

WLE 16

Ymateb gan: Coleg Cymraeg Cenedlaethol

Response from: Coleg Cymraeg Cenedlaethol

Written Evidence

The Coleg Cymraeg Cenedlaethol (the Coleg) welcomes this opportunity to submit written evidence and to come before the Committee to give oral evidence on 17 October as part of the scrutiny process on the Welsh Language and Education (Wales) Bill.

The Coleg Cymraeg creates and promotes training and study opportunities in the Welsh language by working with further education colleges, schools, universities, apprenticeship providers and employers. We inspire and encourage everyone to use their Welsh language skills.

The aim of the Coleg is to build a Welsh language and bilingual education and training system that is open to everyone and to develop bilingual workforces, including the education workforce itself.

1. The general principles of the Welsh Language and Education (Wales) Bill and the need for legislation to achieve the stated policy intention.

1.1. The Coleg welcomes the general principles of the Bill and is of the view that legislation is essential to achieve the policy intentions. Legislating in this manner is the way to ensure that the policy intentions are a priority for all relevant stakeholders, and will lay the foundation for the type of collaboration that will be necessary to ensure success. Beyond legislation, there will be a need for sufficient funding and collaborative approaches that will generate enthusiasm and goodwill.

1.2. **Part 1: Promotion and facilitation of use of the Welsh language:** We very much welcome the fact that the Bill places a number of elements from the Welsh Language Strategy on a statutory basis, including the target of increasing the number of Welsh speakers to one million by 2050, and the requirement to set targets for increasing the use of Welsh in the workplace and socially. We are of the view that giving these provisions a statutory basis will be a significant and indispensable driver for action at local and national levels. Similarly, we welcome the principle of setting targets for increasing the provision of Welsh language education and increasing the number of people learning Welsh, and the emphasis placed on transmission of the Welsh language. We agree that setting criteria to measure progress is necessary, as is putting clear reporting arrangements in place.

1.3. The Coleg strongly agrees with the stronger role specified in the Bill for the Welsh Language Commissioner in relation to the Welsh Language Strategy. We also support the requirement to review the Welsh Language Standards in order to harness the potential of

their significant capacity to support the delivery of the Bill's policy aims, especially in order to reflect the proposed Code to describe Welsh language ability.

- 1.4. **Part 2: Describing Welsh language ability:** We see tremendous potential in the innovative intention of creating a Code to describe Welsh language ability based on the Common European Framework of Reference for Languages (CEFR). The Coleg is of the view that such a code would create consistency that would lay a solid foundation for linguistic planning across sectors including statutory education, post-compulsory education and workforces, and facilitate strategic planning and collaboration to achieve the objectives of the Bill and the Welsh Language Strategy.
- 1.5. **Part 3: Welsh language education:** Since the education sector for pupils of compulsory school age is critical to any growth in the number of speakers and to increasing the use of the language – within the sector and far beyond – we welcome the fact that the Bill provides a statutory basis for mechanisms to plan and measure progress in the sector. We agree with the principle of designating a language category for each school, and that this provides a basis for statutory planning requirements at school level (delivery plans) and at local authority level (local strategic plans, in Part 4), including the requirement to provide and encourage demand for late immersion education. Although we support the general principles of this Part of the Bill, we have some more specific comments below in section 3 and sections 4.3-4.4.
- 1.6. **Part 4: Planning Welsh Language Education and Learning:** The Coleg agrees with the requirement for Welsh Ministers to prepare a National Framework for Welsh Language Education and Learning Welsh as a vehicle for planning and ensuring progress over time, including by imposing targets on other bodies and monitoring achievement against those targets, and reporting publicly on them.
- 1.7. However, there is one matter of general principle that is of significant concern to the Coleg which relates to the scope of the National Framework.
- 1.8. Currently, only indirect references are made in Part 4 of the Bill to tertiary education in the context of the National Framework:
 - 23(3)(e)(ii) and 28(2)(d)(ii) in relation to encouraging progression in teaching Welsh and education through the medium of Welsh for pupils of compulsory school age
 - 23(4)(c) in relation to opportunities to 'learn Welsh' in the sector; we interpret 'learn Welsh' as learning Welsh linguistic skills, rather than education through the medium of Welsh
- 1.9. At present, therefore, there is no direct reference in the Bill to Welsh-medium and bilingual tertiary education in relation to the National Framework. Estyn, in its written evidence to the Committee, has said "Apart from the duty to engage with Medr on the

framework, there is insufficient clarity of how the framework and other duties in the Bill fit into Medr's duties..."¹.

