

# WELSH GOVERNMENT INTEGRATED IMPACT ASSESSMENT

## CONTENTS

How to Complete the Integrated Impact Assessment.....	<b>Error! Bookmark not defined.</b>
Guidance and Support for Impact Assessment.....	<b>Error! Bookmark not defined.</b>
Section 1. What action is the Welsh Government considering and why? .....	2
Section 2. What will be the effect on social well-being?.....	7
Section 3. What will be the effect on cultural well-being and the Welsh language? .....	10
Section 4. What will be the effect on economic well-being?.....	10
Section 5. What will be the effect on environmental well-being? .....	12
Section 6. Record of Full Impact Assessments Required .....	14
Section 7. Conclusion .....	15
Section 8. Declaration .....	<b>Error! Bookmark not defined.</b>
Full Impact Assessments.....	20
A. Children's Rights Impact Assessment.....	20
B. Equality Impact Assessment.....	24
C. Rural Proofing Impact Assessment .....	<b>Error! Bookmark not defined.</b>
D. Privacy Impact Assessment .....	<b>Error! Bookmark not defined.</b>
E. Welsh Language Impact Assessment .....	30
F. Biodiversity Impact Assessment .....	35

## SECTION 1. WHAT ACTION IS THE WELSH GOVERNMENT CONSIDERING AND WHY?

### Long term

The Well-being of Future Generations (Wales) Act 2015 requires public bodies across Wales named in the act to work towards seven well-being goals, one of which is 'A Wales of Vibrant Culture and Thriving Welsh Language'. The system for planning Welsh-medium education provision also has a statutory basis. The Welsh Government has a duty to promote and facilitate the use of Welsh and work towards the well-being goals.

Taking Wales Forward 2016-2021 was published in September 2016, and the programme aims to drive forward improvements to the Welsh economy and public services in order to create a Wales which is prosperous and secure, healthy and active, ambitious and learning, and united and connected. This document outlines the Government's priorities for achieving these improvements. They are ambitious measures which will have an impact on everyone at all stages of their lives.

The Welsh Government's ambition for increasing the use of Welsh and the number of people who speak the language is also noted, as is the commitment to work towards securing a million Welsh speakers by 2050 and to continue to encourage more people to use and speak Welsh in their everyday lives.

### Cymraeg 2050

The Welsh Government's Cymraeg 2050 strategy was published in August 2017. For the first time, we have a clear vision for a Wales in which the language is thriving. One of the strategy's key aims is to create a statutory education system which increases the number of confident speakers. To realise this aim we must considerably increase the number of school pupils who are given the opportunity to develop Welsh language skills in school and the opportunity to use the language in their everyday lives. This is the driver for the Welsh Government's wish to strengthen the legislative framework which supports the way in which Welsh and the provision of Welsh is planned within our statutory education system in Wales.

Cymraeg 2050 requires support from our local authorities to respond to our ambition of a million Welsh speakers and to do so by showing clear leadership and a commitment to share the same long term vision. The legislation which sets out the requirements on local authorities to plan Welsh medium education needs to reflect the Welsh Government's strategic aspirations for the Welsh language over the next 30 years. We must take significant, systematic and proactive steps towards the aim of increasing the number of pupils who learn Welsh.

Responding to the challenge of reaching a million Welsh speakers by 2050 requires far-reaching changes. We need to push the boundaries and take ambitious steps to ensure that more people learn and use the Welsh language. The education system is key to ensuring that we reach a million Welsh speakers, and it is vital that we create a statutory education system which increases the number of confident Welsh speakers.

Cymraeg 2050 is the main policy driving the changes to the statutory process around planning Welsh-medium education. The Cymraeg 2050 strategy notes that Welsh-medium immersion education is our principal method for ensuring that children can develop their Welsh language skills, and for creating new speakers. School data tells us how many children are educated through the medium of Welsh, and is a key indicator of the growth required, and demonstrates the importance of ensuring the commitment of the education system to create a million Welsh speakers. It also highlights the importance of the early years sector as a point of early entry to immersion education, and as a way to increase demand for Welsh-medium education.

It will also be necessary to increase the number of learners in English-medium schools who learn Welsh successfully by developing Welsh medium provision in the statutory period, and this will form an integral part of the new curriculum which will include one continuum for learning Welsh. The aim through the new curriculum is to ensure an increase in the number of confident Welsh speakers within the statutory education system, and ensure that in future, all learners can use Welsh after they have left school.

This proposal will ensure that Local Authorities can carry out their statutory duties in relation to Welsh medium education through their Welsh in Education Strategic Plans. The Welsh in Education Strategic Plans are the long term language planning tool for local authorities which sets the strategic direction for the planning and delivery of growth in Welsh medium education. This will allow Local Authorities to plan Welsh medium education in their areas which will respond to the aims set out in Cymraeg 2050.

