demonstrate value for money.**

Key priorities to be delivered by our Partner Organisations are set out in their Remit Letters. The bodies prepare their Operational Plans based on these Remit Letters, including Key Performance Indicators. Progress against their Operational Plans is then monitored by my officials at Quarterly Monitoring

meetings with the bodies, and by means of steering groups and other meetings as necessary.

Evaluations are undertaken periodically and as appropriate in order to ensure that the desired outcomes are being achieved and that the investments are delivering value for money. For example:

- a study was completed by PwC - Investing in the Future to Protect our Past - to create a stronger unified identity for the Welsh heritage sector. This has led to the establishment of a strategic partnership between Cadw, the National Museums, the National Library and the Royal Commission, to work closer together on joint initiatives such as marketing and ensure the success, resilience and sustainability of the heritage sector in Wales; and
- a review was undertaken by Dr Simon Thurley into the operations and finance of Amgueddfa Cymru / National Museum Wales. The Museums are currently implementing the recommendations, in conjunction with ourselves, including the recruitment of a Commercial Director, and developing plans for their sites at Caerleon and Llanberis.

A review has also been undertaken of the operations of Cadw, looking at options of whether Cadw should remain within Government, be set up as an Executive Agency, or as a Welsh Government Sponsored Body. The conclusion was that Cadw should remain within Government, but with an Internal Operating Board, and allowed certain flexibilities to reflect the commercial elements of its operations.

### **3.2 Details of specific policies or programmes within the relevant MEGs (relevant to Arts, Culture and Heritage) that are intended to be preventative and how the value for money and costs benefits of such programmes are evaluated.**

#### **The Fusion Programme**

The recommendations in Baroness Andrews' Culture and Poverty report have been progressed through our innovative Fusion: Creating Opportunities through Culture Programme. The programme aims to eliminate barriers to cultural participation and boost skills, engagement, self-esteem and aspiration, particularly in areas experiencing economic disadvantage. Fusion has enabled a wide range of cultural organisations to contribute to a shared anti-poverty agenda by developing new, exciting opportunities for people living in the most deprived communities in Wales. The evaluation of the Programme has demonstrated that cultural bodies are developing more

coherent and collaborative approaches to tackling poverty. Of the people who took part in the 8 Fusion partnerships across Wales in 2017-18:

- 2,900 took part in activities which improved their health and wellbeing;
- 5,000 participants took part in activities to support early years and family learning;
- 420 gained a qualification or accreditation;
- 330 people volunteered;
- 50 improved their digital skills; and
- 2,700 were supported to do better at school.

Fusion is aligned to wider Welsh Government policy for supporting resilient communities by being based on three themes - employability and skills, supporting the early years, and supporting health and wellbeing. Fusion is demonstrating that the cultural sector can make a powerful contribution to these themes. Eight partnerships are delivering strategic cultural programmes and are in the second year of a two-year programme. They comprise local authorities, cultural bodies, community organisations and housing associations. It is planned to extend this for a further year. This will enable the full impact of the work to be seen, based on the existing evaluation. A total of £210,000 has already been committed in 2019-20 to support this work.

A key strand of Fusion for 2019-20 is a transformative programme, **Cultural Ambition**, which is creating 33 twelve month training placements in the heritage sector across Wales over the next three years, targeted at young people who are NEET and from disadvantaged communities. A successful application to the Heritage Lottery Fund's *Skills for the Future* programme has resulted in a £1m initiative, with the Welsh Government committing £0.070m over three years. The programme was launched at Caerphilly Castle on 11 October 2018.

MALD (Museums, Archives and Libraries Division) will measure the success of the programme through ongoing evaluation by a dedicated Evaluation and Research Co-ordinator. Evaluation during the second year of the programme in 2019-20 will include a cost benefit analysis focussing on performance against these indicators:

- Supporting the Early Years
- Gaining a Qualification
- Regular Volunteering as a route to work
- Completing a work experience placement
- Improved digital skills
- Improved attitude to formal learning
- Better able to manage physical and mental health.

In 2019, I will be making a statement on my priorities for MALD.

### **3.3 Information on allocations (and their location) in your portfolio to provide for legislation which has the potential to impact in the financial year 2019-20 as relevant to Arts, Culture and Heritage.**

There is one area of the portfolio where new legislation applies, namely the implementation of the **Historic Environment (Wales) Act 2016**. Information on allocation is outlined in paragraph 4.1 below.

### **3.4 Implications of the UK exit from the EU on the Arts, Culture and Heritage portfolio and how the Welsh Government will manage any predicted impact.**

The Committee considered the implications of Brexit on areas within its remit at its meeting on 18 October 2018. A copy of the paper provided for that meeting is attached at Annex B.

## **4.0 Specific areas**

### **4.1 Historic Environment Strategy and Implementation of Historic Environment (Wales) Act**

*Allocations and commentary in respect of the implementation of the Historic Environment Act.*

The Historic Environment (Wales) Act 2016 aims to:

- Give more effective protection to listed buildings and scheduled monuments;
- Improve the sustainable management of the historic environment; and
- Introduce greater transparency and accountability into decisions taken on the historic environment.

The costs for the Act compared to the Regulatory Impact Assessment (RIA) are summarised in **Table 4**.

**TABLE 4: COSTS FOR THE HISTORIC ENVIRONMENT (WALES) ACT COMPARED TO THE RIA**

<b>Conserve, protect, sustain and promote access to the historic and natural environment Action</b>							
<b>2016-17 Costs £'000</b>		<b>2017-18 Costs £'000</b>		<b>2018-19 Costs £'000</b>		<b>2019-20 Costs £'000</b>	
<b>RIA</b>	<b>Actual</b>	<b>RIA</b>	<b>Actual</b>	<b>RIA</b>	<b>Budget</b>	<b>RIA</b>	<b>Budget</b>
<b>230</b>	<b>221</b>	<b>220</b>	<b>181</b>	<b>197</b>	<b>217</b>	<b>197</b>	<b>197</b>

The majority of the Act was implemented in 2016 and 2017. Work continues on the implementation of the statutory register of historic parks and gardens and heritage partnership agreements, and subject to making the required statutory instruments it is anticipated that these provisions will be implemented in 2019-2020.

## **4.2 Cadw**

### *Allocations and commentary in respect of Cadw including revenue generation targets, and recent annual income generation figures*

The final income figure for 2017-18 was £7.536m. Income figures have increased very significantly since 2013-14 when the income level was £4.8m. This has been the result of a number of initiatives to attract more visitors to sites, including investment in the facilities, together with price increases.

The income budget for 2018-19 was set at £8.1m. Current forecasts suggest that the year end total income will be short of this, at around £7.3m. Reasons for this primarily include the heat wave during June and July which traditionally keeps visitors away from monuments.

Marketing plans for next year are currently being drawn up, and a number of aspects of Cadw's operations are being looked at including events and commercial hire in order to attract additional visitors and generate additional income. Further moderate admission price increases are planned at monuments for next year. Cadw admission prices, even at the key world heritage sites of Conwy and Caernarfon, currently £9.50 per adult), remain considerably lower than attractions in other countries such as Edinburgh Castle £18.50 and Dover Castle £20.

Cadw has also been allocated an additional £10.1m of capital funding for the period 2018-19 to 2021-22 to invest in sites to develop the visitor experience and increase income levels in the future. There are ambitious plans for the development of the castles at Caerphilly and Caernarfon; together with digital

interpretation and development of retail and catering facilities at a number of sites.

More broadly, Cadw is working for an accessible and well-protected historic environment for Wales. It looks after and opens to the public 130 monuments across Wales. Of these, 29 are staffed sites and the remainder are free open-access sites. Capital expenditure on the conservation of monuments also remains an important priority.

Cadw's wider role includes the provision of advice and support for the thousands of people and organisations across Wales who live in or care for historic buildings and monuments – the great majority of which are in private ownership. This includes 30,000 listed buildings and 4,200 scheduled monuments. During 2017-18- Cadw considered 2,570 consultations and applications relating to these designated historic assets. Cadw also supports Ministers in determining which historic assets warrant statutory protection, and the development and implementation of strategy and policy for the historic environment.

#### **4.3 National Museum Wales and National Library of Wales**

##### Allocations and commentary in respect of the National Museum of Wales and the National Library of Wales, including any revenue generation targets

My officials have continued to monitor the financial positions of the National Museum and National Library and advise me on these during the year. Both bodies receive annual Grant-in-Aid funding allocations from the Welsh Government which reflect the importance of these bodies to Wales and their contribution to *Taking Wales Forward*.

Revenue allocations for the National Museums of Wales and the National Library of Wales have been retained in line with the budgets for 2017-18 and 2018-19, as a result of the Budget Agreement with Plaid Cymru. Both bodies have set targets for generating income from other sources. The National Library generates some £0.7m per annum from other sources, excluding any bequests. The National Museum's income generation budget for 2018-19 is £5.175m gross, or £1.863m net after the costs of generating the income are taken into account.

Capital allocations to these bodies include significant amounts to undertake major capital maintenance work. Total amounts allocated over the period 2017-18 to 2020-21 amount to £8m for the National Library and £5m for the National Museums.

Free entry to the National Museum remains a commitment in *Taking Wales Forward 2016-2021*, which has led to a doubling in visitor numbers; removes

barriers to participation in cultural activities for people from disadvantaged backgrounds and/or low incomes; and encourages repeat visits and community use of our national museum sites and facilities.

On 18<sup>th</sup> October 2018 St Fagans fully opened following a £30m redevelopment, to which the Welsh Government contributed £7m. I welcome the revitalised and renewed site, and commend the National Museum for remaining accessible throughout the redevelopment, and for the way they have involved so many groups and communities in the planning. It truly is a jewel in Wales' crown.

In addition, the National Museum is taking forward the recommendations of Dr Simon Thurley's review and has begun planning on how to improve the National Slate Museum and the National Roman Legion Museum, two of Dr Thurley's key recommendations.

#### **4.4 Libraries and Museums**

##### *Allocations and commentary in respect of the Libraries and Museums Strategies*

##### **Libraries**

Public libraries deliver an extensive range of activities for communities, families and individuals, and with 1.4 million library members, they reach almost 50% of the population. The latest bulletin from the National Survey for Wales found that 33% of those surveyed had used a library in the last 12 months. Libraries engage with partners to support digital inclusion, skills, early years reading and learning, health and wellbeing, and social inclusion - particularly for older people; as well as providing access to culture, information and technology. As a result, investment in schemes such as Every Child A Library Member (ECALM) and Books Prescriptions Wales (for mental health) contribute to Welsh Government priorities. In 2019-20, the viability of closer working on a regional basis will be explored.

A priority for 2019-20 will be to continue support of the development of the National Digital Library Service which provides people across Wales with access to e-books, e-zines, e-newspapers and e-comics alongside the implementation of the all-Wales Library Management System. All remaining authorities will be using the system by the end of 2019. As a result of this, work will be taken forward to scope the options for an all-Wales library card. My officials will monitor the provision of public library services through the Welsh Public Library Standards to ensure that a 'comprehensive and efficient' service is provided by local authorities, as required by the 1964 Public Libraries and Museums Act 1964.

## **Museums**

Support continues to be offered to museums to meet and maintain the UK Museum Accreditation Standard. This is a key area of work to ensure that the public receive high quality services and the portable heritage of the nation is properly protected.

### **Funding allocated to take forward recommendations in the Review of Local Museums**

Officials are progressing with a number of the recommendations outlined in the Expert Review of Local Museum Services.

Work continues on developing a regional approach to working for local museums. Feasibility work was delayed but has now taken place to identify options. Officials will discuss the report received and identify the most appropriate way forward to ensure better partnership working on a regional level.

The Capital Libraries learning fund has been extended to museums and archives. This grant programme provides £1.38m funding each year. Museums are eligible to apply for funding to transform their services. In 2018-19 four museums received a total of £0.49m. Nine museums have submitted an Expression of Interest for the 2019-20 fund, putting in bids totalling £1.14m.

## **4.5 Arts and Arts Council of Wales**

### **Allocations and commentary in respect of the Arts Council of Wales**

The revenue allocation for the Arts Council of Wales (ACW) has been retained in line with the budgets for 2017-18 and 2018-19, as a result of the Two Year Budget Agreement with Plaid Cymru. The capital allocation has also been retained – at £0.355m.

### **Allocations and commentary in respect of funding to promote access to the arts:**

Increasing levels of access and participation in the arts is key for ACW. It will remain a priority in the Remit letter. ACW uses most of its grant-in-aid to core fund 67 key strategic arts organisations and we will expect them to continue to prioritise access and engagement work. ACW's new Corporate Plan, launched in September this year, maintains this commitment but with an increased focus on access, equalities and diversity. They have identified a key strategic priority to deliver this: *Promoting **Equalities** as the foundation of*

*a clear commitment to reach more widely and deeply into all communities across Wales.*

*Allocations and commentary in respect of funding aimed at using arts and culture to tackle poverty;*

Arts Council of Wales (ACW) is involved in the Fusion programme at a strategic level, through its participation on the Cultural Inclusion Board, the Fusion Operations Group and the Learning Group; also its *Night Out* scheme is a National Partner. ACW's support is primarily through its arts organisations rather than by direct funding.

On a practical, operational level:

- *Night Out* has (for the past two years) worked proactively with Fusion partners, attending regional meetings and delivering Young Promoter projects (and in some cases Arts Award accreditation) in 6 of the 8 Fusion areas (NPT and Gwynedd have yet to take up the offer)
- ACW advises and brokers introductions between Fusion partners and artists / arts organisations in their areas
- Where relevant, ACW helps to publicise opportunities and disseminate information via its e-news, website and to Arts Portfolio Wales clients.

ACW undertakes a significant amount of work and shows a strong commitment to increase participation by engagement with and representation of under-represented groups (protected characteristic groups) in its work and in the work of those it funds.

ACW has a dedicated Equalities Monitoring Group chaired by a Member of its Council, and all its strategies and programmes undergo extensive equality impact testing.

*Allocations and commentary in respect of funding aimed at encouraging/enabling arts organisations to generate more of their own income:*

ACW has launched its 'Resilience' programme which is designed to ensure that arts organisations are more business focussed, professional in their management and operation, and able to develop and manage their activities to ensure long-term stability and financial security in a challenging financial climate. This has proved hugely beneficial for the 80% of ACW's core revenue portfolio who are signed-up to the programme. ACW are working with a number of other revenue clients who they feel could benefit from the programme while they are also exploring opportunities to expand the scheme to arts organisations who sit outside their portfolio.

Welsh Government are working closely with ACW and other strategic partners on delivery and implementation of the recommendations of the Culture and Welsh Language Committee Report 'Building Resilience - Non-Public Funding of the Arts'. This includes ongoing discussions on possible additional and alternative support for this work.

#### **4.6 Media and broadcasting**

##### *Allocations and commentary in respect of any funding for the media and broadcasting*

The revenue allocation for the Welsh Books Council (WBC) has been retained in line with the budgets for 2017-18 and 2018-19, as a result of the Budget Agreement with Plaid Cymru. This will be a boost to the publishing industry in Wales. A number of developments which have been made possible as a result of additional Welsh Government funding during the last few years will continue. This includes supporting editorial and marketing posts within a number of publishing houses. The majority of publishing houses are located in rural and post-industrial disadvantaged areas in north and west Wales and therefore make a positive contribution to the fragile economy of these areas as well as the Welsh language. The WBC has a key role in delivering the Welsh Government's Welsh Language Strategy.

In addition to protecting the WBC's revenue budget, the WBC has received £0.532m of additional capital funding from the Welsh Government during recent years to undertake urgent repair work on its Headquarters and Distribution Centre in Aberystwyth and to upgrade the Council's IT systems. This has benefitted the whole publishing industry in Wales as well as the WBC itself.

The publishing industry in Wales contributes to the majority of our Well-being goals especially *A Wales of vibrant culture and thriving Welsh language*, *A prosperous Wales* and *A Wales of cohesive communities*. The WBC continues to have a vital role in contributing to the Welsh Government's strategic agenda in a number of areas including promoting the Welsh language and literary skills. These, in turn, contribute to social-cohesion, well-being and tackling child poverty, as well as supporting economic benefits within the creative industries.

Welsh Government's funding channelled through the WBC includes funding for Golwg 360, the Welsh-language daily on-line news service, and support for Welsh-medium news and current affairs publications *Golwg* and *Barn*. The funding to the WBC also supports English-language magazines which cover several areas including current affairs/culture.

The Welsh Government's commitments in terms of broadcasting involve staff resource (funded from the Welsh Government Central Services and Administration Main Expenditure Group budget).

#### **4.7 Creative Wales**

##### *Allocations and commentary in respect of any funding for the development of Creative Wales*

The aim of Creative Wales is to support the economic growth of the sector, helping businesses create and exploit creative content, prioritising support to those who can respond to the opportunities of the global digital creative economy.

To do this we need to provide a holistic offer, becoming a 'go to' brand for the sector. We have a clear strategy that identifies the need to encompass the following areas:

- Infrastructure and creative spaces
- Talent, skills and supply chain development
- Funding for business and access to specialist industry-led advice
- Improving networks, partnerships and collaborative working
- Better exploitation of social media and digital platforms for service provision
- Improving creative businesses' ability to create, retain and exploit their intellectual property in the Welsh Economy

Budgetary requirements for Creative Wales are still in development and are the responsibility of the Cabinet Secretary for Economy and Transport.