1.10. We understand that it is the Welsh Government's policy intention that tertiary education will fall within the scope of the National Framework. The Coleg would welcome this policy intention, but at present, Part 4 of the Bill does not provide clearly for this, and neither does the Explanatory Memorandum. As a result, we feel that a crucial opportunity is being missed to ensure a comprehensive strategic planning and implementation framework that would facilitate progression routes for learners.

1.11. Extending the definition of 'Welsh language education' in section 35 to include tertiary education would ensure that the policy intention, and the subsequent responsibilities and expectations, are completely clear.

1.12. Having confirmed that tertiary education is within the scope of the National Framework, it would be sensible to add the Coleg to the list of bodies that the Welsh Ministers must consult when preparing or amending the Framework, in section 26(1).

1.13. Furthermore, section 23(3)(e)(ii) specifically refers to encouraging progression. Such encouragement will not be sufficient in itself, without the existence of appropriate progression routes. The Bill could make provisions to reduce the risk of insufficient progression routes by amending the clause to refer to 'encouraging **and maintaining** progression'. The Coleg is of the view that this would likely lead to strategic planning that would focus on ensuring appropriate progression routes.

1.14. **Part 5: National Institute for Learning Welsh (the Athrofa):** The Coleg agrees with the basic principles of this Part of the Bill.

1.15. Resolving the issue we have raised regarding the definition of 'Welsh language education' in Part 4 of the Bill would avoid any potential ambiguity regarding remits and would provide a foundation for effective collaboration between Medr, the Coleg and the Athrofa.

2. Are there any potential barriers to the implementation of the Bill's provisions and does the Bill take account of them?

2.1. The Coleg sees the potential to strengthen the Bill in a way that would help to avoid some obvious barriers, and increase the likelihood of achieving the policy objectives.

2.2. **The education workforce:** In responding to the White Paper, the Coleg (and a significant number of other key stakeholders) noted concerns regarding the extent to which the Bill's laudable ambitions are dependent on ensuring a sufficient education workforce. We know how much of a challenge that is at present, and in order to achieve the ambition, an even bigger supply will be needed.

¹ business.senedd.wales/documents/s153928/Paper%206%20Estyn.pdf

- 2.3. We recognise the important role the Bill gives the Athrofa in relation to the 'development of the education workforce for the purpose of improving Welsh language teaching' and 'to provide opportunities to learn Welsh to the education workforce'. That is essential, but it is not in itself enough; there are wider issues that need consideration.
- 2.4. The Coleg supports the Welsh Language Commissioner's view in her evidence to the Committee that "this priority could be expressed more clearly by placing a duty in the Bill on Welsh Ministers to produce and publish a Welsh in Education Workforce Plan as part of the National Framework for Welsh Language Education and Learning Welsh."²

3. The appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation

- 3.1. We have a concern about one specific area, which relates to school language categories. The Bill outlines the three proposed language categories [9(2)], giving Welsh Ministers the power to make regulations to 'specify the amount of Welsh language education provided for each language category, including a minimum provision of Welsh language education' [10(1)].
- 3.2. The Coleg agrees that regulations are the appropriate place for the detail of the categories, and we recognise that the Bill makes some provisions regarding the categories that will help shape the work of Ministers in drawing up the regulations (e.g. setting Welsh language 'learning goals' by category).
- 3.3. However, we are of the view that the power to make regulations in this area is too open-ended.
- 3.4. Firstly, we suggest that it is necessary to state clearly on the face of the Bill that the 'amount of Welsh language education to be provided in the school' applies to all pupils within the relevant range (pupils of compulsory school age, within relevant school years, and, in two-stream schools, within the stream designated in the language category in question). There is a need to ensure that the 'amount of provision of Welsh language education' cannot be an average across cohorts within the school where some receive a higher amount of provision, and others a lower amount. If there are different amounts of provision for different groups within the school, they will need to be designated under different categories.
- 3.5. Secondly, there would be a risk to the policy objectives of the Bill if the regulations failed to define with sufficient clarity, in relation to the category 'Primarily Welsh Language', the equivalent of the current 3P category where pupils follow at least 90% of the areas of learning and experience, and school activities outside the classroom, in Welsh. The Welsh Government recognises the essential role of 'Welsh-medium' education for producing Welsh