Local targets within the Welsh in Education Strategic Plans will be based on the overall long term target of a million speakers. Cymraeg 2050 outlines the commitment to increase the proportion within each school year who receives Welsh medium-education from 22% to 30% by 2031, and this national increase of 8% will be the basis for local authority targets within the Welsh in Education Strategic Plans.

## **Prevention**

Cymraeg 2050 states that if we are create a statutory education system that increases the number of confident Welsh speakers we must take significant steps to build on the foundations – and crucially within the next 5-10 years.

This proposal supports the statement made in Cymraeg 2050 that we must move away from a system of planning on the basis of measuring demand assessments for Welsh medium education, to developing Welsh medium education systematically and proactively.

This will allow Local Authorities to take significant, systematic and proactive steps towards the aim of increasing the number of pupils who learn Welsh.

### **Integration**

This ultimate objective of this proposal is to ensure that Local Authorities improve the way in which they improve the planning and growth of medium education provision. There is clear alignment between this objective and four of the seven well-being goals set out in the Well-being of Future Generations (Wales) Act 2015.

- A prosperous Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language

Wales needs to build a society that promotes and protects culture, heritage and the Welsh language. Additionally, Wales needs to build a society which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities.

This proposal will lead to Local Authorities promoting the Welsh language through the statutory education system as well contributing to the development of Welsh language skills that can be used in the workplace in future. This in turn will contribute to the tackling poverty agenda. This proposal will also promote the Welsh language and the cultural opportunities it brings and encourage all children and young people to embrace them.

### **Collaboration**

Local Authorities are the organisations who will deliver on these plans, and the regional consortia also have a role to play in the delivery of some aspects of the proposal.

We have engaged with discussions with the WLGA and individual local authorities to seek their views on developments since the completion of the rapid review of the Welsh in Education Strategic Plans in 2017 during regular monitoring discussions between Welsh Government and individual Local Authorities. We will formally consult on this proposal in May, and in addition to the consultation exercise will engage with all Local Authorities. Any further contributions they will have in respect of this proposal will be incorporated into the next stage following the end of the consultation.

Local Authorities will be responsible for developing and delivering their own individual Welsh in Education Strategic Plans based on targets agreed with Welsh Government.

### **Involvement**

In 2017, Aled Roberts carried out a rapid review of the WESPs which acknowledged the need for change, not only in terms of individual plans' ambitions, but also in terms of the legislative framework set out by the Government. The review highlighted the need to change the regulations and guidelines arising from the legislation in order to strengthen the responsibilities and expectations of local authorities and other stakeholders.

Following the rapid review an independent advisory board was established to advise the Minister on plans to strengthen the planning infrastructure for Welsh-medium education in line with the vision within the Welsh Government's Cymraeg 2050 Strategy.

We have engaged in continuous discussions with the WLGA to ensure their involvement during the development of this proposal ensuring the views of Local Authorities, and we will conduct an open consultation exercise for 12 weeks during May to further engage with stakeholders and their views.

The delivery of this proposal will be the responsibility of individual local authorities. During the process of developing their Welsh in Education Strategic Plans, it is a statutory requirement that local authorities consult with a range of stakeholders and individuals affected or who have a role to play in its delivery.

### **Impact**

Welsh-medium education, and its expansion, is critical to the successful implementation of the Cymraeg 2050 strategy. 438,000 additional Welsh speakers are needed to reach the 1 million target by 2050 and for this to be achieved, certain transformational changes within the education sector must take place. This proposal will allow Local Authorities to implement changes, increase and improve Welsh medium provision thus contributing to reaching the 1 million speakers target.

A rapid review of the Welsh in Education Strategic Plans, commissioned in 2017 acknowledged the need for change, not only in terms of the ambitions of individual local authority plans, but also in terms of the legislative framework set out by Welsh Government. The review highlighted the need to change the regulations and guidelines arising from the legislation in order to strengthen the responsibilities and expectations of local authorities and other stakeholders, and this proposal seeks to do so.

The rapid review of the Welsh in Education Strategic Plans conducted in 2017 took into account the evidence presented by Local Authorities after which a series of recommendations were published.

An independent Advisory Board was established between May 2018 – March 2019. The Board considered the changes needed to *The Welsh in Education Strategic Plans and Assessing Demand for Welsh-medium Education (Wales) Regulations 2013* ("the 2013 Regulations"), within the context of the Rapid Review's recommendations and of course the wider policy narrative around the 1 million Welsh speakers ambition and curriculum reform.

The advisory board included representation from a number of sectors and the members have been a key part of all decisions in relation to these proposals.