#### **4.8 Support for film and television production**

##### *The latest review and projected revenue figures, and occupancy rates for Pinewood Studios since the commencement of the Management Services Agreement in November 2017.*

##### *The latest figures for the Media Investment Budget, including total investment, return on investment and Welsh Spend (broken down by project)*

##### *The latest figures for the Wales Screen Fund including total investment and Welsh spend (broken down by project)*

##### *The latest figures regarding the Welsh Governments loan to Bad Wolf Studios including total repayments and Welsh spend (benchmarked against Welsh Government targets)*

The Public Accounts Committee are holding a scrutiny session on the Auditor General for Wales' Report on Pinewood Studios on 5 November. We are preparing an update to the Public Accounts Committee, and we will write separately to this Committee following that session.

**Culture, Welsh Language & Communications Committee**  
**Thursday 18<sup>th</sup> October 2018**

**Implications of Brexit on areas within the Committee's Remit.**  
**Evidence Paper - Minister for Culture, Tourism and Sport**

The culture sector makes a significant contribution to the Welsh economy, contributing to inclusive economic growth as set out in the **Economic Action Plan**, helping to reduce inequality and contribute to our goals in the **Future Generations of Wales Act**.

It is currently impossible to quantify the socio-economic and broader implications of leaving the European Union.

Among some of the obvious consequences are:

- **Loss of funding for major projects** – there has been a significant level of EU support for major cultural and heritage facilities in Wales over the past ten years including over **£74m for heritage projects** such as the iconic and breathtaking investment in Harlech Castle;
- **Loss of funding for collaborative projects** which will affect sector bodies, universities and others, and for **skills development**, particularly in creative industries;
- **Impact on the sector markets** – Welsh artists and others rely on the ability to showcase their offer internationally, whilst 45% of cultural industries export to the EU. Major cultural industries report that they are likely to leave the UK if there is no deal which will in turn impact on local creative businesses
- **Regulatory impact** - the biggest impact is likely to be on digital records, intellectual property and copyright. The EU does not regulate the historic environment and although there are some implications for cultural property we are not facing the same scale of legal or regulatory challenges as for example, the natural environment
- **Potential impact of financial volatility** (such as the value of the pound) – impossible to quantify but potential increased costs for example paper costs for publishers have already risen by 25%.

The Welsh Government as a whole has been clear and consistent in its six priorities:

- Continued full and unfettered access to the Single Market and participation in a Customs Union to protect the 60% of Welsh exports that go to the EU and to retain and increase job-creating investment.
- A new migration system that links migration more closely to employment so we can recruit the doctors, nurses, engineers and other workers we need, while protecting employees from exploitation.
- Wales not to lose a penny of funding due to Brexit as promised during the referendum.
- A fundamentally different constitutional relationship between the devolved governments and the UK Government – based on mutual respect. No claw back of devolved powers to Whitehall.
- Maintaining the current social and environmental protections, including workers' rights.
- The vital importance of a transition period to avoid a 'cliff edge'.

In relation to culture our strategy has therefore been to:

- **engage with organisations** in the sector to understand the impact of Brexit, get intelligence on their experiences and work together to prepare for the practical implications of leaving the EU'
- **work with agriculture and across Welsh Government** to ensure culture, heritage and historic environment are taken into account in new arrangements
- **develop new networks** and relationships both in Europe and around the world to promote culture in Wales, working with the British Council, the European Heads of Heritage forum and others;
- Liaise with the **UK Government DCMS** in relation to cultural property regulations and new statutory instruments
- Work collaboratively, within Welsh Government and with our stakeholders and partners to **raise the international profile of Wales**

Each of the individual bodies in the sector including the Arts Council, Amgueddfa Cymru/the National Museum, the National Library and the Royal Commission on the Ancient and Historical Monuments in Wales has also been working to explore new sources of funding and to maintain existing, and build new, networks.

Whilst Tourism does not fall within the remit of the committee, it is worth noting that our **major tourism marketing campaigns** and activities also play a critical role in helping us to continue to build the visibility and reputation of Wales internationally. There is the potential to harness our defining creative, cultural and sporting exports to build Wales brand in key markets such as Germany, Spain and the USA as well as emerging markets such as China, India and Japan in a post-Brexit context.

Of course, we are not considering the impact on the culture sector in isolation. A cross-departmental Welsh Government European Transition Officials Group (**ETOG**) supports the Cabinet Sub-Committee on European Transition. ETOG sub-groups have also been established as needed, for example on Brexit-related legislation, UK frameworks, preparedness, economic considerations, communications and on funding. We also engage with a range of stakeholders and inter-governmental forums. This joined up and collaborative approach has enabled the Welsh Government to be on the front foot in responding to the decision to leave the EU and allowed us to contribute constructively to discussion and debate in order to influence UK Government positions, and to provide robust proposals for the future based on strong evidence.

**CULTURE - DRAFT BUDGET BEL TABLE 2019-20 in £'000s**
**RESOURCE BUDGET - Departmental Expenditure Limit**

Actions	BEL	BEL Number	2018-19 First Supplementary Budget June 2018 £'000	Baseline Adjustment	2019-20 Revised Baseline £'000	Change £'000	2019-20 New Plans Draft Budget £'000
Support for Culture and the Arts	Arts Council of Wales	5800	31,227	-	31,227	-	31,227
	Arts Council of Wales - Depreciation	5800	119	-	119	-	119
	Support for the Arts	5812	45	-	45	(45)	-
	<b>Total Arts Council of Wales</b>		<b>31,391</b>	-	<b>31,391</b>	<b>(45)</b>	<b>31,346</b>
	Amgueddfa Cymru - National Museum of Wales	5540	21,563	(1,065)	20,498	-	20,498
	Amgueddfa Cymru - National Museum of Wales - Depreciation	5540	1,120	-	1,120	-	1,120
	<b>Total Amgueddfa Cymru - National Museums of Wales</b>		<b>22,683</b>	<b>(1,065)</b>	<b>21,618</b>	-	<b>21,618</b>
	National Library of Wales	5660	9,585	-	9,585	-	9,585
	National Library of Wales - Depreciation	5660	1,250	-	1,250	-	1,250
	<b>Total National Library of Wales</b>		<b>10,835</b>	-	<b>10,835</b>	-	<b>10,835</b>
	Museums, Archives and Libraries	6170	1,754	-	1,754	-	1,754
	Support for Culture	6170	261	-	261	45	306
	<b>Total Strategic leadership for museum, archive and library services</b>		<b>2,015</b>	-	<b>2,015</b>	<b>45</b>	<b>2,060</b>
	<b>Total Support for Culture and the Arts</b>			<b>66,924</b>	<b>(1,065)</b>	<b>65,859</b>	-
Media and Publishing	Welsh Books Council	6150	3,649	-	3,649	-	3,649
<b>Total Media and Publishing</b>			<b>3,649</b>	-	<b>3,649</b>	-	<b>3,649</b>
Support for the Historic Environment	Cadw	2700	7,608	-	7,608	-	7,608
	Cadw - Depreciation	2700	275	-	275	-	275
	Cadw - Other non cash	2700	3,000	-	3,000	-	3,000
	Royal Commission on the Ancient and Historical Monuments of Wales	6200	1,531	-	1,531	-	1,531
	Royal Commission on the Ancient and Historical Monuments of Wales - Depreciation	6200	134	-	134	-	134
	National Botanic Garden of Wales	2710	581	-	581	-	581
<b>Total Support for the Historic Environment</b>			<b>13,129</b>	-	<b>13,129</b>	-	<b>13,129</b>
<b>Total Culture</b>			<b>83,702</b>	<b>(1,065)</b>	<b>82,637</b>	-	<b>82,637</b>
<b>Depreciation &amp; other non-cash</b>			<b>5,898</b>	-	<b>5,898</b>	-	<b>5,898</b>
<b>Near Cash</b>			<b>77,804</b>	<b>(1,065)</b>	<b>76,739</b>	-	<b>76,739</b>
<b>Total Resource Budget - Culture</b>			<b>83,702</b>	<b>(1,065)</b>	<b>82,637</b>	-	<b>82,637</b>

**RESOURCE BUDGET - Annually Managed**

Actions	BEL	BEL Number	2018-19	2019-20
Museums	Museums Pensions	5641	2,391	2,391
Libraries	Libraries Pensions	5781	622	622
<b>Total Support for Culture and the Arts</b>			<b>3,013</b>	<b>3,013</b>
<b>Total AME - Culture</b>			<b>3,013</b>	<b>3,013</b>

TRADITIONAL CAPITAL BUDGET - Departmental Expenditure Limit											
Actions	BEL	BEL Number	2018-19 First Supplementary Budget (June 2018) £'000	2019-20				2020-21			
				2019-20 Capital Plans as per 2018-19 Final Budget	2019-20 Transfers within MEG £'000	2019-20 Additional Allocations/ Other Changes £'000	2019-20 New Plans Draft Budget	2020-21 Capital Plans as per 2018-19 Final Budget	2020-21 Transfers within MEG £'000	2020-21 Additional Allocations/ Other Changes £'000	2020-21 New Plans Draft Budget
Support for Culture and the Arts	Arts Council of Wales - Capital Investment (inc WMC)	5800	355	355	-	-	355	355	-	-	355
	<b>Total Arts Council of Wales</b>		<b>355</b>	<b>355</b>	-	-	<b>355</b>	<b>355</b>	-	-	<b>355</b>
	Amgueddfa Cymru - National Museums of Wales - Capital Maintenance	5540	88	700	-	-	700	428	-	-	428
	Amgueddfa Cymru - National Museums of Wales - Specimen Purchase	5540	269	269	-	-	269	269	-	-	269
	<b>Total Amgueddfa Cymru - National Museums of Wales</b>		<b>357</b>	<b>969</b>	-	-	<b>969</b>	<b>697</b>	-	-	<b>697</b>
	National Library of Wales - Capital Maintenance Grant	5660	2,975	2,400	-	-	2,400	275	-	-	275
	National Library of Wales - Specimen Purchase Grant	5660	305	305	-	-	305	305	-	-	305
	<b>Total National Library of Wales</b>		<b>3,280</b>	<b>2,705</b>	-	-	<b>2,705</b>	<b>580</b>	-	-	<b>580</b>
	Museums, Archives and Libraries	6170	1,430	6,430	-	-	6,430	1,430	-	-	1,430
	<b>Total Strategic leadership for museum, archive and library services</b>		<b>1,430</b>	<b>6,430</b>	-	-	<b>6,430</b>	<b>1,430</b>	-	-	<b>1,430</b>
<b>Total Support for Culture and the Arts</b>			<b>5,422</b>	<b>10,459</b>	-	-	<b>10,459</b>	<b>3,062</b>	-	-	<b>3,062</b>
Media and Publishing	Welsh Books Council - Capital	6150	30	30	-	-	30	30	-	-	30
<b>Total Media and Publishing</b>			<b>30</b>	<b>30</b>	-	-	<b>30</b>	<b>30</b>	-	-	<b>30</b>
Support for the Historic Environment	Cadw - Capital Expenditure	2700	4,538	2,260	-	3,800	6,060	4,355	(95)	4,471	8,731
	RCAHM	6200	15	15	-	-	15	15	-	-	15
	National Botanic Garden	2710	95	95	-	-	95	-	95	-	95
<b>Total Support for the Historic Environment</b>			<b>4,648</b>	<b>2,370</b>	-	<b>3,800</b>	<b>6,170</b>	<b>4,370</b>	-	<b>4,471</b>	<b>8,841</b>
<b>Total Capital - Culture</b>			<b>10,100</b>	<b>12,859</b>	-	<b>3,800</b>	<b>16,659</b>	<b>7,462</b>	-	<b>4,471</b>	<b>11,933</b>

# Agenda Item 3

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**Pwyllgor Diwylliant, y Gymraeg a Chyfathrebu  
National Assembly for Wales  
Culture, Welsh Language and Communications  
Committee:**

# **Cefnogi a hybu'r Gymraeg Supporting and promoting the Welsh Language**

**14.09.2018**

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## Introduction

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1. ColegauCymru welcomes the opportunity to respond to the National Assembly for Wales' Culture, Welsh Language, and Communications Committee inquiry into supporting and promoting the Welsh Language.
2. ColegauCymru is a post compulsory charity and represents the 13<sup>3</sup> further education (FE) colleges and FE institutions in Wales. In In 2014/15 more than 150,000 learners were enrolled at further education institutions in Wales. Two-thirds of all 16-18 year old learners in Wales choose to study at colleges. Most learners are adults. In 2014/15, 57% of colleges' learners were adults over the age of 19. Most studied part-time. We are happy for our response to be placed in the public domain.

### Question 1

**Post legislative scrutiny of the Welsh Language (Wales) Measure 2011 - to assess the perceived successes and limitations of the legislation, and the impact and effectiveness of Welsh Language standards in improving and increasing access to Welsh language services.**

The Welsh Language (Wales) Measure 2011 and standards regime has certainly succeeded in raising the profile of the Welsh language.

Adhering to the legislation has required a welcome shift in bilingual workforce planning at ColegauCymru and colleges, with an increase in the number of posts advertised with Welsh as essential and/or desirable. This reflects a measure of success of the legislation. Recruiting Welsh speakers or investing in learning Welsh opportunities for staff allows for the organisations to offer an improved bilingual service. This has led to a rise in the number of Welsh speakers at ColegauCymru, with Welsh speakers recruited into Marketing and Digital Communications Assistant and Public Affairs Assistant roles. This has increased our capacity to hold meetings and events through the medium of Welsh and respond to customer demand.

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<sup>3</sup> The 13 include, FE colleges and Addysg Oedolion Cymru / Adult Learning Wales. The College Merthyr Tydfil, Coleg Sir Gâr and Coleg Ceredigion are part of university groupings.

Conversely, Standards remain numerous, complex and risk being misinterpreted in practice. The intended codes of practices aimed to avoid exactly this kind of misinterpretation and would have been a great support when compliance notices were first issued to organisations. Bodies should be required to deal with complaints about the Standards internally in the first instance. The Commission should only investigate complaints in serious cases.

There is a risk that the time spent on compliance may divert resources and staff away from the main task of improving access to, and take up of, Welsh language services. The system needs to be simplified with a better balance between compliance and promotion. The concept of Welsh Language Standards however should be retained.

## **Question 2**

### **To assess whether the legislative framework supports or limits Welsh language promotion and its use.**

The objective of the legislative framework is to strike the right balance between promoting the language and regulating Welsh language duties. It is the Commissioner's role to promote the Welsh language, and improve the opportunities people have to use it.

As set out earlier, the current compliance framework is complex and takes up a disproportionate amount of time and resources. Now is the time to reconsider this balance, with more emphasis on promotion and encouraging people to request and use the services available.

The recent #hawliau promotional campaign had the right ethos, however some colleges felt that it was geared towards higher education staff and students more so than further education.

There are a number of competing initiatives in terms of promoting the Welsh language. A more strategic and joined up approach needs to be taken with the Welsh Language Commissioner and the Welsh Government working more closely together.

Further education colleges are well placed to promote Welsh language initiatives to staff and learners and could be used more effectively.

## **Question 3**

### **An international perspective - gathering evidence on legislation to protect and promote minority language planning in other countries.**

ColegauCymru has taken a keen interest in minority language planning and promotion from other countries. Committed to international benchmarking as a Welsh Government priority for further education, ColegauCymru has facilitated two Erasmus+ funded trips for college staff to the Basque Country and Catalonia to look at language planning and promotion in vocational education.

Attitudes towards bilingualism and multilingualism in these countries is healthy. Driven by Government commitment, language is seen very much as a mode of communication and there is little friction or competition between using one or the other. Language learning is embedded in the whole education system and in business operations and is seen as adding value to the Basque economy, for instance.<sup>4</sup>

However, there are other factors that impact on effective language planning, including financial constraints – Wales' economy is currently very different from other countries examined. For instance, financial investment in the Basque language has been significant and it would be difficult to match this level in Wales at the present time.

ColegauCymru and the further education sector are committed to playing a central role in supporting Welsh Government to achieve its ambition of reaching a million Welsh speakers by 2050. This is a worthwhile challenge. Together as a nation, with the right balance of legislation, regulation, but crucially, promotion there is true potential to change the future of the language and create a truly bilingual Wales.

**Claire Roberts**

**Cyfarwyddwr Materion Allanol / External Affairs Director**

**ColegauCymru**

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<sup>4</sup>

[http://www.euskara.euskadi.eus/contenidos/informacion/value\\_economic\\_impact\\_basque/en\\_def/adjuntos/Euskararen%20eragin%20ekonomikoa\\_Laburpena\\_English%20AZKENA%202.pdf](http://www.euskara.euskadi.eus/contenidos/informacion/value_economic_impact_basque/en_def/adjuntos/Euskararen%20eragin%20ekonomikoa_Laburpena_English%20AZKENA%202.pdf)

## **Cynulliad Cenedlaethol Cymru:**

### **Pwyllgor Diwylliant, y Gymraeg a Chyfathrebu**

#### ***Cefnogi a hybu'r Gymraeg: Ymchwiliad i'r cyd-destun deddfwriaethol, polisi ac ehangach***

Ymateb i'r ymgynghoriad gan Yr Athro R. Gwynedd Parry,  
Academi Hywel Teifi  
Prifysgol Abertawe.