² business.senedd.wales/documents/s153711/Paper%201%20Welsh%20Language%20Commissioner.pdf

speakers, from all backgrounds, who are confident to use the language in various contexts (including progression routes through tertiary education to the workforce).

3.6. We would not wish to see a lack of clarity on the face of the Bill leading to regulations that could allow the definition of Welsh-medium education to be weakened, which could in turn undermine the ability of the education system to reach the targets set through the National Framework.

4. Are there any unintended consequences arising from the Bill?

4.1. The Coleg is concerned about possible unintended consequences in three areas:

- Tertiary education
- The protection of Welsh-medium education in schools
- Welsh as an academic subject

4.2. **Tertiary education:** The ambiguity we have highlighted above (1.8-1.11) regarding the definition and relevance of the tertiary sector in Part 4 of the Bill could lead to unintended consequences such as ambiguity and misunderstanding about responsibilities, and missed opportunities to ensure holistic strategic planning that would lay the foundations for progression routes for learners.

4.3. **The protection of Welsh-medium education in schools:** The Bill's intention to move all schools in Wales along a linguistic continuum is clear and to be greatly welcomed; this is the only way to ensure, over time, that every pupil in Wales will have the opportunity to become an independent or proficient Welsh user.

4.4. However, we are concerned that the lack of distinction in some parts of the Bill between 'Welsh-medium education' and 'teaching Welsh' (as a 'second language') could lead to a lack of focus on protecting and increasing 'Welsh-medium education', which is so essential in achieving the objectives of the Cymraeg 2050 strategy, and the Bill itself. The Bill must be crystal clear in this regard in order to provide a basis for the Framework to set clear, unambiguous targets. Any reduction in the number of pupils in Welsh-medium education would endanger progression routes through tertiary education and eventually into bilingual workforces.

4.5. **Welsh as an academic subject:** another element of the Bill in which a lack of clarity could lead to unintended consequences, and to important missed opportunities, relates to Welsh as an academic subject (e.g. GCSE Welsh, A level Welsh, Welsh degree).

4.6. The Coleg is of the view that a specific focus is needed in the Bill, and within the National Framework, on Welsh as an academic subject, especially for learners above compulsory school age, and that this is not currently possible, as it cannot be distinguished from the categories listed in 23(1)(a)-(c).

4.7. Studying Welsh as a subject is necessary but insufficient to create independent Welsh users (B2). The study of Welsh as a subject must be reinforced with learning experiences through

the medium of Welsh in other areas of learning. A distinction in the Framework between Welsh-medium education and education in Welsh as a subject would allow the creation of levers and metrics to ensure that the 'amount of Welsh language education provided' in a school is deep enough and wide enough to create users who can use the language beyond the Welsh class.

- 4.8. Although Welsh is a mandatory part of the curriculum for every school year in the statutory period, including Years 10 and 11, the pattern of post-16 provision is extremely fragile. We know that it can be challenging to convince learners to study the subject, for various reasons; but even when a group of learners are keen to do so, the provision is not necessarily available.
- 4.9. Education in Welsh as an academic subject is the main means of creating proficient users (C1 and C2). In practice, it is only by protecting and promoting A Level Welsh (First Language and Second Language) that it is possible to create significant workforces with advanced skills (C1 or C2) in the Welsh language, especially teachers who can teach Welsh or teach through the medium of Welsh and Welsh tutors. Growing these workforces is key in order to achieve the objectives of the Bill.
- 4.10. We are of the view, therefore, that there could be significant advantages in including Welsh as an academic subject as one of the categories in section 23(1) of the areas Welsh Ministers will be required to address in the National Framework, in the context of the Welsh language strategy.