A range of stakeholders attended advisory board meetings to present evidence on specific matters relating to this proposal, or were invited to meet with the Chair of the advisory board to present their views and evidence. These included the four regional consortia, Cymdeithas yr Iaith, RhaG, Education Workforce Council, Urdd, representation from Universities, Estyn and the WLGA.

Based on evidence presented, the Board concluded that the current structure that supports the statutory planning of Welsh-medium education provision through Welsh in Education Strategic Plans no longer supports the long-term ambition for the Welsh language and provided advice to the Minister for Education based on this evidence, which has been used to develop this proposal.

This proposal will have a positive impact on children and young people in Wales offering additional choices in terms of Welsh medium and bilingual education and more opportunities and support for all to access it. This in turn will offer children and young people Welsh language skills that can be used in all walks of life and in particular when they leave school and enter the workplace. It will also offer an increased opportunity for those within English medium schools to improve their Welsh language skills.

This proposal is changing the duration of the Welsh in Education Strategic Plans from a 3 year cycle to a 10 year cycle will require Local Authorities to make long term changes to the way in which they plan for the growth of Welsh medium education and will mean that the development of their plans will require detailed planning including increased cross department working and working in partnership with external stakeholders. Due to their key contribution to the Cymraeg 2050 strategy, a process will be put in place which will mean that Local Authorities plans will be more closely scrutinised than the current plans which will place further responsibility on Local Authorities to deliver.

## **Costs and Savings**

The costs and benefits associated with this proposal have been assessed within the Regulatory Impact Assessment (RIA) that accompanies the Welsh in Education Strategic Plans regulations.

## **Mechanism**

This proposal will provide a framework which will allow local authorities to improve the way in which the plan Welsh medium education and its growth.

## SECTION 2. WHAT WILL BE THE EFFECT ON SOCIAL WELL-BEING?

### 2.1 People and Communities

The Welsh in Education Strategic Plan is the long term language planning tool for local authorities which sets the strategic direction for the planning and delivery of growth in Welsh medium education. Through these plans Local Authorities will therefore be able to contribute significantly to the Welsh Government's Cymraeg 2050 Strategy.

This proposal will also allow Local Authorities to increase and improve the provision offered which will have a positive impact on the children and young people of Wales regardless of the community they live, their background, the language of their family ensuring that more and more children and young people develop Welsh language skills that can be used in everyday life.

### 2.2 Children's Rights

A full Children's Rights Assessment has been undertaken and is included within this integrated impact assessment.

### 2.3 Equality

A full Equality Impact Assessment has been undertaken and is included within this integrated impact assessment.

### 2.4 Rural Proofing

The Welsh Government believes that this proposal will have a minimal impact on rural individuals and communities. We anticipate any impacts to be positive due to;

Children and young people having access to Welsh medium and bilingual education provision regardless of the community they live in.

The aims within this proposal will support Local Authorities to meet their commitments to the Welsh language, Welsh speakers and Welsh speaking communities. As there is a clear link between rural and Welsh speaking communities, the expectation on Local Authorities as part of this proposal will lead to improving Welsh medium education provision and services in these areas. Local Authorities Welsh medium provision must be suitable for the needs of their communities which in many areas includes rural communities. Provision must reflect and meet the needs of rural communities, and in areas such as Gwynedd, Anglesey, and Ceredigion must reflect the linguistic needs of their communities.

Beyond the duties of this proposal but linked to rural communities and ensuring equality of access to Welsh medium education, Local Authorities are required under the Learner Travel Measure (Wales) 2008 to provide suitable transport arrangements for pupils wishing to access Welsh medium education.

Additionally, as part of this proposal, there will be an opportunity for Local Authorities to develop innovative ways to address any challenges arising in relation to provision in local areas such as encouraging collaborative working between schools and the use of technology in remote areas.

Through Local Authorities annual reports on progress, the Welsh Government will be able to continuously monitor and ensure that Welsh medium education is accessible and that the provision is sufficient in rural areas, and if deemed inadequate at any point, steps will be put in place to improve provision.

Based on the minimal impacts and the positive nature of the impacts outlined above, a full rural proofing impact assessment has not been undertaken.

## **2.5 Health**

**2.5a How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal impact health determinants?**

No impacts have been identified that will impact on health.

**2.5b. Could there be a differential health impact on particular groups?**

As we have identified no negative effects of these regulations on health, a full impact assessment has not been undertaken.

## **2.6 Privacy**

The Welsh in Education Strategic Plans are a tool for Local Authorities to plan for the long term growth and expansion of Welsh medium education within their area.

This proposal will not result in collecting, handling or process any personal data by Local Authorities.