1. Cyflwynir yma rai sylwadau cryno mewn ymateb i'r ymgynghoriad gan Bwyllgor Diwylliant, y Gymraeg a Chyfathrebu, Cynulliad Cenedlaethol Cymru, ar lwyddiant y fframwaith deddfwriaethol o safbwynt y Gymraeg. Gofynnir am dystiolaeth neu sylwadau a fydd o gymorth wrth asesu llwyddiannau a chyfyngiadau Mesur y Gymraeg (Cymru) 2011, gan gynnwys effaith ac effeithiolrwydd safonau'r Gymraeg wrth hyrwyddo'r defnydd o'r Gymraeg.
2. Nid peth hawdd yw gosod y safonau yn y glorian a hwythau yn eu babandod. Er i'r ddeddf a genhedlodd y safonau dderbyn bendith frenhinol ar ddechrau 2011, hir fu'r beichiogrwydd o ran y llunio, yr ymgynghori a chymeradwyo'r cynnwys, cyn geni'r safonau cyntaf. Ychydig dros ddwy flynedd sydd wedi mynd heibio ers i'r safonau cyntaf ddod yn weithredol, ac y mae'r gwaith o lunio a gosod safonau ar gyfer yr holl sectorau yn parhau i fynd rhagddo. Nid fy mod yn awgrymu fod yr amser i gloriannu yn gynamserol. Ond rhaid cofio mai cropian mae'r safonau o hyd.
3. Er hyn, credaf fod sail i gredu fod y safonau, neu gallant fod, yn gyfrwng i ddylanwadu ar arferion ieithyddol, ac o greu cyfleoedd newydd i ddefnyddio'r iaith. Daeth y safonau, oherwydd eu natur a'u ffurf, yn dasgau a thargedau i'r sefydliadau sydd o dan awdurdodaeth y safonau. Er mwyn cydymffurfio â'r safonau, a darparu'r gwasanaethau a ddisgwyliid, bu'n rhaid i nifer o sefydliadau fuddsoddi mewn adnoddau (megis arwyddion/cyhoeddiadau dwyieithog), cyflogi pobl sydd yn siarad Cymraeg (i ateb y ffôn yn Gymraeg, er enghraifft), ac addasu eu gweithdrefnau (sicrhau cyfieithwyr mewn cyfarfodydd neu gyfieithu papurau i'r Gymraeg, er enghraifft). Am y tro cyntaf i rai sefydliadau, daeth y Gymraeg yn bwnc y bu'n rhaid ei gymryd o ddifri. Ac er bod y broses o osod y safonau wedi bod yn hir a llafurus, y mae'r safonau wedi ysgogi ymateb a newid sefydliadol mewn rhai amgylchiadau.
4. Yn y drafodaeth gyhoeddus ar y drefn sydd ohoni a gafwyd yn ddiweddar, clywyd lleisiau'n mynnu bod gormod o bwyslais ar reoleiddio ar draul hyrwyddo. Dywedwyd fod hyrwyddo'r Gymraeg yn dasg a esgeuluswyd, a bod gormod o adnoddau ac egni wedi eu treulio ar y gwaith o reoleiddio. Cyhoeddodd Llywodraeth Cymru eu bwriad i ddiwygio'r ddeddf er mwyn cael, fel y dywedwyd, gwell cydbwysedd rhwng rheoleiddio a hyrwyddo, gan mai dyna, yn ôl y sôn, fyddai'n cynyddu'r nifer o siaradwyr ac yn diogelu dyfodol yr iaith. Efallai'n wir. Er hynny, a chan dynnu ychydig ar gefndir cyfreithiol proffesiynol, credaf fod angen gofal rhag dibrisio gwerth rheoleiddio pwrpasol.
5. Roedd sefydlu'r mecanwaith safonau ynghyd â swydd y Comisiynydd fel rheoleiddiwr a chanddi sancsiynau cyfreithiol lle ceid methiant â chydymffurfio, yn torri tir newydd.

Honnwyd y gallai safonau fod yn gyfrwng i greu hawliau iaith, rhywbeth y galwyd amdano'n groch ar hyd y blynyddoedd. Roedd disgwyl y byddai'r rheoleiddio, trwy safonau, yn creu hawliau, ac yn ffurf o hybu a hyrwyddo ar yr un pryd, gan hybu newid ymddygiad a newid agweddau tuag at y Gymraeg. Droeon, fe bwysleisiwyd yr angen am newid diwylliant ieithyddol cyn y ceid cynnydd yn y defnydd o'r Gymraeg. Yr oedd y safonau i weithredu fel arfau a fyddai'n hybu'r newid angenrheidiol mewn agweddau cymdeithasol ac arferion sefydliadol, a thrwy hynny yn grymuso siaradwyr yr iaith wrth iddynt fynnu ei defnyddio.

6. Gellir gor-bwysleisio'r gwahaniaeth rhwng hybu a rheoleiddio, gan mai ffurf o hybu yw rheoleiddio. Antithesis ffug yw'r un sydd yn gosod hyrwyddo a rheoleiddio yn erbyn ei gilydd. Ac nid yw hybu neu hyrwyddo, yn absenoldeb elfen o reoleiddio, yn debygol o fod yn effeithiol lle mae elfen o wrthwynebiad neu gyndynrwydd i newid ymddygiad, neu hen arferion ac agweddau negyddol tuag at yr iaith yn hirymaros. Gall y gwrthwynebiad fod yn agored ar adegau, ond, yn amlach na pheidio, y mae'n gynnwl a chyfrwys. Y mae yna lawer o ewyllys da tuag at y Gymraeg, yn sicr, ond y mae yna lawer o wrthwynebiad tawel iddi hefyd. Gall ewyllys da olygu cefnogaeth iach neu oddefgarwch cyndyn. Y mae'r profiad gyda deddfwriaeth cydraddoldeb (ar sail hil, anabledd, rhywioldeb, ac yn y blaen) yn dangos fod angen grym y ddeddf i newid agweddau a rhagfarnau, neu, os nad eu newid, i'w gwneud yn esgymun mewn cymdeithas.
7. Bwriad Llywodraeth Cymru yw ymddiried y gwaith o reoleiddio, o safbwynt gorfodi cydymffurfiaeth â'r safonau yn ogystal â hyrwyddo, yng ngofal Comisiwn. Cafwyd astudiaeth ysgolheigaidd yn dadansoddi'r gwendidau gyda threfn bresennol y Comisiynydd.<sup>1</sup> O safbwynt gorfodi cydymffurfiaeth â safonau, yn y pen draw, yr hyn sydd yn bwysig yw bod siaradwyr y Gymraeg yn deall y drefn a'u hawliau lle ceir, er enghraifft, ymyrraeth â'u hawliau/rhyddid ieithyddol, neu fethiant i weithredu'r safonau. Eglurder y drefn, ei hygrededd, ei hannibyniaeth, cymhwysedd y rheoleiddiwr, tryloywder ac atebolrwydd y broses, dyna'r rhinweddau pwysicaf mewn cyfundrefn rheoleiddio.
8. Y mae'r mwyafrif y safonau yn ymwneud â gwasanaethau, sef derbyn gwasanaethau trwy gyfrwng y Gymraeg. Rhestrir y gwasanaethau penodol y disgwylir eu derbyn yn y Gymraeg yn y safonau. Bwriad Llywodraeth Cymru yw cyfyngu'r safonau i faes gwasanaethau, gan ail-frandio'r dyletswyddau corfforaethol eraill sy'n rhan o'r system safonau ar hyn o bryd yn "ddyletswyddau cynllunio ieithyddol". Er hyn, mae'n deg gofyn a yw "gwasanaethau" ynddynt eu hunain yn cwmpasu holl weithgareddau, neu hyd yn oed brif weithgareddau'r sefydliadau, ac a yw'r pwyslais ar safonau fel "gwasanaethau" yn debygol o newid diwylliant ac ymddygiad sefydliadol tuag at y Gymraeg? A yw'r pwyslais ar safonau cyflenwi gwasanaeth yn creu'r amgylchiadau lle gall y Gymraeg ddod yn rhan hanfodol o fywyd a diwylliant sefydliadau, a thrwy hynny greu'r gweithle dwyieithog?
9. Os ydym am weld newid sylfaenol yn niwylliant ieithyddol ein sefydliadau, rhaid i'r safonau ddylanwadu ar yr hyn yw eu pennaf swyddogaeth, neu fusnes creiddiol. Hoffwn egluro hyn ymhellach drwy gyfeirio at esiampl benodol sydd yn agos iawn at fy nghalon, sef addysg uwch. Gan fod safonau ar gyfer sefydliadau addysg uwch bellach wedi eu gosod (daethant i rym yn hanner cyntaf y flwyddyn hon), y mae'n werth

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<sup>1</sup> Yn benodol, gweler Diarmait Mac Giolla Chriost, *The Welsh Language Commissioner in Context: Roles, Methods and Relationships* (Caerdydd: Gwasg Prifysgol Cymru, 2016).

nodi rhai pwyntiau yn y cyd-destun hwnnw, hyd yn oed ar sail profiad rhai misoedd yn unig.

10. Beth yw priod waith prifysgol? Byddai llawer o hyd yn dweud mai addysg, ymchwil a ffurfiau eraill o ysgolheictod yw prif swyddogaethau'r academi (safbwynt hen-ffasiwn, yn ysbryd diffiniad Newman, i rai mae'n siŵr). Ym mha fodd y mae'r safonau sydd yn berthnasol i sefydliadau addysg uwch yn sicrhau bod y Gymraeg yn gyfrwng addysg, ymchwil ac ysgolheictod?
11. O fwrw golwg ar y rhestr hir o safonau, gwelir fod rhai safonau yn ceisio mynd at graidd y bywyd academaidd.<sup>2</sup> Y mae'r mwyafrif ohonynt yn safonau cyflenwi gwasanaethau. Er enghraifft, y mae safonau 88 ac 89 yn ymwneud â chyfleoedd dysgu sy'n agored i'r cyhoedd ac yn gofyn iddynt gael eu cynnig yn Gymraeg. Y mae safonau 90 a 90A yn rhoi'r hawl i fyfyrwyr gyflwyno gwaith ysgrifenedig, fel rhan o asesiad neu arholiad, yn Gymraeg, ac yn atal sefydliadau rhag trin y gwaith a gyflwynir yn Gymraeg yn llai ffafriol na'r gwaith ysgrifenedig a gyflwynir yn Saesneg. Mae safonau 92 a 92A yn caniatáu i'r myfyrwyr fynegi dewis am lety (neu ran o lety) a gaiff ei neilltuo ar gyfer siaradwyr Cymraeg, ac yn gofyn i sefydliadau hybu'r dewis hwnnw. Ac y mae safon 93 yn sicrhau'r hawl i diwtor personol sy'n siarad Cymraeg.
12. Yna, o dan restr y safonau llunio polisi, y mae safon 104 fel petai yn dod a ni yn agos at weithgarwch academaidd. Serch hynny, braidd yn amwys yw'r geiriad, ac nid yw hi'n glir a yw'r gofynion yn y safon yn creu cyfleoedd i ddysgu trwy gyfrwng y Gymraeg neu beidio. Beth yn union yw'r gofyniad i "ystyried" effaith ar y Gymraeg wrth lunio neu addasu cwrs? Dyma atgynhyrchu'r safon yn union fel y mae:

Pan fyddwch yn datblygu neu'n addasu cwrs (neu unrhyw gydran o gwrs), rhaid ichi ystyried—

(a) pa effeithiau, os o gwbl (a pha un a yw'r rheini'n bositif neu'n andwyol), y byddai'r cwrs hwnnw yn eu cael ar—

- (i) cyfleoedd i bersonau ddefnyddio'r Gymraeg, a
- (ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg;

(b) sut y byddai'r cwrs hwnnw yn cael effeithiau positif, neu effeithiau mwy positif, ar—

- (i) cyfleoedd i bersonau ddefnyddio'r Gymraeg, a
- (ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg;

(c) sut na fyddai'r cwrs hwnnw yn cael effeithiau andwyol, neu fel y byddai'n cael effeithiau llai andwyol ar—

- (i) cyfleoedd i bersonau ddefnyddio'r Gymraeg, a
- (ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

13. Dyma safonau sydd yn berthnasol i bwrpas a swyddogaeth ein prifysgolion, sef bywyd academaidd. Ond, ac oni bai fy mod yn camddehongli safon 104, nid oes yna unrhyw safon sydd yn rhoi'r **hawl i addysg uwch trwy gyfrwng y Gymraeg**. Y mae strategaeth y Coleg Cymraeg Cenedlaethol yn seiliedig ar yr egwyddor fod yna, o'i ddyfynnu, "yr

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<sup>2</sup> Rheoliadau Safonau'r Gymraeg (Rhif 6) 2017.

hawl i addysg uwch Cyfrwng Cymraeg o'r radd flaenaf". Ond nid yw'r hawl yn cael ei chadarnhau mewn safon o dan y Mesur. Mae'r Coleg Cymraeg Cenedlaethol yn gorff sydd yn hyrwyddo darpariaeth cyfrwng-Cymraeg yn ein sefydliadau addysg uwch. Ni welwyd erioed y fath gynllunio a phwyllgora, hybu, marchnata a hyrwyddo o safbwynt y Gymraeg fel iaith ysgolheictod. Tybed, petai yna safon iaith yn datgan yr hawl i addysg uwch yn y Gymraeg, a fyddai awdurdod y ddeddf yn gefn i waith ac uchelgais y Coleg Cymraeg Cenedlaethol, ac yn creu'r cydbwysedd iawn rhwng hyrwyddo a rheoleiddio yng nghyd-destun cenhadaeth a gwaith y Coleg?

14. Gwahoddir sylwadau ar y persbectif rhyngwladol. Cymharer, felly, y sefyllfa yng Nghymru gyda'r sefyllfa yng Ngwlad y Basg. Y mae Erthygl 15, Deddf yr Iaith Fasgeg 1982 yn rhoi hawl cyfreithiol i dderbyn addysg ar bob lefel yn y Fasgeg a'r Sbaeneg, gan gynnwys addysg uwch. Sefydlwyd Prifysgol Gwlad y Basg yn 1980 i weithredu'r hawl i addysg uwch yn yr iaith Fasgeg. Arweiniodd hynny at gynydd sylweddol mewn darpariaeth addysgol yn yr iaith, yn nifer y darlithwyr a fedrai'r iaith fel cyfrwng addysg uwch, ac mewn polisiau sefydliadol a roddai ystyriaeth i anghenion yr iaith wrth gyllido a chynllunio. Y gyfraith, a'i holl awdurdod, sydd wedi grymuso'r iaith Fasgeg fel iaith ysgolheictod.<sup>3</sup>
15. Tra ein bod yn cymryd ystyriaeth o'r sefyllfa ryngwladol, y mae'n werth nodi arwyddocâd Siartr Ewrop ar gyfer Ieithoedd Rhanbarthol neu Leiafrifol i'r pwnc yma hefyd. Nid awn yma i berfedd yr offeryn sylweddol hwn a'i holl ddarpariaethau, a rhaid bodloni ar grynodedb.<sup>4</sup>
16. Arwyddwyd y Siartr gan y Deyrnas Unedig ar 27 Mawrth 2001, ac y mae'r Gymraeg yn un o'r ieithoedd a gaiff ei gwarchod ganddi. Mae'r Siartr yn hybu hawliau ieithyddol ac yn gosod mesurau er budd ieithoedd lleiafrifol.<sup>5</sup> Mae'n creu fframwaith normadol yn seiliedig ar yr egwyddor fod yr hawl i ddefnyddio iaith ranbarthol neu leiafrifol mewn bywyd cyhoeddus a phreifat yn hawl ddiymwad sy'n cydymffurfio â'r egwyddorion a ymgorfforir yng Nghyfamod Rhyngwladol y Cenhedloedd Unedig ar Hawliau Sifil a Gwleidyddol, ac yn ôl ysbryd Confensiwn Cyngor Ewrop ar gyfer Gwarchod Hawliau Dynol a Rhyddid Sylfaenol.<sup>6</sup>
17. Mae Rhan III y Siartr yn rhestru mesurau penodol y gall gwladwriaethau ymrwymo iddynt a'u gweithredu i hyrwyddo'r iaith/ieithoedd rhanbarthol neu leiafrifol. Mae Erthyglau 8 i 14 yn rhoi manylion y mesurau ym meysydd addysg, y gyfraith, gweinyddiaeth gyhoeddus, diwylliant, y cyfryngau a bywyd economaidd a

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<sup>3</sup> Gweler, ymhellach, sylwadau Xabier Arzoz, "Basque-medium Legal Education in the Basque Country" yn Xabier Arzoz (gol.) *Bilingual Higher Education in the Legal Context: Group Rights, State Policies and Globalisation* (Leiden: Martinus Nijhoff, 2012), tt. 135-166; Gweler Xabier Arzoz, "Making a Minority Language a Higher Education Language: the Teaching of Law through the Basque Language" yn in Emöd Veress (ed.) *Multilingualism and Law* (Cluj-Napoca: Sapientia University Publishing, 2016), pp. 67-92.