Local Authorities will be required to collect data as part of the monitoring process in relation to the Welsh in Education Strategic Plans.



It should be noted that the data is largely collected through other mechanisms and policy obligations, and is largely published in the public domain and is not classed as personal data in line with Welsh Government guidelines.

Please see below examples of the data collected by Local Authorities as part of this proposal.

- Number and percentage of 3 year olds in Foundation Phase Nursery provision in N2 funded places in the autumn term annually
- Number of 5 year olds in Welsh medium education
- Number of 5 year olds in bilingual education
- Number of pupils educated in neighbouring local authorities
- Number of pupils receiving latecomer support
- Data on proportion/percentage of education through the medium of Welsh by school category

No personal data will be collected or held by the Welsh Government as part of this proposal therefore we have not completed a Privacy Impact Assessment.

## **SECTION 3. WHAT WILL BE THE EFFECT ON CULTURAL WELL-BEING AND THE WELSH LANGUAGE?**

### **3.1 Cultural Well-being**

This proposal is in relation to the statutory education system in Wales and the long term language planning by local authorities which to set the strategic direction for the planning and delivery of growth in Welsh medium education. This proposal seeks to increase the number of children and young people developing Welsh language skills. This in turn will allow them to use Welsh in all walks of life. We anticipate therefore the proposal to have a positive impact on Welsh language culture, heritage arts and recreation as more children and young people will be able to access and enjoy Welsh medium opportunities in these areas.

A full Welsh language Impact Assessment is included at annex F.

**3.1b Is it possible that the proposal might have a negative effect on the promotion and protection of culture and heritage, or the ability of people to participate in arts, sport and recreation? If so, what action can you take to avoid or reduce that effect (for example by providing alternative opportunities)?**

There have been no negative effects identified on the promotion and protection of culture, heritage, arts or sport as a direct result of this proposal. The implementation this proposal will enable local authorities to implement changes to the way in which Welsh medium provision is planned and delivered which will increase the number of children and young people developing Welsh language skills and offering them the choice of accessing Welsh medium cultural opportunities.

### **3.2 Welsh Language**

A full Welsh Language impact assessment has been undertaken and is included in this assessment.

## **SECTION 4. WHAT WILL BE THE EFFECT ON ECONOMIC WELL-BEING?**

### **4.1 Business, the general public and individuals**

**How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal impact business and the public?**

A full Regulatory Impact Assessment (RIA) has been carried out to accompany the regulations. The RIA has identified costs and benefits relating to the Bill over a period of 10 years.

## **4.2 Public Sector including local government and other public bodies**

The duties within this proposal will be placed on local authorities, therefore this proposal will have financial implications on individual local authorities.

The costs of implementing this proposal will have to be met from the local authorities' revenue settlement as provided to them by Welsh Government.

**How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal impact the public sector?**

It is expected that the proposal will lead to a step change in the planning and ultimately in the provision of Welsh-medium education. This will be required if the target of having a million Welsh speakers by 2050 is to be met. This will mean a re-organisation of education provision in many local authorities resulting in more learners receiving Welsh-medium education.

This proposal itself will not lead to authorities having to educate more children as it will not impact upon population or demographic trends. But more school places may need to be considered in order to provide an adequate provision of school places.

The 1996 Education Act defines a local authority's 'education functions'. It states that local authorities have a statutory duty to secure provision of sufficient school places and, in so doing, to have regard to the general principle that pupils should be educated in accordance with the wishes of parents, so far as that is compatible with the provision of efficient instruction and the avoidance of unreasonable public expenditure. If this proposal is implemented then authorities would still have to comply with those core duties when planning their education provision.

## **4.3 Third Sector**

**How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal impact third sector organisations and what they do**

There has been no identified impact on third sector organisations and their work in relation to this proposal.

#### **4.4 Justice Impact**

Based on the current understanding of the proposals it is unlikely there will be impacts on the Justice System. This will be kept under review following the consultation exercise.

## **SECTION 5. WHAT WILL BE THE EFFECT ON ENVIRONMENTAL WELL-BEING?**

### **5.1 Natural Resources**

The following assessments have been undertaken as required: Natural Resources; Biodiversity; and Climate Change

#### **5.1a How will the proposal deliver one or more of the National Priorities in the Natural Resources Policy (NRP)?**

This proposal may contribute to taking a place based approach in relation to education. Some of the Welsh medium education provision within this proposal is community based such as Welsh language immersion centres, and in areas such as Gwynedd, a place based approach is taken so that the children attending the centre can develop their Welsh language skills in order to be able to integrate in to the local authority's education system as well as integrate into the Welsh speaking communities they are part of.

#### **5.1b Does the proposal help tackle the following national challenges and opportunities for the sustainable management of natural resources?**

There are some areas that this proposal may support national challenges and opportunities, including encouraging supporting community cohesion and supporting employment. This proposal will offer inclusive opportunities for all in terms of accessing Welsh medium education which in turn may lead to building improved community cohesion across Wales. It will also lead to more people with Welsh language skills which in turn will support secure and stable employment.

### **5.2 Biodiversity**

To demonstrate compliance with Section 6 of the Environment (Wales) Act 2016, you must complete the Biodiversity Impact Assessment, at annex F below.

### **5.3 Climate Change**

#### **5.3a Decarbonisation**

**How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal affect emissions in Wales?**

No impacts have been identified therefore as assessment has not been undertaken.

#### **5.3 b Adaptation**

**How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal affect ability to adapt to the effects of climate change?**

No impacts have been identified.

### **5.4 Strategic Environmental Assessment (SEA)**

No impact has been identified and a Strategic Environment Assessment has not been undertaken.

### **5.5 Habitats Regulations Assessment (HRA)**

No impacts have been identified and a Habitats Regulations Assessment (HRA) has not been undertaken.

### **5.6 Environmental Impact Assessment (EIA)**

No impacts have been identified and an Environmental Impact Assessment has not been undertaken.

## SECTION 6. RECORD OF FULL IMPACT ASSESSMENTS REQUIRED

You have now decided which areas need a more detailed impact assessment. Please list them below.

Impact Assessment	Yes/No	If yes, you should
Children's rights		Yes
Equality	Yes*	Yes
Rural Proofing		No
Health		No
Privacy		No
Welsh Language	Yes*	Yes
Economic / RIA		Yes
Justice		No
Biodiversity	Yes*	Yes
Climate Change		No
Strategic Environmental Assessment		No
Habitat Regulations Assessment		No
Environmental Impact Assessment		No

## SECTION 7. CONCLUSION

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

This proposal has been informed by extensive engagement with a range of stakeholders and experts since the rapid review of the Welsh in Education Strategic Plans was conducted in 2017. The Welsh Government has engaged in discussions with Local Authorities throughout the development of this proposal as well as the WLGA.

That review highlighted the need for significant change in our approach to planning in terms of WESPs if we are to succeed in our aim of reaching a million Welsh speakers by 2050, and noted that the legislative requirements and guidelines currently in place were insufficient.

An independent advisory board was established following the rapid review in order to provide advice to the Minister in relation to reviewing and amending the legislative framework for WESPs for 2021 onwards, which enables local authorities to develop long term 10 year strategic plans.

The advisory board included representation from various stakeholders and groups who will be affected by this proposal. Additionally, during the course of the WESP advisory board discussions, Welsh language specialist groups and organisations have been invited to present their views and evidence in relation to this proposal and have been taken into account in its development.

We will hold an engagement event with children and young people as part of the formal consultation process.

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

All impact assessments will be published and where the impact is directly relevant to this proposal, it has been identified within the relevant assessment. Specific impact assessments have been undertaken on the following topics;

Children's Rights

Equality

Welsh Language

#### Children's Rights

- ♦ More children and young people will leave the education system with Welsh language skills. This will mean that they will have the skills to apply for a wider range

of jobs in which Welsh is acknowledged as an essential skill. This fits in with the tackling poverty agenda by empowering children and young people with an additional skill when they leave the education system.

- ♦ The work within this proposal will increase the opportunities to acquire the language available to children and young people and will mean that more children and young people have the opportunity to take advantage of cognitive benefits of bilingualism.
- ♦ In relation to the education system's vital role in reaching a million speakers, this proposal also acknowledges the importance of increasing the transmission rates between key stages within Welsh medium and bilingual education. This will lead to the best possible chance to keep Welsh language skills and the benefits of bilingualism as they become adults.
- ♦ The implementation of this proposal through the Welsh in Education Strategic Plans will result in more equality of access for children and young people to Welsh medium provision

## **Equality**

This proposal seeks to increase the provision of Welsh-medium education for children. In doing this, it will work to increase the opportunity people have to gain Welsh language skills through the education sector. This may, in time, contribute to the tackling poverty agenda by equipping children with Welsh language skills who may not have had them without this strategy. As a result, those children may be able to apply for jobs where the Welsh language is desirable or essential and thereby open up a sector of the labour market to them which may otherwise have been closed to them.

In increasing and promoting Welsh-medium education, alongside working to increase the place of Welsh in our communities, the proposal could work towards community cohesion between people of different ethnic backgrounds, religions and races.

## **Welsh language**

This proposal relates to the statutory education system therefore largely impacts children and young people in the current system, however it will have a lifelong impact on those who go through the education system as it seeks to increase the number of confident Welsh speakers. This will result in more people having language skills that can be transferred into the workplace in future and the opportunity to use the language in their everyday lives.