<sup>4</sup> Rwyf wedi trafod gwahanol agweddau ohoni yn y gorffennol. Er enghraifft: R. Gwynedd Parry, "History, Human Rights and Multilingual Citizenship: Conceptualising the European Charter for Regional or Minority Languages". (2010) 61 *Northern Ireland Legal Quarterly* 329-348; R. Gwynedd Parry, "Article 4 – Existing Regimes of Protection" and "Article 5 – Existing Obligations", in Alba Nogueira, Eduardo J. Ruiz Vieitez and Iñigo Urrutia (eds.), *Shaping Language Rights: a Commentary on the European Charter for Regional or Minority Languages in light of the Committee of Experts' evaluation* (Strasbourg: Council of Europe Publishing, 2012), pp. 145-172.

<sup>5</sup> *Siartr Ewrop ar gyfer Ieithoedd Rhanbarthol neu Leiafrifol*: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/148>

<sup>6</sup> *ibid.*, Rhagymadrodd

chymdeithasol. Ac os nad yw'r Siartr yn creu rhwymedigaethau cyfreithiol gweithredadwy, mae ganddi rym gwleidyddol fel cytundeb rhyngwladol.

18. Mae Erthygl 8 y Siartr yn ymwneud ag addysg. Ceir restr o'r ymrwymadau posibl o fewn y maes, o addysg feithrin hyd at addysg i oedolion, er mwyn hyrwyddo addysg yn yr iaith ranbarthol neu leiafrifol. Yn ôl geiriad Erthygl 8.1:

8.1. O ran addysg, mae'r Cyfranogwyr yn ymrwymo, o fewn y diriogaeth lle mae ieithoedd o'r fath yn cael eu defnyddio, yn unol â sefyllfa pob un o'r ieithoedd hynny, a heb ragfarnu yn erbyn dysgu iaith (ieithoedd) swyddogol y wladwriaeth ...

Yna, o droi at baragraff e., mae yna dri is-baragraff, a dylid dewis un ohonynt fel ymrwymiad:

- i. i sicrhau bod addysg prifysgol neu addysg uwch arall ar gael yn yr ieithoedd rhanbarthol neu leiafrifol perthnasol; **neu**
- ii. i ddarparu cyfleusterau ar gyfer astudio'r ieithoedd hynny fel pynciau prifysgol ac addysg uwch; **neu**
- iii. os na ellir cymhwyso is-baragraffau i. a ii. oherwydd swyddogaeth y Wladwriaeth mewn perthynas â sefydliadau addysg uwch, i annog a/neu ganiatáu i addysg prifysgol neu ffurfiau eraill ar addysg uwch gael eu darparu mewn ieithoedd rhanbarthol neu leiafrifol neu i gyfleusterau gael eu darparu ar gyfer astudio'r ieithoedd yma fel pynciau prifysgol neu addysg uwch.

19. Mae paragraff 8.1.e. yn ymwneud â darpariaeth addysg prifysgol trwy gyfrwng yr iaith leiafrifol yn ogystal ag astudio'r iaith leiafrifol fel pwnc ynddo'i hun. Mae darpariaethau eraill o fewn y Siartr sy'n ymwneud â'r olaf hefyd, fel Erthygl 7, Adran 7, paragraffau 1.f ac 1.g, sy'n ymwneud â dysgu ac astudio iaith ranbarthol neu leiafrifol, ac astudiaeth ac ymchwil ar ieithoedd rhanbarthol neu leiafrifol mewn prifysgolion. Yr hyn sydd fwyaf perthnasol yma yw'r Gymraeg fel cyfrwng addysg mewn pynciau prifysgol eraill. Felly, Erthygl 8.1.e, paragraffau i a iii. (hynny yw, rhan gyntaf paragraff iii), sydd yn fwyaf perthnasol i'r hyn sydd o dan sylw yma.

20. Mae Erthygl 8 yn hyrwyddo egwyddor bwysig, sef y dylai addysg uwch fod ar gael mewn iaith leiafrifol. Mae'r safonau iaith yn ymdebygu i erthyglau'r Siartr o ran y rhestr o gamau ymarferol a geir ynddynt. Mae Adroddiad Esboniadol y Siartr hefyd yn ymwneud â gweithredu ymarferol. Er enghraifft, o ran addysg, mae'n gofyn i wladwriaethau'n "sicrhau bod yr adnoddau angenrheidiol ar gael parthed cyllid, staff a deunyddiau dysgu".<sup>7</sup>

21. Parthed addysg uwch a'r Gymraeg, y mae'r DU wedi mabwysiadu paragraff 8.1.e.iii fel yr ymrwymiad yn y maes hwn, yn hytrach na pharagraff 8.1.e.i.<sup>8</sup> Yn ôl un sylwebydd

<sup>7</sup> Gweler Adroddiad Esboniadol y Siartr, paragraff 87.

<sup>8</sup> Dyma'r hyn a nodir yn ffurfiol ar wefan Cyngor Ewrop: [https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/148/declarations?p\\_auth=adpW1NPI](https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/148/declarations?p_auth=adpW1NPI)

blaenllaw, y mae'r ymrwymiad ym mharagraff e.iii. yn briodol mewn sefyllfa lle nad yw'r wladwriaeth yn penderfynu polisi iaith ei phrifysgolion, megis gyda phrifysgolion preifat.<sup>9</sup> Felly, yn yr achosion hynny, math o anogaeth yw'r cyfan y gellir ei ddisgwyl.

22. Mae hyn yn codi nifer o gwestiynau. A yw ymrwymiad presennol y DU yn briodol a digonol?<sup>10</sup> Ac onid oes cysylltiad rhwng yr amharodrwydd i ymrwymo i'r ddarpariaeth sydd yn Erthygl 8.1.e.i y Siartr, gan **sicrhau** bod addysg uwch ar gael yn y Gymraeg, ac absenoldeb unrhyw safon i'r perwyl hwnnw dan Fesur y Gymraeg 2011? Cyddigwyddiad, efallai, ond yr un yw'r canlyniad, sef nad oes yna unrhyw offeryn cyfreithiol neu ymrwymiad ffurfiol mewn cytundeb rhyngwladol i atgyfnerthu'r "hawl i addysg uwch Cyfrwng Cymraeg o'r radd flaenaf".
23. Cyflwynir hyn oll fel moeswers, neu o leiaf fel enghraifft o derfynau'r fframwaith rheoleiddio fel y mae. Peidier neb a llaesu dwylo. Nid yw'r safonau iaith, mwy nag yw offerynnau rhyngwladol, yn creu hawl i addysg uwch trwy gyfrwng y Gymraeg. Camgymeriad, felly, fyddai rhagdybio fod y fframwaith rheoleiddio bellach yn gyflawn ac y gellir troi golygon yn llwyr at y gwaith o hyrwyddo. Y mae angen cynyddu'r safonau, nid eu lleihau. Os yw'r safonau gorfodol bellach i'w cyfyngu i gyflenwi gwasanaethau yn unig, yn ôl bwriad Llywodraeth Cymru, a fyddai hynny'n atal y posibilrwydd o greu safon iaith a fyddai'n gwarantu'r "hawl i addysg uwch Cyfrwng Cymraeg (o'r radd flaenaf)"?
24. Heb safon, heb hawl, heb rym y gyfraith, mae'n annhebygol y bydd yna newid diwylliant ieithyddol gwirioneddol, er gwaethaf holl waith y Coleg Cymraeg Cenedlaethol, yn sefydliadau addysg uwch Cymru. Tybed beth fyddai'n digwydd petai yna hawl, wedi ei hatgyfnerthu gan safon o dan y ddeddf, a/neu ymrwymiad o dan y cytundeb rhyngwladol, i addysg uwch cyfrwng Cymraeg? Mentrâf awgrymu y byddai polisiau penodi'r sefydliadau addysg uwch yn gorfod cymryd ystyriaeth fanylach o allu ieithyddol ymgeiswyr, ac o gapasiti dwyieithog eu gweithlu. O ganlyniad, byddai cynnydd sylweddol mewn darlithwyr sydd yn medru dysgu trwy gyfrwng y Gymraeg ac yn gwneud hynny fel rhan o'u priod waith. Byddai'r sefydliadau yn cymryd cyfrifoldeb dros sicrhau dwyieithrwydd y gweithlu academiaidd, ac yn cynllunio ar ei gyfer, nid ar sail yr angen i ystyried neu gadw mewn cof, ond er mwyn cyrraedd y safon ddeddfwriaethol.
25. Byddai agweddau tuag at ysgolheictod, ymchwil a chyhoeddi trwy gyfrwng y Gymraeg mewn pynciau ac eithrio'r Gymraeg yn newid hefyd. Byddai cyhoeddi yn Gymraeg yn arferiad derbyniol, angenrheidiol hyd yn oed, a cheid cynnydd mewn llyfrau a fyddai'n adnoddau pwysig yn y dosbarth. O ganlyniad, mae'n bosibl y byddai yna gynnydd sylweddol yn y cyhoeddiadau cyfrwng-Cymraeg a gyflwynid i'r REF. Ac o dipyn i beth, byddai agweddau sefydliadol tuag at y Gymraeg, y diwylliant ieithyddol hwnnw y soniwyd amdano, hefyd yn newid.

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<sup>9</sup> Gweler Jean-Marie Woehrling, *The European Charter for Regional of Minority Languages: A Critical Commentary* (Strasbourg: Council of Europe Publishing, 2005), tt. 154-55.

<sup>10</sup> Gweler R. Gwynedd Parry, *Cymru'r Gyfraith: Sylwadau ar Hunaniaeth Gyfreithiol* (Caerdydd: Gwasg Prifysgol Cymru, 2012), tt. 129-134.

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The legislation has without a doubt raised the profile of the language. The front facing images of public bodies in Wales are now, by and large, bilingual. Websites; documentation; forms; signage and telephone greetings are increasingly bilingual. Public bodies appear to be embracing the concept of bilingualism.

However, in reality the bilingualism provided is often tokenistic. The legislation is yet to have a true positive effect in the creation of a bilingual workforce able to deliver effective Welsh language services. Welsh greetings are given on the telephone, yet their query cannot be answered in Welsh; vacant posts are linguistically assessed but the number of posts advertised as 'Welsh essential' are few and far between. The legislation does not go far enough to truly have a positive effect on Welsh speakers' experiences using public services in Wales. Furthermore, the tokenistic nature of many of the regulations does little to convince non-Welsh speakers that investment in the language is worthwhile and encourage goodwill towards the Welsh language.

Furthermore, while a dilution of the current Standards Regulations would not be welcomed, the current system is unnecessarily bureaucratic and complex. If there were fewer Standards and if they were not so complicated, it would be easier for both staff to ensure compliance and members of the public to understand their exact rights under the Welsh Language Measure. In this regard, codes of practice should be published to accompany the legislation.

A significant problem with the Welsh Language Standards Regulations is that they appear to have been drawn up following little consultation with the relevant sectors which they are imposed upon. Subsequently, problems have arisen as bodies aim to comply with the Standards. In many cases the Standards are not appropriate i.e. the Standard requiring FE Colleges to allow students to sit exams through the medium of Welsh is not appropriate, as this is wholly dependent upon approval of the awarding body.

The focus of the legislation is on enforcement, which is obviously vital in ensuring the protection of a minority language and the rights of its speakers. However, it appears that this focus on enforcement has been at the expense of promoting and

facilitating the use of the language. Measures need to be put in place to provide resources and support to public bodies to achieve compliance and to encourage Welsh speakers to use the language in their day to day lives. Current legislation has no real impact on encouraging and supporting people to use their Welsh language skills. The demand for Welsh language services should be higher than it currently is considering the number of Welsh speakers. The more the demand, the more bodies will feel the need to deliver its Welsh language services as a part of basic customer care. Both bodies and individuals needs to be incentivised to use their Welsh language skills in order to stimulate use and counteract the historical default use of English.



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11 Medi 2018

## Cefnogi a hybu'r Gymraeg: Ymchwiliad i'r cyd-destun deddfwriaethol, polisi ac ehangach - Ymateb y Coleg Cymraeg Cenedlaethol

Ym mis Hydref 2017, cyflwynodd y Coleg Cymraeg Cenedlaethol (y Coleg) ymateb i ymgynghoriad Bil y Gymraeg. Yn yr un modd, mae'r Coleg yn croesawu'r cyfle i ymateb yn ffurfiol i'r ymchwiliad hon. Yn gorff sydd bellach yn cael ei chyllido yn uniongyrchol gan Lywodraeth Cymru yr ydym yn croesawu'r cyfle i chwarae rhan weithredol yn natblygiad a gweithrediad y strategaeth Miliwn o Siaradwyr ac o ganlyniad, mae ein hymateb yn canolbwyntio yn yr ymateb hwn ar yr elfennau sydd yn fwyaf perthnasol i waith a chenhadaeth y Coleg.

Mae ein hymateb llawn i'w gweld isod wedi ei osod mewn chwe rhan sef –

1. Miliwn o siaradwyr: Cyrraedd y nod
2. Y Fframwaith deddfwriaethol
3. Hybu a hyrwyddo'r Gymraeg: Cysondeb ac effeithiolrwydd
4. Hyfforddiant cychwynol athrawon
5. Arloesi: Hyfforddiant iaith
6. Cynnal niferoedd myfyrwyr sy'n astudio'r Gymraeg fel pwnc.

### 1. MILIWN O SIARADWYR: CYRRAEDD Y NOD

Croesawn uchelgais Llywodraeth Cymru i sicrhau miliwn o siaradwyr Cymraeg erbyn 2050 a'r pwyslais sydd wedi ei osod ar y gyfundrefn addysg i gyrraedd y nod hynny. Drwy ddarparu cyfleoedd i fyfyrwyr barhau i astudio drwy gyfrwng Cymraeg ar lefel prifysgol ar draws y disgyblaethau, mae'r Coleg yn cyfrannu'n uniongyrchol at y gwaith o greu gweithlu dwyieithog, gyda sgiliau lefel uchel. Yn dilyn penderfyniad Llywodraeth Cymru yn Rhagfyr 2017 i ymestyn cyfrifoldebau'r Coleg i'r sectorau Addysg Bellach a Dysgu Seiliedig ar Waith, yr ydym wedi cychwyn ar y gwaith cynllunio yn ystod chwe mis cyntaf 2018. Edrychwn

ymlaen at gydweithio gyda phartneriaid allweddol i symbylu cynnydd sylweddol ym maes addysg ôl-orfodol yn ei ehangder yn y blynyddoedd i ddod. Bydd cynyddu'n sylweddol y sylw a roddir i'r gwaith o ddatblygu darpariaeth a chyfleoedd cyfrwng Cymraeg ar draws y sector addysg ôl- 16 yn rhoi'r cyfle i gynyddu'r llwybrau dilyniant cyfrwng Cymraeg i'r rheiny sy'n dewis astudio mewn colegau addysg bellach, neu ddilyn hyfforddiant neu lwybrau gwahanol i alwedigaethau penodol megis drwy brentisiaethau neu ddysgu seiliedig ar waith. Bydd angen cynllunio strategol a gofalus wrth roi'r gwaith hynny ar droed, ac er y bydd yn bwysig sicrhau cynnydd gweladwy yn y tymor byr, bydd angen newidiadau strwythurol sylfaenol er mwyn sicrhau'r trawsnewid angenrheidiol.

## **2. Y FFRAMWAITH DEDDFWRIAETHOL**

Mae sicrhau fframwaith deddfwriaethol addas ar gyfer y Gymraeg yn rhan allweddol o gyrchu tuag at y nod o filiwn o siaradwyr, ond rhan o'r darlun yn unig yw'r elfen ddeddfwriaethol.

Mae'r cynigion y Papur Gwyn mewn perthynas ag ad-drefnu strwythurol yn rhai sydd angen ystyriaeth ofalus. Nodwn mai dim ond ers rhai blynyddoedd y mae'r strwythurau presennol mewn lle. Mae lle i farnu bod y broses o osod safonau wedi bod yn un sydd wedi cymryd mwy o amser nag y byddai rhai yn dymuno, ond derbyniwn serch hynny, fod y broses a'r camau y bu'n rhaid eu dilyn yn llafurus ac yn gymhleth ar adegau. O safbwynt cyd-destun gwaith uniongyrchol y Coleg, megis dechrau gweld dylanwad cadarnhaol y Safonau yn y prifysgolion yr ydym, gan mai yn ddiweddar y daeth y safonau i rym yn y sector addysg uwch. Rydym wedi clywed cydweithwyr yn y sector yn mynegi rhywfaint o rwystredigaeth bod y broses o ddelio gyda'r safonau yn gallu bod yn llafurus, ond, maent hefyd wedi adrodd am y camau breision ymlaen o ran cynllunio a datblygiad polisi ieithyddol oddi fewn i'w sefydliadau sy'n ganlyniad uniongyrchol i fframwaith deddfwriaethol cadarnach.

Credwn fod lle i symleiddio rhywfaint ar y drefn ddeddfwriaethol bresennol, ac yn sicr mae angen sefydlu fframwaith cadarn ar gyfer y gwaith hybu a hyrwyddo, ond mae lle i bryderu y gallai camau a fyddai'n arwain at ansefydlogrwydd strwythurol sylweddol arwain at ganlyniadau nas bwriadwyd.