Outcomes for the Welsh language will be improved within the statutory education system as part of the duties within this proposal. Local Authorities will be broadly required to;

- improve the planning of the provision of Welsh-medium education in its area



- improve the standards of Welsh-medium education and of the teaching of Welsh in its area.
- set targets for improving the planning of the provision of Welsh-medium education in its area and for improving the standards of that education and of the teaching of Welsh in its area.

Furthermore, outcomes for the Welsh language will be strengthened through this proposal as Local Authorities will have a statutory duty to work towards the following seven outcomes;

- More nursery children/3 year olds receive their education through the medium of Welsh
- More reception class children/ 5 year olds receive their education through the medium of Welsh
- More children continue to improve their Welsh language skills when transferring from one stage of their statutory education to another
- More students study for assessed qualifications in Welsh (as a subject) and subjects through the medium of Welsh
- More opportunities for students to use Welsh in different contexts outside school
- An increase in Welsh-medium education provision for pupils with additional learning needs (in accordance with duties determined by the ALN Act)
- Increase the number of teaching staff able to teach Welsh (as a subject) and teach through the medium of Welsh.

As part of this proposal, Local Authorities will work towards their own individual target to contribute to the Welsh Government's overall target set of ensuring that 30% of pupils are educated through the medium of Welsh by 2031. This will ensure that Local Authorities through the statutory education system must maintain or improve the sustainability of their Welsh speaking communities by ensuring that provision reflects the linguistic characteristics of their area.

*This section should be used to help complete section 6 of the MA template*

### **7.3 In light of the impacts identified, how will the proposal:**

- **maximise contribution to our well-being objectives and the seven well-being goals; and/or,**
- The Well-being of Future Generations (Wales) Act 2015 requires public bodies across Wales named in the act to work towards seven well-being goals, one of which is 'A Wales of Vibrant Culture and Thriving Welsh Language'. The system for planning Welsh-medium education provision also has a statutory basis. The Welsh Government has a duty to promote and facilitate the use of Welsh and work towards the well-being

goals and this proposal will contribute directly to this duty through the statutory education system.

- Taking Wales Forward 2016-2021 was published in September 2016, and the programme aims to drive forward improvements to the Welsh economy and public services in order to create a Wales which is prosperous and secure, healthy and active, ambitious and learning, and united and connected. The Welsh Government's ambition for increasing the use of Welsh and the number of people who speak the language is also noted, as is the commitment to work towards securing a million Welsh speakers by 2050 and to continue to encourage more people to use and speak Welsh in their everyday lives.
- The main impact of this proposal is that it responds to the challenges set by the Welsh Government's 2017 Welsh language strategy, *Cymraeg 2050*, and its headline target to have a million Welsh speakers by 2050. Expanding Welsh-medium education is critical to the successful implementation of the strategy. 438,000 additional Welsh speakers are needed to achieve the 1 million target by 2050. For this to be achieved, certain transformational changes within the education sector must take place and this proposal seeks to address and respond to those challenges and changes.
- We must considerably increase the number of school pupils who are given the opportunity to develop Welsh language skills in school and the opportunity to use the language in their everyday lives. This is the driver for this proposal, outlining the Welsh Government's wish to strengthen the legislative framework which supports the way in which Welsh and the provision of Welsh is planned within our statutory education system in Wales.
- The main impact of this proposal will be the overall increase of school pupils who develop Welsh language skills and will therefore contribute to reaching the Welsh Government's aim of reaching a million Welsh speakers by 2050.
- This proposal will result in increasing the number of school pupils who are given the opportunity to develop Welsh language skills in school and the opportunity to use the language in their everyday lives, including using it as a skill in the workplace once they have left the education system. This is in alignment with goal of ensuring a prosperous Wales as part of the Future Generations (Wales) Bill, as well as our wellbeing objectives of supporting young people to make the most of their potential and equipping everyone with the right skills for a changing world.
- It will result in ensuring equality of access to Welsh medium education provision for all regardless of their background which is in alignment with our wellbeing goal of a more equal Wales.
- This proposal will also result in ensuring that more people have the opportunity to enjoy the language and the diverse cultural opportunities the language can bring in Wales, which will also contribute to the Future Generations goal of people in Wales

participating in our shared culture with a thriving Welsh language. This is also in alignment with our wellbeing goal of building resilient communities, culture and language.

- This proposal seeks to build on the current Welsh in education Strategic Plans and will allow Local Authorities to set the strategic direction for the planning and delivery of growth in Welsh-medium education through a long term language planning mechanism. This is in alignment with the expectation on public bodies as part of the Future Generations (Wales) Bill to look to the long term as well as focusing on now.