## **3. HYBU A HYRWYDDO'R GYMRAEG: CYSONDEB AC EFFEITHIOLRWYDD**

Mae'r Coleg yn croesawu'r sylw a roddwyd yn ymgynghoriad y Papur Gwyn i'r gwaith allweddol o hybu a hyrwyddo'r Gymraeg. Er mwyn sicrhau cynnydd pwrpasol yn y defnydd o'r iaith, ac yn nifer y siaradwyr, mae angen cydbwysedd addas rhwng y gwaith hybu a hyrwyddo ar y naill law, a'r gwaith rheoleiddio ar y llaw arall. Mae'n deg dweud fod y flaenoriaeth bennaf wedi'i roi i'r gwaith rheoleiddio yn y blynyddoedd diwethaf, a hynny'n am resymau cwbl ddilys a dealladwy wrth i'r Safonau iaith gael eu creu a'u gosod ar gyrff am y tro cyntaf, ac wrth i bawb ymgysgu gyda'r fframwaith deddfwriaethol newydd.

Awgrymir, serch hynny, bod y gwaith hybu a hyrwyddo yn gwbl ganolog i ffyniant yr iaith, a bydd angen sicrhau sylw addas i'r gwaith hynny yn y blynyddoedd i ddod. Bydd cydweithio rhwng cyrff a gyllidir gan Lywodraeth Cymru er mwyn sicrhau cysondeb ac effeithiolrwydd y gweithgareddau marchnata yn bwysig.

#### **4. HYFFORDDIANT CYCHWYNNOL ATHRAWON**

Maes penodol arall sydd yn uniongyrchol berthnasol i waith y Coleg, yw Hyfforddiant Cychwynnol Athrawon. Mae'r cynlluniau i ad-drefnu'r ddarpariaeth HCA yn y blynyddoedd nesaf yn cynnig cyfle ardderchog i sicrhau bod y gofynion a osodir ar y darparwyr mewn perthynas â hyfforddi athrawon a all weithio drwy gyfrwng y Gymraeg yn y dyfodol yn gwbl gadarn. Yn sicr, bydd angen gweithredu buan a phwrpasol er mwyn sicrhau'r cynnydd angenrheidiol yn nifer yr athrawon sy'n gallu addysgu drwy gyfrwng y Gymraeg er mwyn ymateb i uchelgais a thargedau'r strategaeth Miliwn o Siaradwyr. Credwn fod yma gyfle euraidd i osod disgwyliadau cadarn ar ddarparwyr y dyfodol er mwyn sicrhau bod y Gymraeg a hyfforddiant cyfrwng Cymraeg yn gwbl ganolog i'w darpariaeth.

Mae'r Coleg wedi croesawu'r cyfle i arwain y gwaith o sefydlu'r Dystysgrif Cymhwysedd Iaith i Athrawon (HCA). Hyderwn y bydd y gwerthusiad cyfredol o'r ddarpariaeth cyfrwng Cymraeg, a'r gefnogaeth i ddatblygu sgiliau iaith myfyrwyr ar gyrsiau HCA yn argymhell ymgorffori cymhwysedd yn y Gymraeg, ar lefel briodol oddi fewn i'r continwmm iaith, fel rhan o statws cymwysedig athrawon yn y dyfodol.

Yn eu cyfarfod ar 21 Mehefin 2017 mabwysiadodd aelodau Bwrdd Cyfarwyddwyr y Coleg yr egwyddorion canlynol mewn perthynas â Hyfforddiant Cychwynnol Athrawon:

- bod angen pennu faint o athrawon ychwanegol sy'n gallu addysgu drwy gyfrwng y Gymraeg fydd eu hangen er mwyn cyrraedd nod cyffredinol Strategaeth Iaith y Llywodraeth, a chadarnhau erbyn pryd y bydd eu hangen;
- bod angen cadarnhau faint o'r athrawon ychwanegol hyn fydd yn dod o'r gweithlu addysgu presennol a faint fydd yn dod i'r proffesiwn drwy hyfforddiant cychwynnol athrawon neu lwybrau eraill;
- bod angen i'r Llywodraeth ystyried mabwysiadu trefn lle bo angen i bawb sy'n dymuno addysgu yng Nghymru yn y dyfodol gyrraedd lefel o hyfedredd yn y Gymraeg.

Credwn fod yr egwyddorion hyn, a'r angen i gymryd camau penodol i fynd i'r afael â'r her o gynyddu'n sylweddol nifer yr athrawon a all ddysgu drwy gyfrwng y Gymraeg yn gwbl hanfodol i ymgyrraedd at y targedau sydd wedi eu cynnwys yn y Strategaeth Iaith

Llywodraeth Cymru. Yn dilyn pennu darparwyr Hyfforddiant Cychwynnol Athrawon o 2019 ymlaen mae'n hanfodol i roi ystyriaeth lawnach i'r egwyddorion a nodir uchod yn amserol iawn.

#### **5. ARLOESI: HYFFORDDIANT IAITH**

Ym maes hyfforddiant iaith mae'r Coleg wedi arloesi gyda datblygiad y Dystysgrif Sgiliau Iaith, sydd bellach wedi ei achredu gan CBAC. Mae sawl prosiect ar y gweill i adeiladu ar y Dystysgrif a'i ehangu, megis drwy ei chynnig yn y gweithle a thrwy ddatblygu tystysgrifau iaith sy'n berthnasol i feysydd galwedigaethol penodol. Yn y cyswllt hwnnw mae'r syniad o ddatblygu tystysgrif iaith mewn 'cyfathrebu clinigol' i fyfyrwyr ym maes Meddygaeth a Gofal Iechyd o dan ystyriaeth. Hefyd, byddwn yn ystyried datblygu cymhwyster iaith wahanol, o bosibl ar lefelau gwahanol, ar gyfer y sector addysg bellach.

#### **6. CYNNAL NIFEROEDD MYFYRWYR SY'N ASTUDIO'R GYMRAEG FEL PWNC**

Mae cynnal niferoedd myfyrwyr sydd yn astudio'r Gymraeg fel pwnc yn allweddol i lwyddiant y strategaeth iaith y tu allan i'r fframwaith deddfwriaethol. Wrth gydnabod cyfraniad allweddol adrannau Cymraeg y prifysgolion yn y cyswllt hwn credwn mai'r flaenoriaeth yn y deng mlynedd nesaf fydd cynyddu'r niferoedd sydd yn astudio'r Gymraeg ar lefel Safon Uwch. Credwn fod angen parhau i adolygu'r maes llafur yn gyson, er mwyn sicrhau ei fod yn heriol ond hefyd yn berthnasol i'r gynulleidfa, gan gynnwys myfyrwyr sydd wedi dysgu'r Gymraeg yn fwy diweddar. Mae'r Coleg yn gweithio gyda Llywodraeth Cymru i ddatblygu cynigion ar gyfer hybu'r Gymraeg fel pwnc, gyda'r nod o sicrhau bod ystod ehangach o fyfyrwyr yn dewis astudio'r Gymraeg yn y sector ôl-16. Byddai hynny yn sicr yn cynyddu'r nifer o ymgeiswyr sydd yn dymuno astudio'r Gymraeg yn y prifysgolion ond hefyd yn cryfhau sgiliau iaith Gymraeg myfyrwyr a fyddai'n dewis astudio pynciau eraill.

Diolchwn am y cyfle i ymateb i'r ymchwiliad.

Yn gywir iawn



Dr Ioan Matthews

Prif Weithredwr

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# Cefnogi a hybu'r Gymraeg

Medi 2018

**UCAC** | yr undeb sy'n diogelu athrawon a darlithwyr Cymru

## Cefnogi a hybu'r Gymraeg: Ymchwiliad i'r cyd-destun deddfwriaethol, polisi ac ehangach

Croesawa UCAC y cyfle hwn i ymateb i ymgynghoriad Y Pwyllgor Diwylliant, y Gymraeg a Chyfathrebu ar 'Gefnogi a hybu'r Gymraeg'.

Mae UCAC yn undeb sy'n cynrychioli athrawon, arweinwyr ysgol, tiwtoriaid a darlithwyr ym mhob sector addysg ledled Cymru.

### 1. Gwaith craffu ar ôl deddfu ar Fesur y Gymraeg (Cymru) 2011 – asesu llwyddiannau a chyfyngiadau canfyddedig y ddeddfwriaeth, ac effaith ac effeithiolrwydd safonau'r Gymraeg wrth wella gwasanaethau drwy gyfrwng y Gymraeg a gwella mynediad atynt.

#### Asesu a yw'r fframwaith deddfwriaethol yn cefnogi'r gwaith o hyrwyddo'r Gymraeg a'r defnydd ohoni ynteu'n cyfyngu ar y gwaith hwn,

- 1.1. Roedd cryn dipyn i'w groesawu ym Mesur y Gymraeg (Cymru) 2011, gan gynnwys rhoi statws swyddogol i'r Gymraeg, a symud oddi wrth Gynlluniau Iaith aneffeithiol i gyfundrefn â sail statudol.
- 1.2. Fodd bynnag, barn UCAC yw bod gwendidau sy'n dyddio yn ôl i Ddeddf 1993 ac na heriwyd gan Fesur 2011 sy'n parhau i achosi problemau i unrhyw ddeddfwriaeth arall sydd â goblygiadau i'r Gymraeg mewn amrywiaeth eang o feysydd. Yn naturiol ddigon, daw ein henghreiffiau ni o fyd addysg, ond rydym yn siŵr bod modd dod o hyd i enghreifftiau ym mhob maes polisi datganoledig.
- 1.3. Un o'r prif meini tramgwydd yw'r rhagdybiaeth sydd wedi plagio unrhyw ddeddfwriaeth sy'n ymwneud â'r Gymraeg (gan gynnwys addysg Gymraeg) ar hyd y blynyddoedd, bod angen ymdrin â'r Gymraeg a'r Saesneg yn yr un ffordd – yn hytrach na bod angen **deddfu o blaid y Gymraeg er mwyn sicrhau cydraddoldeb a thwf**. Bu i hynny lesteirio ymdrechion i hyrwyddo addysg Gymraeg yn, er enghraifft, y Mesur Teithio gan Ddysgwyr (Cymru) 2008 a'r Mesur Dysgu a Sgiliau (Cymru) 2009.

#### Enghraifft: Mesur Teithio gan Ddysgwyr (Cymru) 2008

- 1.4. Er cryn trafod ar y pryd, ni fu modd dwyn perswâd ar Lywodraeth Cymru ar y pryd, yn sgil cyngor gan eu cyfreithwyr, y dylid dewis addysg cyfrwng Cymraeg fod yn rhan o'r diffiniad o 'ysgol addas agosaf' yn ôl darpariaethau'r Mesur. Mi fyddai gwneud hynny wedi rhoi cyfrifoldebau statudol ar Awdurdodau Lleol, a hawliau cyfatebol i ddysgwyr a'u rhieni, i ddarparu cludiant am ddim i addysg cyfrwng Cymraeg (yn ddarostyngedig i'r un rheolau ynghylch pellteroedd ag unrhyw ddarpariaeth arall).
- 1.5. Y 'cyfaddawd' yn y diwedd oedd y cymal enwog (Adran 10) sy'n rhoi cyfrifoldeb i Awdurdodau Lleol 'hybu mynediad i addysg a hyfforddiant drwy gyfrwng y Gymraeg'. Canlyniad hynny yw bod cludiant i addysg cyfrwng Cymraeg ar sail disgresiwn Awdurdodau Lleol, sy'n gadael dysgwyr – ac ysgolion - mewn sefyllfa fregus.
- 1.6. Yr hyn oedd wrth wraidd pryderon y cyfreithwyr oedd y byddai'r gofyniad i ymdrin â'r ddwy iaith yn yr un modd yn golygu rheidwydd i roi hawliau cyfatebol i rieni - er enghraifft yng Ngwynedd - i ddewis addysg cyfrwng Saesneg fel y diffiniad o 'ysgol addas agosaf' a sicrhau, gan hynny, cludiant am ddim i ysgolion cyfrwng Saesneg, llawer pellach i fwrdd nag ysgolion cyfrwng Cymraeg.
- 1.7. Mae UCAC o'r farn bod Llywodraeth Cymru wedi derbyn cyngor cyfreithiol gwangalon iawn yn y gorffennol mewn perthynas â'r hyn sy'n bosib o fewn y gyfraith. Tra bod y geiriad ynghylch 'pheidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg' yn parhau fel yr egwyddor sylfaenol, teimlwn mai parhad o'r un safbwyntiau sy'n debygol, heb y cadernid i ddeddfu o blaid twf.
- 1.8. Gwyddom fod y Safonau wedi gwneud gwahaniaeth sylweddol mewn nifer o feysydd, a chefnogwn parhau â'r drefn, gan gynnwys ei hymestyn i feysydd eraill, yn arbennig felly yn y sector breifat.

- 1.9. Er bod y Safonau wedi bod yn llafurus yn y cyfnod cynnar, teimlwn bod llawer o botensial i'w wireddu o hyd dan y fframwaith deddfwriaethol presennol. Peryg fyddai disodli'r drefn bresennol mor gynnar yn y dydd – a gyda llawer o'r gwaith fwyaf heriol eisoes wedi'i gyflawni - gyda'r posibilrwydd o greu ansefydlogrwydd a diffyg gweithredu dros gyfnod interim.
- 1.10. Fodd bynnag, mae'r Safonau mor benodol eu geiriad, fel na ellir dibynnu arnynt i greu 'hawliau' na chyfrifoldebau cyffredinol. Bu i UCAC wynebu'r ddadl gan swyddogion Llywodraeth Cymru mewn perthynas â'r Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 nad oedd angen cymalau penodol yn ymwneud â'r Gymraeg oherwydd bod Safonau yn eu lle. Ar ôl cryn drafod, darbwyllwyd y swyddogion nad oedd y ddadl honno'n dal dŵr am nad oedd pob sefydliad dan sylw yn ddarostyngedig i'r Safonau, ac hyd yn oed yn y sefydliadau perthnasol (megis Awdurdodau Lleol) nid oedd y Safonau a osodwyd yn mynd i gwmpasu'r hyn fyddai ei angen o ran y Ddeddf penodol hon.

## 2. Cynigion Papur Gwyn Llywodraeth Cymru 'Taro'r cydbwysedd iawn: cynigion ar gyfer Bil y Gymraeg'.

- 2.1. Ers Mesur 2011, mae'r cyd-destun polisi mewn perthynas â'r iaith Gymraeg wedi datblygu'n gyflym ac erbyn hyn, mae lefel yr uchelgais (fel y'i nodir yn nogfen 'Cymraeg 2050: Miliwn o siaradwyr' a'r Rhaglen Waith 2017-21 sy'n cyd-fynd â hi) ar raddfa llawer uwch. Mae hynny i'w groesawu'n fawr iawn.
- 2.2. Yn ystod yr un cyfnod, mae'r cyd-destun polisi mewn perthynas ag addysg yn ogystal wedi (ac yn parhau i) newid ar gyflymder; nodwn 'Addysg yng Nghymru: cenhadaeth ein cenedl', 'Y Gymraeg mewn addysg: cynllun gweithredu 2017-21', Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018, a'r diwygiadau arfaethedig i'r sector trydyddol fel conglfeini.
- 2.3. Mae perygl gwirioneddol nad yw'r drefn bresennol o gynllunio ar gyfer addysg Gymraeg yn cydgordio'n ddigonol â'r dirwedd polisi newydd nac â lefel yr uchelgais cytunedig ar gyfer twf.
- 2.4. Yn ogystal, mae nifer o ymchwiliadau/adolygiadau dros y tair blynedd diwethaf wedi dwyn sylw at ddiffygion a gwendidau'r drefn bresennol o gynllunio strategol ar gyfer y Gymraeg mewn addysg<sup>1</sup>. Teg yw nodi bod tipyn o orgyffwrdd rhwng y casgliadau.
- 2.5. Yn sgil yr uchod, mae UCAC o'r farn bod yr amser wedi dod i gymryd y cam nesaf ar y llwybr, gan adeiladu ar yr hyn a gyflawnwyd eisoes, ac yng ngoleuni'r hyn sydd wedi'i nodi'n glir ac yn gyson fel diffygion y system bresennol, er mwyn cefnogi uchelgais ac agenda polisi ehangach Llywodraeth Cymru.
- 2.6. Am fod diffygion y drefn bresennol yn niferus, yn ddifrifol, ac yn systemig, ac am fod angen newid gêr yn sylweddol iawn i wireddu polisiâu cyfredol Llywodraeth Cymru, mae UCAC yn cefnogi ail-edrych ar y ddeddfwriaeth gynradd mewn perthynas â chynllunio strategol ar gyfer addysg Gymraeg. Yn wir, teimlwn mai **deddfu o'r newydd fyddai orau (Deddf Addysg Gymraeg)** yn hytrach na cheisio cymhwyso addasiadau mor sylweddol i'r Ddeddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013. Dyna fyddai'r ffordd orau o weithredu'r newidiadau ar y raddfa sydd eu hangen.
- 2.7. Mae 'Y Gymraeg mewn addysg: cynllun gweithredu 2017-21' yn nodi'n glir (ac yn gywir, ym marn UCAC) bod angen sicrhau (a) yr arweinyddiaeth ofynnol (b) y capasiti ac (c) y seilwaith os am fwrw'r maen i'r wal. Credwn y byddai deddfu yn profi parodrwydd y Llywodraeth i ymgymryd â'r arweinyddiaeth ofynnol, ac yn ei ganiatáu, i raddau helaeth, i osod y seilwaith a fyddai'n arwain at adeiladu a chynyddu capasiti o fewn y system.
- 2.8. Byddai deddfu'n caniatáu:
- gosod rhuglder yn y Gymraeg fel disgwyliad arferol ('norm') yn y system addysg

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<sup>1</sup> Ymchwiliad i Gynlluniau Strategol Cymraeg mewn Addysg (Pwyllgor Plant, Pobl Ifanc ac Addysg, Cynulliad Cenedlaethol Cymru, Rhagfyr 2015)

Gwerthusiad o'r Strategaeth Addysg Cyfrwng Gymraeg (Ymchwil Gymdeithasol y Llywodraeth/Llywodraeth Cymru, Mawrth 2016)

Cynlluniau Strategol Cymraeg mewn Addysg awdurdodau lleol (Estyn, Medi 2016)

Adolygiad brys o Gynlluniau Strategol y Gymraeg mewn Addysg 2017-20 (Aled Roberts, Awst 2017)

- rhoi **hawl i addysg cyfrwng Cymraeg**
  - gosod **cyfrifoldebau statudol** ar wahanol haenau o'r system i sicrhau nid yn unig cynllunio strategol effeithiol, ond gweithredu bwriadus yn ogystal
  - sicrhau **atebolrwydd** priodol ac effeithiol ar bob lefel
- 2.9. Os mai'r bwriad yw blaenoriaethau Bil y Gymraeg, efallai y dylid ystyried a oes modd/a fyddai'n briodol cynnwys unrhyw elfennau'n ymwneud ag addysg Gymraeg. Buodd pwyslais yn y Papur Gwyn ar gyfrifoldebau cynllunio ieithyddol a allai fod yn berthnasol. Ac mi fyddai'n werth ystyried, os creïr Comisiwn (neu os parheir gydag un Comisiynydd) a fyddai'n briodol rhoi rôl herio/monitro iddo mewn perthynas ag addysg Gymraeg.



**UCAC**  
Undeb  
Cenedlaethol  
Athrawon  
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Mudiad Meithrin is a voluntary organisation offering provisions of *Cylchoedd Meithrin* (Welsh-medium playgroups), *cylchoedd Ti a Fi* (parent and toddler groups), wraparound care and Welsh-medium day nurseries.

The Mudiad is the largest provider of Welsh-medium early years care and education in the voluntary sector in Wales. Mudiad Meithrin was established in 1971 with 50 *cylchoedd meithrin* to its name. Today there are 1000 *cylchoedd meithrin*, *cylchoedd Ti a Fi*, 'Cymraeg for Kids' groups and day nurseries working under the Mudiad's banner.

Each week these provide early years' experiences to approximately 22,000 children. In addition, the Mudiad works closely with parents to provide advice and support, enabling them to continue the *cylch*'s work within the home, and also opportunities to begin learning Welsh through the 'Clwb Cwtsh' scheme.

To this end, Mudiad Meithrin employs 200 people nationally and has a further 2000 working within the *cylchoedd* themselves. The *cylchoedd* are supported by a national network of professional staff, who advise on a wide range of matters, from encouraging good practice, staff training and linguistic matters to Local Authority contact.

The Mudiad works with children and families from a wide range of socio-economic backgrounds. We work in collaboration with the *Flying Start* agency to provide opportunities in the least affluent areas, and with local education authorities to offer part time education to 3 year olds within their local community.

In addition, we have a subsidiary company which provides training to enable people to gain early years qualifications through the medium of Welsh. This is done in cooperation with secondary schools, providing courses to school pupils, and through our national training scheme. Workplace-based training courses are offered via a national network of tutors, assessors and validators.

- Post legislative scrutiny of the Welsh Language (Wales) Measure 2011 - to assess the perceived successes and limitations of the legislation, and the impact and effectiveness of Welsh Language standards in improving and increasing access to Welsh language services.
- To assess whether the legislative framework supports or limits Welsh language promotion and its use.

- An international perspective - gathering evidence on legislation to protect and promote minority language planning in other countries.

Mudiad Meithrin welcomes the opportunity to offer evidence in response to a request from the Culture, Welsh Language and Communications Committee. Our chief aim, our underlying principle, and that which drives our mission is a passionate adherence to the principal of creating future citizens of Wales who are both bilingual and multilingual.

To ensure that each and every child in Wales has actual, practical access to Welsh-medium care and education, we must:

- Create a robustly regulated legislative framework
- Ensure statutory duties are in place to bring about the effective growth of Welsh-medium education
- Provide substantial investment in order to create a climate and environment which lends itself to persuading parents and families to choose Welsh-medium care and education

### **Hitting the nail – Realizing Cymraeg 2050**

The vision behind Cymraeg 2050 is commendable and affirmative. In spite of this, the emphasis of the Welsh Language Measure 2011 has been on the provision of services through the medium of Welsh, which to a great extent ignores how children learn and acquire language. Whilst Cymraeg 2050 does address this issue, there is a gap in the legislative framework creating substantial weaknesses in the linguistic planning processes, especially within the education sector.

As an organisation with its focus on grass roots provision, our response derives chiefly from the perspective of children and their families.

As this is beyond the committee's terms of reference we lose a valuable opportunity to legislate in the most effective way possible.

The Mudiad suggests that any considerations of legislative reform must address education (and therefore childcare), as this is one of the primary services that will ensure we can realize the targets of Cymraeg 2050.

The proposals made so far in the 'White Paper – proposals on the Welsh Language Bill 2017' only deal with superficial matters. They are unlikely to have a substantive impact on the growth in the number of Welsh speakers in future years. Without a new effort to expand the Welsh-medium education sector, the Cymraeg 2050 strategy is doomed to failure. In future we will have an insufficient number of Welsh speakers to satisfy the needs of a Welsh-speaking workforce across the public and private sectors.

Following the Rapid review of the Welsh in Education Strategic Plans 2017-2020 by Aled Roberts, it becomes apparent that the current education system has not led to effective linguistic planning within the education sector. The Welsh-medium Education Strategy 2010 has also been evaluated in some detail, and is showing us its weaknesses and also, the way ahead. There is evidence galore in existence to demonstrate that a lack of cohesion between strategies and legislation within the education and language sector has led to situation where satisfying the legal requirements of the Learner Measure 2008 has undermined children's right to access to Welsh-medium education, which stems from the Welsh-medium Education Strategy.

Our feeling at Mudiad Meithrin is that any legislation drawn up without due consideration of the education sector would be insufficient.

### **Reconsidering the legislative relationship with WESP**

In order to hit the nail on the head we need to create or reform the new Welsh language legislation, so that expectations and responsibilities are placed onto the shoulders of local authorities. They should offer access to Welsh-medium education to every child in Wales, and plan for this by following specific quantitative targets set by the government. Mudiad Meithrin has prepared a paper in response to the Rapid Review of the WESP, and these matters are discussed in greater detail therein<sup>1</sup>. The landscape of current early years provision, with the offer of 30 hours' free childcare, underpins the success of the plans to successfully implement Cymraeg 2050. Roughly, we support:

- The need to strengthen the strategic relationship between local government and Mudiad Meithrin, in order to ensure growth on every level contributing to the Welsh Government's national targets for the 2050 strategy.<sup>2</sup>
- To use legislation or subordinate legislation to formalise the relationship already in existence between Mudiad Meithrin and local government.
- Ensure that the Care, Early Years and Play work sector is included in its entirety in any future conversations regarding the use of statutory linguistic planning to develop local provisions. This will ensure that local service development plans (especially those responding to the 30 hours offer and education for 3 year olds) will correspond to both the local and national long-term vision.
- Supplant the principle of 'measuring demand' with new primary legislation (or subordinate legislation) which will provide a basis for educational linguistic planning from ages 0-18. The Welsh Language Standards have brought about a dramatic change of attitude, and this new trend towards planning growth without the need to measure demand must be sustained and further

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<sup>1</sup> See Appendix 1

<sup>2</sup> [Adolygiad brys o Gynlluniau Strategol y Gymraeg mewn Addysg – 2017–20](#)

implemented. If we are to achieve the Government's national targets for 2050 we need to increase the capacity of the Welsh-medium early years provisions in order to feed Welsh-medium schools and increase the bilingual population.

We suggested that the route to achieving this (with new and appropriate legislative support) would be to implement a programme which would establish a system providing Welsh-medium education for every child from the Foundation Phase age upwards. Obviously this will take years to implement in full, but with careful planning (especially with regards to the workforce), and with the weight of legislation behind it, this system is a real possibility.

## **Promotion**

Although we have questioned the committee's terms of reference on this matter, we wish to make the following observation regarding the question

- To assess whether the legislative framework supports or limits Welsh language promotion and its use.

Mudiad Meithrin would like to see an intensive direct marketing campaign which would market Welsh-medium childcare and education to every parent in Wales, using a similar technique to the one used in the 'PLANT' tree planting campaign, which is now in its tenth year.

The current promotional activities are indirect and dependant on the cooperation of a range of organisations and establishments which are already busy promoting their own specific services. Governmental marketing campaigns carry their own unique status.

The Welsh Government should continue with and develop this work. Were new legislation in place to give each child in Wales the right to a Welsh-medium education, then there would be a means of promoting this message, and the advantages of bilingualism, to families. Unfortunately, as this was not included in the Welsh Language Measure 2011, this is not the case at present.

## **Welsh Language Standards and the Workforce**

Whilst the Welsh language standards are of value as they have improved access (in some areas) to services through the medium of Welsh, the development of a bilingual workforce continues to prove challenging. The childcare sector (which plays an essential part in helping children to begin their bilingual journey) requires an injection of ideas and originality in order to persuade people to work in the sector. It would be good to see students rewarded for choosing to work in the sector- possibly through a 'golden handshake' upon entering their first paid role (as is becoming increasingly usual within certain areas of the education sector), or perhaps paid a

living allowance while they study. Similar techniques are already in use within the education sector.

Current legislation allows us to pilot all sorts of new, original schemes, for example:

- attracting Welsh speaking students from Patagonia, beginning with a pilot project (a technique frequently used by the NHS, whose planning reflects that they draw doctors and nurses from around the world)
- training boys and girls through schemes such as the Forest Schools in order to entice them into the childcare sector
- invest in the creation of an intense training programme (to coincide with the 30 hours' provision) which would target the bilingual workforce and offer the prospect of a professional career in Welsh-medium childcare
- create more opportunities for childcare practitioners to study abroad in first-rate provisions, or provisions run through the medium of a minority language

No legislative change would be needed to accomplish some of these ideas, and other similarly original schemes. All that would be needed is the commitment and innovation of the Welsh Government.

In a time of financial pressure and cuts to local services it is vitally important that any investment leads to a real change in people's experiences at a grass-roots level. It is our firm belief that creating opportunities for children to learn the language, creating Welsh-medium training opportunities for them once they have left school, and the chance to work through the medium of Welsh in their chosen field, should be the central considerations of any legislative change.

## APPENDIX 1

### **Mudiad Meithrin's Response to the Recommendations of the WESP Rapid Review by the Welsh Government's WESP Advisory Board**

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#### **Recommendation 1: Establish an open and unreserved relationship between the Welsh Government and all the stakeholders when developing the WESPs, especially with regards to setting targets and agreeing outcomes.**

- 1.1 We agree that there is a need to establish an unreserved relationship between the Welsh Government and its stakeholders in order to develop WESPs that reflect the strategy's ambitious aspiration of creating a million Welsh speakers by 2050. We note the need to ensure that there is room to discuss, suggest, agree upon and challenge targets within the county Welsh language fora, where those opportunities exist. However, it must be acknowledged that it will not always be easy for representatives from each sector, and from organisations and service providers dependant on Local Authority funding to fulfil this role.
- 1.2 In order to achieve this there must be an effective medium which enables progress to be measured against outcomes and targets, and which also enables open and transparent discussion.
- 1.3 The targets referred to in 1.2 must be clear, quantitative and measurable.

#### **Recommendation 2: Revise the WESP timetables to coincide with Welsh Government Capital Programmes, especially 21st Century Schools. Target capital investment to ensure a connection between school and preschool programmes.**

- 2.1 We agree with the suggestion of revising the WESP timetables to coincide with Welsh Government Capital Programmes. This would make it easier to plan and work in collaboration, and to ensure a link between school and pre-schools programmes.
- 2.2 We also suggest the need to facilitate the committees which decide on how the various capital programmes are spent, so that they may diversify and unite projects when appropriate, and so that projects bridging several areas can be collaboratively funded.

- 2.3 It should also be ensured that any programmes attached to the (future) Child Care Offer should be made available for the purposes of promoting Welsh-medium care and education.
- 2.4 We suggest that neither Welsh-medium primary nor secondary schools should be built without early years provisions being a part of the plans, and that consideration should be given to relocating any provisions already within the proposed catchment.
- 2.5 In addition, we note that extending WESP timetables to be 5 years in length would allow for more considered planning, and would enable various stakeholders to implement and measure effects on the ground.

**Recommendation 3: Review current outcomes and also agree on the most purposeful and appropriate outcomes for the next WESP cycle in order to effectively contribute to the Government's ambitions for 2050.**

- 3.1 We agree that current outcomes should be reviewed in order to ensure inclusion of the most purposeful and appropriate outcomes for the next WESP cycle, ensuring an effective contribution to the Government's Cymraeg 2050 strategy.
- 3.2 We agree that a specific outcome pertaining to 'pre-school' provision is essential. The availability of Welsh-medium provisions across the country is an important part of the wider provision of Welsh-medium education.
- 3.3 The Welsh Government has set specific targets to ensure that Mudiad Meithrin contributes to growth in its sector. Including a sector-specific outcome within the WESPs would be a way of ensuring that this planning and development is acknowledged at a local level, and would ensure a consistent means of measuring and analysing developments at a nationwide level.

**Recommendation 4: Act quickly and purposefully to introduce the new legislation. A panel or group should be set up to discuss and evaluate the necessary legislative changes and regulations, prior to them being presented to the Assembly.**

- 4.1 We agree that any changes or additions to the current legislation need to be implemented quickly.
- 4.2 We note that the placement of the WESPs within the Welsh Language Bill must be explicit, in order to avoid confusion and maintain ongoing momentum.
- 4.3 We also note that a national body's input will be required to monitor and inspect work carried out at a local level.

**Recommendation 5: A national level agreement should be sought between local government and the Welsh Government, in order to ensure consistency in terms of membership, expected contributions of the language fora and to discuss changes based on best practice.**

- 5.1 We agree that an agreement should be sought, at national level, between local government and the Welsh Government, in order to ensure consistency in terms of membership and expected contributions of the language fora.
- 5.2 Ideally we would wish to see local Education Forums contribute to the Local Welsh Language Fora, in order to ensure that the county's Welsh Language Strategy reflects the full scope of activity and encourages Local Government departments and their other partners to take ownership of their Language Strategy.
- 5.3 Partners and stakeholders' existing targets could be taken into account when implementing the Welsh Language Strategy, in order to facilitate strategic planning and raise awareness of ongoing work across other departments.
- 5.4 We refer also to that already noted in 4.3.

**Recommendation 6: Strengthen the strategic relationship between local government and Mudiad Meithrin in order to ensure a multi-level growth that will contribute to the Welsh Government's overall targets for 2050.**

- 6.1 We agree in principle with the need to strengthen the existing relationship between Mudiad Meithrin and Local Government.
- 6.2 We agree that establishing and developing a strong working relationship with Local Authorities across Wales is the best way to enable local strategic planning and develop Welsh-medium pre-school provision; and that this, in turn, will contribute to the Welsh Government's Cymraeg 2050 Strategy.
- 6.3 In addition, we note the need to include the Care, Early Years and Play Work sector in any discussions regarding the development of local provision, in order to ensure that individual groups' development plans complement both the local vision as well as the national long-term one.
- 6.4 Currently we refer to 'measuring the demand' and responding to that demand when providing pre-school and education through the medium of Welsh. We should consider whether there is a need to generate demand for Welsh-medium pre-school provision. In order to realize the targets set by the Welsh Government for 2050, we need to increase the capacity of Welsh-medium provision, so that a greater number of families across Wales will be able to take advantage of the opportunities afforded them.

**Recommendation 7: Welsh Government to plan for plentiful Welsh-medium provision in response to the 30 hours' free childcare offer, and to consider its effect on local provisions.**

- 7.1 We agree with the need to plan for the provision of Welsh-medium care as part of the 30 hours Offer.
- 7.2 One way of achieving this would be to set a minimum number of Welsh-medium settings within each county.
- 7.3 We note a lack of consistency on a national level in the way that Local Authorities offer 30 hours free childcare. This may affect the options available

to parents, and their choices regarding the care element which is also included as part of the 30 hours.

7.4 Although the payment of 'care' hours which are part of the 30 hours Offer have been agreed and are consistent across Wales, we note that there is a lack of consistency in the payment non-maintained settings receive for the education element, that is, the Foundation Phase. We refer to the table in Appendix 1, which includes details collected by the Cwlwm partnership, which has already been submitted to members of the Children, Young People and Education committees.