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

As part of this proposal, it will be a statutory duty for all local authorities to develop a 10 year Welsh in Education Strategic Plan for 2021-31. As part of these statutory duties local authorities will also be required to present annual highlight reports to Welsh Minister of the implementation of their plans which will allow us to monitor the progress on this proposal at a Local Authority level. Welsh Ministers can also conduct a review into a local authority's implementation of a plan should it become apparent that sufficient progress is not being made in relation to the targets set within their plans.

Local Authorities will be expected therefore to develop their Welsh in Education Strategic Plan for 2021-31 on the basis of challenging but achievable targets.

Local targets within the 2021-31 cycle will be based on the overall long term target of a million speakers. Cymraeg 2050 outlines the commitment to increase the proportion within each school year who receives Welsh medium-education from 22% to 30% by 2031, and this national increase of 8% will be the basis for Local Authority targets within the Welsh in Education Strategic Plans. Overall national progress can therefore be tracked in line with the target set with each individual Local Authority.

## FULL IMPACT ASSESSMENTS

### A. CHILDREN'S RIGHTS IMPACT ASSESSMENT

#### 1. Describe and explain the impact of the proposal on children and young people.

Section 84 of the School Standards and Organisation (Wales) Act 2013 ("the 2013 Act") places a statutory duty on local authorities to prepare a Welsh in Education Strategic Plan.

Local Authorities have a duty to include proposals in their plans on how they will carry out their education functions in order to:

- improve the planning of the provision of Welsh-medium education in its area
- improve the standards of Welsh-medium education and of the teaching of Welsh in its area
- set targets for improving the planning of the provision of Welsh-medium education in its area and for improving the standards of that education and of the teaching of Welsh in its area
- report on the progress made to meet the targets set.

The Welsh Government's Cymraeg 2050: a million Welsh speakers strategy was published in August 2017. It established a vision for a Wales in which the language is thriving with a clear focus on increasing the numbers of Welsh speakers and increasing the use of the Welsh language. To achieve the strategy's targets we must create a statutory education system which increases the number of confident speakers. To realise this aim there must be a considerable increase in the number of school pupils who are given the opportunity to develop Welsh language skills in school and the opportunity to use the language in their everyday lives.

In 2017, a rapid review of the WESPs acknowledged the need for change, not only in terms of individual plans' ambitions, but also in terms of the legislative framework set out by the Government. The review highlighted the need to change the regulations and guidelines arising from the legislation in order to strengthen the responsibilities and expectations of local authorities and other stakeholders. This proposal seeks to strengthen the current planning infrastructure for Welsh medium education in line with the vision within the Welsh language strategy.

#### **How will the proposal affect the lives of children, positively and negatively?**

Positive

- ♦ More children and young people will leave the education system with Welsh language skills. This will mean that they will have the skills to apply for a wider range of jobs in which Welsh is acknowledged as an essential skill. This fits in with the tackling poverty agenda by empowering children and young people with an additional skill when they leave the education system.
- ♦ The work within this proposal will increase the opportunities to acquire the language available to children and young people and will mean that more children and young people have the opportunity to take advantage of cognitive benefits of bilingualism.
- ♦ In relation to the education system's vital role in reaching a million speakers, this proposal also acknowledges the importance of increasing the transmission rates between key stages within Welsh medium and bilingual education. This will lead to the best possible chance to keep Welsh language skills and the benefits of bilingualism as they become adults.
- ♦ The implementation of this proposal through the Welsh in Education Strategic Plans will result in more equality of access for children and young people to Welsh medium provision regardless of the linguistic category of the school they attend.
- ♦ One of the outcomes within the Welsh in Education Strategic Plans will be to improve Welsh medium ALN provision, therefore local authorities will have to develop targets to achieve this. This will lead to improved services and support for children and young people with additional learning needs.
- ♦ There is also an outcome which seeks to improve Welsh language skills through informal opportunities to use the language. This will lead to children and young people having access to more Welsh medium cultural and leisure opportunities.
- ♦ We have used information from the current Welsh in Education Strategic Plans and their annual reports to inform this assessment. As part of the consultation process which will begin in May, we will conduct a consultation exercise with young people to ensure that their views are fully represented.
- ♦ The WESP advisory group who led/informed the amendments/developments on these regulations included representation from the Additional Learning Needs sector. The head teacher of ysgol Pendalar in Gwynedd was a member of the group and her extensive experience in this field was invaluable in the development of the Additional Learning Needs provision objective within this proposal.