7.5 In addition, we note the need to ensure that county-level planning ensures opportunities for staff who wish to work in the pre-school sector, or for those who are already working in the sector, to develop appropriate Welsh language skills. In order to realize this there needs to be opportunities for individuals to follow relevant vocational courses through the medium of Welsh, and also opportunities for existing staff members to develop and strengthen their Welsh skills. It should be a requirement that the oral element of these vocational courses is done in Welsh.

7.6 Underpinning our ability to ensure an adequate supply of Welsh-medium pre-school provisions across Wales is our ability to supply enough workers possessing both the necessary professional skills and sufficient Welsh language skills of the highest standard.

**Recommendation 8: Simplify the process of categorizing schools according to language. In the meantime, the consortia to draw up reports for the local authority, confirming the current state of affairs in each individual schools.**

8.1 We strongly agree with the need to simplify and standardise the process of categorising schools according to language.

8.2 Although the *Defining schools according to their Welsh-medium provision* document was published in 2007, we note the need to update and to simplify it, making it is easier for parents and others to understand.

8.3 We note the need to create a strong definition of Welsh-medium provision and 'bilingual' provision as new definitions and classifications are developed, as bilingualism is a result as opposed to a medium.

8.4 We also note the need to ensure consistency of usage across education consortia when reporting on the situation in schools nationwide.

**Recommendation 9: Ensure the nature and validity of data presented to the Welsh Government. This should lead to early and effective identification of any data patterns which might suggest areas for concern within projects/programmes concerning the Welsh language.**

9.1 We agree with the need to ensure the nature and validity of data presented to the Welsh Government.

9.2 Data is collected from Cylchoedd Meithrin and Cylchoedd Ti a Fi which are members of Mudiad Meithrin. We do not collect data to the same extent from

the independent day nurseries which are members of the Mudiad. (See appendix 2).

9.3 To resolve this, we are assessing our processes and systems on a regular basis, to ensure the validity of the data already submitted to the Welsh Government.

**Recommendation 10: The Welsh Government to publish definitive guidelines on the allocation of capital investment within the Welsh-medium education system. Some stakeholders have suggested a separate fund, and others believe that plans responding to the Government's priorities to increase Welsh-medium education should receive an increased level of financial support from the Government. Capital processes for pre-school provision should also be reviewed to ensure an effective transition between pre-school provisions and Welsh-medium primary schools.**

10.1 We agree that clear guidelines regarding the allocation of capital investment within the Welsh-medium education system would ensure that consideration will be given to expanding the capacity of the sector which would further increase opportunities for Welsh-medium education.

10.2 We note the need to ensure strategic planning to ensure that Welsh-medium pre-school provisions of the highest standard are established and developed locally.

10.3 We agree with the need to review capital processes for pre-school provisions in order to plan the transition from pre-school to Welsh-medium primary school effectively.

10.4 To this end, we note the need for long-term security for pre-school provisions included as part of Governmental plans and capital investments for the development of new Welsh-medium schools. In order to achieve this we need to ensure that within the funding agreements a specific location is reserved for pre-school provision, and this should not be considered as part of the school when considering its capacity.

10.5 The linguistic definitions used for categorising schools, as referred to in Recommendation 8, would also need to be used when deciding on the classification of capital grants for Welsh-medium provision.

**Recommendation 11: An agreement should be sought at national level, or an agreement between the Government and local authorities, regarding the process deciding the linguistic medium of any school built under the requirements and ramifications of the Local Development Scheme, or as part of an agreement between developers and the local council in accordance with the conditions of Clause 106.**

11.1 We suggest the need for national guidelines to unlock the potential of Clause 106 for the benefit of Welsh-medium care and education.

11.2 We note the need to ensure that the building of new schools contributes to the targets set to increase the % of pupils receiving their education through the medium of Welsh or those who are studying for qualifications through the medium of Welsh, as noted in the Cymraeg 2050 Strategy.

**Recommendation 12: A revised focus on post-16 provision when considering any changes to the data collected, in order to ensure an accurate reflection of Welsh-medium provision in further education colleges. Once the data is solid and provides a clear image, we can consider the way future Welsh-medium further education provision is funded.**

12.1 We welcome the Welsh Government's confirmation that Welsh further education colleges will come under the remit of the Coleg Cymraeg Cenedlaethol.

12.2 As already noted in our response to Recommendation 7, the Childcare, Early Years and Play work sector requires an ample supply of workers who possess both the necessary professional skills and Welsh language skills of the highest order. This workforce will be key in ensuring a sufficient number of Welsh-medium pre-school provisions across Wales.

12.3 We note the need to create opportunities for post-16 students who wish to work in the Child Care, Early Years and Play Work sector to develop appropriate Welsh language skills.

12.4 In order to realize this we need to ensure that there are opportunities for individuals to follow relevant vocational courses through the medium of Welsh, at a venue which is a reasonable distance from their home.

12.5 We note the need to ensure that these Welsh-medium courses are run, and also note that there may be a need for additional grants to enable educational establishments to justify running a course through the medium of Welsh with fewer students than would usually be required.

12.6 Opportunities must also be created for post-16 students to develop their Welsh language skills within the workplace, and these should be concurrent with their vocational courses.

12.7 In order that data collected will be clear and consistent and provide an accurate reflection of Welsh-medium provision within Welsh further education colleges, we note the need to set clear, national definitions regarding categorization.

12.8 We refer to the document 'Mudiad Meithrin's plan to qualify the workplace', which is included in Appendix 3.

**Recommendation 13: Rapid planning and action needed in order to increase the number of teachers trained to teach through the medium of Welsh.**

- 13.1 We agree with the need for rapid planning and action in order to increase the number of teachers trained to teach through the medium of Welsh.
- 13.2 We also note the need to plan and ensure a sufficient number of Welsh speaking individuals who are able to undertake work such as classroom assistants and lunchroom assistants, and to ensure that they have the necessary skills to support teachers in their work.

**Recommendation 14: Set targets and criteria within each scheme, in order to ensure that young people have opportunities to use Welsh outside of school hours. Work to ensure consistency at a nationwide level in the way that youth services are provided in Welsh.**

- 14.1 We agree with the need to ensure opportunities for children, young people and their families to use Welsh within informal settings within their communities.
- 14.2 We note the need to ensure that these Welsh-medium provisions across Wales become part of the mainstream provision, as opposed to a 'niche' offering.

**Recommendation 15: Councils to include detailed assessments of their additional learning needs services within their planning, and consortia to report on the situation regularly, leading the regional discussions (or sub-regional, when there is insufficient demand for services within individual counties.)**

- 15.1 Mudiad Meithrin agrees with this recommendation and thinks that it will be a public means of validating information about the availability of specialist interventional services for children with ALN. We consider that this recommendation will strengthen and support effective implementation of the new legislation.
- 15.2 This suggestion, in conjunction with the new legislative ramifications requiring Welsh ministers to collect national data, will address points 1.39 and 1.40 of this report.
- 15.3 The Welsh Government's programme for transforming the additional learning needs system, which imposes a timetable and guidance on how to adopt and implement the Additional Learning Needs and Education Tribunal (Wales) 2018, is already under way. This demands the attention and resources of Local Authorities across Wales.
- 15.4 We suggest that the recommendation to 'explain how the authority intends to bridge the gaps in present provision, the needs noted and the support available' could be strengthened or redeveloped.
- 15.5 This is entirely in accordance with the aims of the act. The Welsh Government Guidelines: Implementing the Additional Learning Needs and Welsh Tribunal Act (Wales) Welsh language impact assessment refers to the

present duties outlined under the Welsh in Education Strategic Regulations and Measuring the Demand for Welsh-medium Education Act (Wales) 2013.

- 15.6 It is therefore vital that arrangements to verify, monitor and develop WESPs are effective, as this will decide how successful we will be in creating a workforce able to meet the requirements of the Additional Learning Needs and Welsh Tribunal Act (Wales).
- 15.7 The Referral Route. The expectation under the new act is that any person will be able to refer concerns about possible additional learning needs to the Local Authority. This will happen when children are under school age, or receiving education in a non-maintained setting. The new act creates jobs with the specific responsibility for coordinating and providing Individual Learning Plans to these children, as required. This will be the function of the Early years additional learning needs leading Officer.
- 15.8 It is essential that the persons undertaking these roles will possess a thorough understanding of the advantages of Welsh-medium education, in addition to possessing an additional learning needs specialism. These persons will have to discuss services and choices with families during the early years, possibly before the child reaches school age. Therefore they need to possess the confidence to discuss linguistic choice with parents, in an appropriate and sensitive way. Mudiad Meithrin Research (2) showed that parents were put under pressure by health visitors and others to send their children (who spoke Welsh and other languages) to English-medium provision. This is done to 'ensure linguistic consistency' due to shortages of Welsh-medium specialists.
- 15.9 We would wish to see a recommendation that the statutory duty to provide ILPs in Welsh (which is a part of the new act) will be done by people who are trained and qualified and who understand the ramifications of linguistic choice for children in Wales.
- 15.10 While we welcome the intent to improve the system, we are concerned about the implications for pre-school children in the period before the new system is adopted. The expected implementation period is 2020 – 2022, and this will run parallel to the present system, which as we know, is disadvantageous to those who wish to receive their education and early years care through the medium of Welsh.
- 15.11 Younger children are likely to come under new legislation from 2021, and it will be the responsibility of the Local Authority to prepare their Individual Learning Plans (ILP). The government's latest guidelines note:

*The school or LA conducting the ILP must ensure additional learning needs provision (ALNP) as described in the ILP, and where the ILP notes that provision should be made through the medium of Welsh, the school or LA should take every reasonable step to ensure that provision is delivered in Welsh. (14)*

*(14) The exception to this is when the ILP notes that an NHS body is to provide the ALNP. In that circumstance, the NHS body's duty is to secure that ALNP and where the ILP notes that provision should be made through the medium of Welsh, the NHS*

*should take every reasonable step to ensure that provision is delivered in Welsh: articles 20 and 21 of the act.*

15.12 It should be noted that 'take every reasonable step' is the objective for the local authority, and as such the legal expectation is vague and open to interpretation. We welcome that the Act has the flexibility to assess this and to strengthen the duties in the future. However, obviously Welsh ministers will only be required to inquire into this once every 5 years, and in the meantime a generation of children will have to accept 'every reasonable step', and this could well be insufficient and prejudicial against their rights to receive services and education through the medium of Welsh.

**Recommendation 16: Increase the status of the Welsh language within Government departments so that it is given due consideration before any new strategies are adopted. A process should also be created for the avoidance of, or resolution of situations which bring into conflict strategies which could affect the situation of the Welsh language.**

16.1 We agree with the need to ensure the status of the Welsh language within Government and Local Government departments in order to ensure the success of the Cymraeg 2050 strategy, and in order to ensure departmental cooperation as they implement and realize this ambitious strategy on a local level.

16.2 Ensuring representation from local services on the Welsh Language Fora would be one way of raising awareness of the strategies and plans concerning the Welsh language.

**Recommendation 17: The central Government and local governments to consider the size of their Welsh Language Units as they move to realize the Welsh Government's ambitions for 2050.**

17.1 Although we agree that ensuring sufficient capacity to operate through the medium of Welsh is key within the Welsh Government and Local Governments, if we are to achieve the targets of 2050 we suggest that consideration of the resources allocated across all departments would enable the mainstreaming of Welsh-medium services.

**Recommendation 18: A legislative framework should be created to provide support, advice and constructive criticism to bodies working to meet their legal duties regarding educational planning (be this via WESP or other format).**

18.1 We agree on the need for a legislative framework to provide support, advice and constructive criticism for bodies working to meet their legal duties regarding the planning and provision of Welsh-medium pre-school education

# Agenda Item 5.1

Hydref/Date  
**Gofynnwch am/**Please ask for:  
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17 Hydref 2018  
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Mrs Bethan Sayed AC  
Cadeirydd  
Pwyllgor Diwylliant, yr Iaith Gymraeg a Chyfathrebu  
Cynulliad Cenedlaethol Cymru  
Bae Caerdydd  
CF99 1NA

Annwyl Bethan,

## Taro'r Tant: Ymchwiliad i ariannu addysg cerddoriaeth a gwella mynediad ati

Deallaf fod adroddiad y Pwyllgor Diwylliant, yr Iaith Gymraeg a Chyfathrebu "Taro'r Tant: Ymchwiliad i ariannu addysg cerddoriaeth a gwella mynediad ati" ac ymateb Llywodraeth Cymru yn cael eu trafod mewn cyfarfod trafod llawn ar 24 Hydref. Meddyliais felly y byddai'n ddefnyddiol pe bawn yn darparu ychydig mwy o ystyriaethau ar addysg gerddoriaeth, adroddiad eich Pwyllgor ac ymateb Llywodraeth Cymru cyn y drafodaeth.

Mae'n amlwg ein bod i gyd yn rhannu ymrwymiad i addysg gerddoriaeth yng Nghymru a'r uchelgais bod gan bob dysgwr yng Nghymru fynediad at wasanaethau cerddoriaeth yn deg ac yn fforddiadwy, ble bynnag maent yn byw neu beth bynnag fo'u hamgylchiadau. Byddai fy nghydweithwyr mewn llywodraeth leol a minnau'n rhannu nifer o'r syniadau a'r cynigion sydd yn eich adroddiad ond rydym yn credu'n gryf y dylai gwasanaethau cerdd gael eu darparu o fewn fframwaith democrataidd o atebolrwydd lleol.

Mae'r brif her i ddarpariaeth a chynaliadwyedd gwasanaethau cerddoriaeth yng Nghymru yn deillio o'r cyfnod hir o gynni ariannol dros y 10 mlynedd ddiwethaf a thoriadau i gyllidebau llywodraeth leol. Mae awdurdodau lleol a'u hysgolion yn wynebu mwy o doriadau i'w cyllidebau yn 2018-19 a dyna yw'r bygythiad mwyaf i ddarpariaeth gwasanaethau cerdd yng Nghymru o bell ffordd. Nid creu cwango anetholedig yw'r ateb i'r broblem. Ni all unrhyw faint o ailwampio'r strwythur a'r prosesau, nac adolygu darpariaeth gwasanaeth yn barhaus, oresgyn effaith 9 mlynedd olynol o doriadau cyllid. Mae CLILC felly yn gwrthwynebu creu corff cenedlaethol hyd-braich arall i ddarparu'r hyn sy'n wasanaeth lleol gwerthfawr ac yn ymbil ar Lywodraeth Cymru i ailystyried ei thoriadau arfaethedig i addysg.

Fel arfer, mae CLILC yn fwy na bodlon gweithio'n greadigol ac yn adeiladol gyda'ch Pwyllgor, Llywodraeth Cymru a phartneriaid eraill i ystyried yr amryw syniadau sydd yn eich adroddiad, ond os bydd

Steve Thomas CBE  
Prif Weithredwr  
Chief Executive

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**Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.**

**Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.**

We welcome correspondence in Welsh and English and will respond to correspondence in the same language.  
Use of either language will not lead to a delay.

toriadau cyson i wasanaethau llywodraeth leol yn parhau, ni fydd modd dad-wneud y niwed i wasanaethau fel y rhain a gwasanaethau lleol pwysig eraill.

**Yn gywir**



**Y Cynghorydd Debbie Wilcox  
Arweinydd CLILC**

Steve Thomas CBE  
Prif Weithredwr  
Chief Executive

Cymdeithas  
Llywodraeth Leol  
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**Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.**

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**Dyddiad /Date:**  
**Gofynnwch am/Please ask for:**  
**Llinell uniongyrchol/Direct line:**  
**Ebost/Email:**

17 October 2018  
Dr Chris Llewelyn  
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Mrs Bethan Sayed AM  
Chair  
Culture, Welsh Language and Communications Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

Dear Bethan,

## **Hitting the Right Note: Inquiry into Funding for and Access to Music Education**

I understand that the Culture, Welsh Language and Communications Committee's report "Hitting the Right Note Inquiry into Funding for and Access to Music Education" and the Welsh Government's response are being discussed at a plenary debate on 24<sup>th</sup> October. I thought it might be useful therefore if I were to provide some further thoughts on music education, your Committee's Report and the Welsh Government response in advance of the debate.

It is clear that we all share a commitment to music education in Wales and the aspiration that all learners in Wales should have fair and affordable access to music services, regardless of where they live or their circumstances. My colleagues in local government and I would share many of the ideas and proposals set out in your Report but believe strongly that music services should be delivered within a democratic framework of local accountability.

The main challenge to the provision and sustainability of music services in Wales arises from the sustained period of austerity over the last 10 years and cuts in local government budgets. Local authorities and their schools are facing further cuts to their budgets in 2018-19 and that is by far the biggest threat to the provision of music services in Wales. Creating unelected quango is not the solution to the problem. No amount of tinkering with structure and processes, or the constant review of service provision, can overcome the impact of 9 successive years of funding cuts. The WLGA is therefore opposed to the creation of another arms-length national body to deliver what is a valued local service and urges the Welsh Government to reconsider its proposed cuts to education.

As ever, the WLGA is more than happy to work creatively and constructively with your Committee, the Welsh government and other partners in exploring the range of ideas set out by your report but if the sustained cuts to local government services continue, then the

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**Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.**

**Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.**

We welcome correspondence in Welsh and English and will respond to correspondence in the same language.  
Use of either language will not lead to a delay.

damage to services such as these as well as other important local services will be irreversible.

**Yours sincerely**



**Councillor Debbie Wilcox  
Leader of WLGA**

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## Agenda Item 5.2



### **Short inquiry into the implications of Brexit on areas within the Culture, Welsh Language and Communications Committee's remit**

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Equity is the trade union representing over 44,000 performers and creative workers. Our membership includes UK, EU and non EU citizens living and working across the UK's creative industries including film, television, theatre, live entertainment and variety as well as the music industry. Almost 1,600 Equity members live in Wales, of whom around a third we believe to be Welsh Speakers.

#### **A voice for creative workers in Brexit**

Equity launched its Brexit: A seat at the table campaign during the summer to articulate our 5 clear campaigning objectives on Brexit, namely:

- 1) Fighting to ensure lost Creative Industries funding from the EU is matched and guaranteed by the UK government.**
- 2) Campaigning on Free Movement for workers - an essential right for our members.**
- 3) Joining with the TUC and others to ensure that workers' employment rights including hard fought for rights to rest and holiday pay are safeguarded.**
- 4) Vocal Opposition to a No Deal Brexit that would devastate members' careers, incomes and ability to provide for loved ones.**
- 5) Opposing the imposition of a hard border on the island of Ireland.**

<https://www.equity.org.uk/getting-involved/campaigns/brexit-seat-at-the-table/>

#### **Recommendation:**

- We believe that getting the best deal for the UK's creative industries will mean tapping into the talents of workers as well as employers and would encourage the Committee and the Assembly to take evidence and consult with organisations representing workers in the sector throughout the Brexit negotiations.

#### **Funding**

Arts Council England has surveyed just fewer than 1000 arts organisations to ascertain how much of their funding comes from Europe. 9% reported accessing Creative Europe funding, but many more, including a large number of smaller arts organisations have made use of other sources of support including European Regional Development and education/university funding emanating from Europe. For smaller arts organisations, these alternative funding mechanisms potentially represent a larger proportion of their overall income.

Across the creative sector, 46% of UK bids for European funding are accepted, second only to Germany. The UK also receives 24% of all European Research Council grants. 1.5-2% of £258bn European Structural and Investment Funds for the period 2014-2020 will go to the

cultural sector and in the period 2014-2020 The European Social Fund and the European Regional Development Fund will invest £8.66bn across the UK – targeting disadvantaged areas in particular.

EU funding has also aided regeneration – Liverpool’s term as European Capital of Culture in 2008 greatly boosted the area and enhanced the city’s reputation internationally. Tourism to Liverpool increased by a third in 2008 and it is estimated that the city enjoyed over £750m in economic benefits. The UK was due to host another capital of culture in 2023.

10 million inbound visits to the UK involved engagement with the arts and culture, representing 32 per cent of all visits to the UK and 42 per cent of all inbound tourism-related expenditure, amounting to £7.6 billion. Funding for the arts, which is a major driver of tourism, particularly outside of London, is heavily dependent on spending by local authorities. Since 2010 local authority investment in arts and culture has declined by 17%, or £236m, and will fall even further in the coming five years.

The Creative Europe programme has also boosted UK cultural exports by spending £39m promoting British films to the rest of Europe and has funded the development of many UK independent films including *The Iron Lady*, *The King’s Speech*, and *Mr Turner*. Creative Europe is not limited to film – it also funds other projects in the wider cultural sector. Overall the programme is worth £1.07bn (2014-2020). In 2015 the culture sub programme supported 54 UK projects and the MEDIA programme supported 53 co-productions. Switzerland lost all access to funding schemes in 2014 after imposing restrictions on EU citizen mobility and while Norway pays into and can access schemes, they have no say in their development.

US Foreign Direct Investment in film - about £1.2bn is invested by US operators in UK film and high-end TV production each year. While this is probably secure in the short-term, given the long lead time on projects, and the current attractiveness of the low pound, investors could be deterred by no longer having easy access to the EU market and freedom of movement once the UK Brexits.

#### **Recommendations:**

- A thorough mapping exercise of existing European funding streams for cultural organisations in Wales should be undertaken.
- It is vital that the UK’s creative industries are able to retain access to Creative Europe and other sources of European funding. If access to EU funding for UK creative industries becomes unavailable, an amount equivalent to the UK’s contributions to Creative Europe should be ring fenced by the UK Government for UK public funders in the creative industry including Arts Council Wales. Such funding should be ringfenced for the type of projects previously funded by Creative Europe in the UK and should be contingent on delivering specific cultural, diversity and social outcomes.
- Brexit could positively affect the UK’s ability to provide increased state aid to the creative industries. Creative tax reliefs have provided a major boost to the Welsh film, television production, animation and theatre industries and the case for expansion should be explored.

## **Mobility - talent**

Employers and engagers in the live and recorded media sectors, as well as representatives from the agent community, have expressed concerns to Equity about the impact of Brexit on their ability to provide work opportunities for performers. In the days following the referendum result, it was reported to Equity that a significant number of commercial/advertising jobs – which are often filmed across Europe, but make use of UK talent were immediately cancelled.

There are significant skills shortages in the UK creative industries – it is estimated that 11% of talent across the sector is non UK, with 6% coming from the EU and 5% non EU. In some fields it is much higher than this – orchestras are 80% non EU and in the visual effects industry 60-70% of workers are non EU.

Performers are some of the most mobile workers in the economy, particularly dancers, models, audio artists, circus and variety performers who work across the EU and internationally without language barriers. These workers enhance the reputation of our own cultural institutions, particularly opera and the UK's world leading dance companies.

Touring organisations in the live arts and individuals artists are very concerned about mobility and how this will affect their business models. There are also fears that in the film sector important co-production agreements which allow international film producers to work together to create a film which can gain state protections and tax benefits from multiple countries at the same time could be compromised. Being outside of that framework, or the uncertainty of having to re-sign up to it could be damaging for the UK film industry.

Healthcare provision when on tour or otherwise working abroad is also a key concern for Equity members and many other creative workers. Equity is able to provide public liability and some other insurance arrangements for our members, however access to healthcare provision akin to the existing European Health Insurance Card (EHIC) system remains vital.

### **Recommendations:**

- Freedom of movement for workers across the EU is essential in the increasingly internationalised labour market that services the entertainment sector. The Assembly must join calls for an EU wide working visa for the entertainment sector or for the retention of free movement arrangements.
- EU citizens currently working and residing in the UK should be allowed to remain post-Brexit without having to apply for additional work or residence permits. Reassurance for these workers is urgently needed.
- Existing co-production agreements must be protected and if necessary the UK should re-sign up to the European Convention on Cinematographic Co-Production as a European non-member state.
- Alternative arrangements to the EHIC system, or retained rights to make use of the EHIC system should be made accessible to entertainment industry professionals when they are working in the EU.

## **Intellectual Property**

EU Directives have created and improved intellectual property rights for performers, including the extension of copyright protection for music performers from 50 to 70 years in 2011. As it stands, the UK may now be excluded from future discussions around intellectual property developments at European level including the Digital Single Market and the recently published draft Copyright Reform Directive. These projects have a significant bearing on the UK's creative industries and workers, particularly regarding issues such as territoriality of licensing and performers' remuneration.

## **Recommendations**

- Given the strength of the audio-visual sector it is vital that the UK is able to influence European level copyright developments which could have a positive or negative bearing on the industry. It would be helpful if the Committee were to note the importance of existing and future copyright directives to the sector.

## **Employment Rights**

EU Directives prompted the UK to legislate to tackle discrimination based on sexual orientation, age and religion and belief – these laws are just as relevant to the creative sector as any other sector of the economy. European legislation has also improved the UK's health and safety regime.

Equity and other UK entertainment unions and UK based employers are currently active participants in EU sector wide bodies, specifically the Live Performance and Audio-visual Social Dialogue Committees – this kind of partnership working could be lost post-Brexit.

The UK's entertainment unions have also been very active in examining the rise of atypical working across Europe and campaigning alongside European trade union confederations for positive change which would improve the sustainability of careers in the arts and creative industries.

## **Recommendations:**

- The Assembly must hold the UK Government accountable on its commitment to protect and improve existing UK workers' rights
- Any future trade deal between the UK and EU must include a commitment not to fall behind the EU on improvements to employment rights, particularly any improvements that are made to the rights of atypical workers.

## **Cultural Diversity**

UK produced programming could potentially be excluded from quotas for EU content. Quotas are currently set out in the TV Without Frontiers and the Audio-visual and Media Services Directives. EU rules currently oblige TV broadcasters to invest 20% of their revenues into making or commissioning original content and to spend at least 50% of their time showing European works, including material made in their own country.

As the UK places more emphasis on trade talks with non-EU countries, there is a risk that cultural goods and services could be traded in a way which is currently protected by the cultural exceptions which apply in trade talks between the EU and other partners.

**Recommendations:**

- The UK Government should have due regard for international standards including the UNESCO treaty on cultural diversity and ILO conventions on labour standards when negotiating future trade deals. There is a role here for the Assembly in ensuring that Welsh language programming and broadcasting is protected in any future trade deal negotiations.
- UK Government must ensure that UK content continues to fall within the definition of European works for the purposes of European broadcasting quotas post-Brexit.

Tuesday, 30 October 2018

Bethan Sayed AM  
Chair  
Culture, Welsh Language and Communications Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff CF99 1NA

*Dear Bethan*

Thank you for your letter of 25 October 2018. You asked for additional information on four matters. Please find my comments below.

### Arts & Business Cymru

In February 2017, Arts & Business Cymru (A&BC) informed the Committee that it was experiencing financial difficulties. In response, the Arts Council offered to provide a fixed term period of transitional funding to allow A&BC to stabilise itself. A&BC's view was that if funding could be provided for a two-year period (at £70,000 per year), this would allow sufficient time for the organisation to move to a self-sustaining business model. Funding was confirmed on that basis and is additional to other project funding (such as the Arts Council's support for A&BC's Fundraising Mentorship programme).

We are now in the second year of the two-year transition period. In year one, A&BC's business plan indicated that self-sufficiency would be achievable through increases in non-public funding. However, the current business plan suggests that the organisation cannot be self-sustaining from 2019/20 without further public funding. This is somewhat at odds with the rationale for our original support.

A&BC is currently seeking support from the Welsh Government and meetings have taken place with the Culture Minister. We understand that the Minister has explored with A&BC the potential of an incentivised "public private" partnership.

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### Swyddfeydd Lleol/Local Offices:

Caerdydd/Cardiff, Bae Colwyn/Colwyn Bay, Caerfyrddin/Carmarthen  
Rhif Elusen Gofrestredig/Registered Charity Number: 1034245

Rydym yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg ond dim gobaith ydwy gyfrwng y Gymraeg yn arwain at oedi.  
We welcome correspondences in Welsh and English, corresponding in Welsh will not lead to a delay.

We are in regular communication with officials but at this stage cannot confirm how such a proposal might operate. We would hope that a new way forward can be identified by the new year.

### Independent Review of Support for Publishing and Literature in Wales

Earlier this month the Culture Minister wrote to us with his conclusions on the Review.

In summary:

- **Wales Book of the Year** – the Minister has determined that Literature Wales should remain the lead organisation for Wales Book of the Year at present. However, he wishes to see a closer and more strategic partnership with the Welsh Books Council and other stakeholders.
- **Bursaries** – the Minister has indicated that he believes that separate, good work is already being done by Literature Wales and the Welsh Books Council. However, he sees merit in bringing this activity together to achieve a more unified strategic approach. He is not requiring the delivery of all bursaries by a single organisation, although that is an option the stakeholder organisations could explore.
- **Writers on Tour** – the Minister concludes that Literature Wales should remain the lead organisation for Writers on Tour, but he suggests possible changes to current delivery. Literature Wales should cover reasonable travel and subsistence costs for authors, in line with usual public sector rates. The Minister also suggests that the Welsh Government and the Arts Council of Wales might consider whether a small budget increase for Writers on Tour is required to facilitate this. We will be discussing this with the Welsh Government.
- **Children and Young People/Literary events** – the Minister has decided that there should be no transfer of funding functions of funding in relation to children and young people and literary events. However, the Minister wishes to see Literature Wales and the Welsh Books Council discussing current arrangements and agreeing how support could be delivered more collaboratively in future.

We welcome the Minister's conclusions.

They move everyone forward constructively from the uncertainty produced by the original Review. We agree that there should be no transfer of functions and support the Minister's view that all the organisations involved need to cooperate more closely in developing the Literature and Publishing sectors. We are now giving careful consideration to how that cooperation should work across the various strands of activity.

## Creative Learning through the Arts

Creative Learning through the Arts is our five-year partnership with the Welsh Government designed to embed creativity within the schools-based teaching environment. The programme has a particular emphasis on using creative techniques to raise levels of attainment, and to narrow the attainment gaps between the most and least able pupils.

A full evaluation is taking place alongside the delivery of activity. It will report at the programme's conclusion. We are delighted with the initial outcomes – indeed, the programme has already exceeded our most optimistic expectations.

At the heart of the programme is the **Lead Creative Schools Scheme**. 577 schools are now benefitting from the scheme either as a Lead Creative School themselves or as part of a school-to-school development strand.

This has enabled us to work with:

- 233 Creative Agents, assisting schools to diagnose their developmental needs
- 500 Creative Practitioners, delivering projects in partnership with the teachers
- over 1,000 teachers, who have been trained through the scheme
- around 40,000 learners who have been engaged in the scheme

Feedback from participating schools continues to be very positive with impacts being seen in pupil engagement and attainment, teacher development and whole school change. Increasingly, schools are also telling us that the scheme is helping them to prepare for the introduction in Wales of the new school curriculum.

A highlight this year has been our “take-over” of Tate Exchange in London. We curated an interactive exhibition during the week of 24 – 29 April showcasing the wealth of learning that is resulting from the Scheme. We showcased a series of live projects delivered by schools, creative professionals and pupils drawn from across Wales. We also ran a seminar on “*Measuring Progression in Creativity Skills*” in partnership with the OECD and Welsh Government.

An important part of the Creative Learning programme is the **Experiencing the Arts Fund**. This is about encouraging schools to provide children and young people with opportunities to go ‘one step further’ in their explorations of creative, cultural and arts experiences.

There are two strands of financial support on offer. The first is a simple ‘Go and See’ scheme offering funding for straightforward visits to high quality arts events. The second, ‘Creative Collaborations’, makes more demands of young people but offers higher levels of funding that will allow schools to pursue more ambitious proposals and and partnerships with the cultural sector.

'Go and See' continues to be a popular fund for schools wanting to attend arts events. As of September 2018, we had awarded 454 Go and See grants, 48 First World War commemoration grants and 60 Creative Collaborations.

Funding for the remainder of the published programme is secure. However, the Welsh Government has also approached us to explore the possibility of extending the programme in some form. Discussions are continuing and we hope that these will reach a conclusion in December.

You can view a copy of the Creative Learning annual report for 2016/17 here:

<http://2017.creativelearning.arts.wales/>

### Arts & Health

In January 2018 we published a detailed **Mapping report** looking at the full range of Arts & Health activity currently taking place across Wales. You can view a copy of the report here:

<http://www.arts.wales/arts-health-2>

Building on the momentum and interest generated by our report, we are now acting on its 11 recommendations. Key themes and emerging priorities include: mental health, social prescribing, strengthening the evidence base and raising awareness of the well-being benefits of engaging in the arts.

Partnerships remain at the heart of all our Arts & Health work. We have an established partnership with **Welsh NHS Confederation**. This is fundamental in helping to co-ordinate our work with individual Health Boards.

In recent months, the Confederation has written two briefing papers: one a literature review of the available evidence supporting Arts & Health; the other sharing examples of best practice within mental health. Both have been distributed throughout the NHS as well as to Assembly Members.

Last month we joined with **Betsi Cadwaldr University Health Board** to launch a Concordat with Public Health Wales. The result of a series of workshops held across North Wales, it will offer a framework to grow the provision of arts, health and well-being across the region.

We are currently working with **NESTA** and **Y Lab at Cardiff University** to explore commissioning models within Arts & Health. We also want to try and pinpoint the level and type of evidence that health partners require in order to invest in those projects that we believe have the potential to become self-sustaining (such as social prescribing).

The Cross Party Group on Arts & Health re-grouped in September under its new Chair, Jayne Bryant AM. The Arts Council is providing the secretariat to the Group.

A particular focus for us in the current year is to secure seven Arts & Health Coordinator posts, one in each Health Board. We know that where dedicated staff are in place, the arts tend to be deployed better and more imaginatively with greater impact within health and care settings. Discussions are underway with each Health Board to understand how best to use the investment. Each Health Board will be responsible for recruiting and employing the Coordinators. We intend to commission an independent evaluation of the impact.

The Wales Arts for Health and Wellbeing Network continues to gain in authority and we support its development. A website is close to going live. In the autumn, we plan to commission a short film to capture patients' views and participants' experiences of taking part in Arts & Health projects. We're also looking to explore joint PR campaigns (with the Confederation and Public Health Wales) to raise awareness and promote the well-being benefits of the arts more generally.

If you would like more information on any of the above, please do not hesitate to contact me.

*Yours sincerely,*

*Nick Capaldi*

Nick Capaldi  
Chief Executive