## Negative

- ♦ We have identified minimal negative impacts in relation to the effect on different groups of children. There may be instances in some areas where children with severe additional learning needs or disabilities will encounter difficulties in accessing specialist support through the medium of Welsh. Local Authorities will be required as

part of this proposal to take reasonable steps to provide these support where possible.

- ♦ As part of the consultation process we will conduct a focus group with children and young people to gather their views on this proposal. We will ensure that their views are incorporated into any amendments made following the consultation period.

## **2. Explain how the proposal is likely to impact on children's rights.**

This section requires an assessment, using informed judgement, of the likely impact of the proposal on children's UNCRC rights. It is vital you avoid the assumption that the intended outcomes identified above are the same as the predicted impact on children's rights.

You will need to carefully consider how the intended outcomes relate to children's rights and what impact they will have. There may be predicted impacts which are not intended outcomes from the proposal.

The Children's Commissioner in Wales noted that the Welsh language and the provision of Welsh medium services is a matter of rights, and relevant to several articles within the UNCRC. The Commissioner also noted that there is a clear link between language and identity and that it is not possible to separate any UNCRC articles from linguistic considerations.

Below are the most relevant articles as well as an outline of how the WESP regulations and subsequent plans will ensure compliance with the articles in respect of children and young people in Wales.

The articles most relevant to these regulations are 28, 29, 30, and 31.

Article 28 - States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity.

This proposal ensures that all local authorities have a duty to improve Welsh medium Education provision and support those wishing to access it.

Article 29 - States Parties agree that the education of the child shall be directed to the development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living.

This proposal supports the Cymraeg 2050 strategy which aims to ensure a million Welsh speakers by 2050. This proposal, through the statutory education system promotes the Welsh language and culture and will encourage children to embrace these through the provisions delivered through this proposal.

Article 30 - In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language. This proposal actively promotes the rights of children and young people to use the Welsh language and culture through promoting informal opportunities to use the language which Local Authorities will be required to do as part of this proposal.

Article 31 - States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts. As part of this proposal Local Authorities will be required to promote informal activities through the medium of Welsh which will include recreational, cultural and arts activities.

2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity. As part of this proposal Local Authorities will be required to promote informal activities through the medium of Welsh which will include recreational, cultural and arts activities.

We have not identified any negative impacts on children's rights or enabling children to participate and take advantage of their rights. Welsh medium education is open to all, and Local Authorities have a duty to promote access for all, as well as provide support and access to informal opportunities for those who wish to do so.

## B. EQUALITY IMPACT ASSESSMENT

### 1. Describe and explain the impact of the proposal on people with protected characteristics as described in the Equality Act 2010.

This proposal seeks to increase the provision of Welsh-medium education for children. In doing this, it will work to increase the opportunity people have to gain Welsh language skills through the education sector. This may, in time, contribute to the tackling poverty agenda by equipping children with Welsh language skills who may not have had them without this strategy. As a result, those children may be able to apply for jobs where the Welsh language is desirable or essential and thereby open up a sector of the labour market to them which may otherwise have been closed to them.

In increasing and promoting Welsh-medium education, alongside working to increase the place of Welsh in our communities, the proposal could work towards community cohesion between people of different ethnic backgrounds, religions and races.

We have identified minimal impact on people in protected groups and those living in low income households. This proposal will ensure that Welsh medium education is available and accessible to all who wish to do so. Local Authorities will be required to provide support for anyone wishing to access Welsh medium education.

The impact of this proposal will be measured through the development and monitoring of local authorities individual Welsh in Education Strategic plans.

As a result of this proposal, it will be a statutory requirement for all local authorities to develop a 10 year Welsh in Education Strategic Plan for 2021-31. As part of these statutory duties local authorities will also be required to present annual highlight reports to Welsh Minister of the implementation of their plans as well as a mid way review of their plan. Welsh Ministers can also conduct a review into a local authority's implementation of a plan should it become apparent that sufficient progress is not being made in relation to the targets set within their plans. The Welsh Government has set a target of ensuring that 30% of 7 year olds are in Welsh medium education by 2031 and annual data will be captured to monitor progress during the duration of the plans.

Success will be measured by the targets set within each local authority individual Welsh in Education Strategic Plan , and the target set within the Cymraeg 2050 strategy which is to ensure that 30% of pupils are in Welsh medium education.

#### Record of Impacts by protected characteristic:



Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
Age (think about different age groups)	No impacts identified	This proposal is related to the statutory education period only.	
Disability (think about different types of disability)	Positive	<p>This proposal will give all children and young people the opportunity to acquire and develop Welsh Language skills and will be offered support throughout their education journey to do so.</p> <p>One of the outcomes in the Welsh in Education Strategic Plans is to improve Additional learning needs provision and support, therefore enabling more of those who require that particular support to access it through the medium of Welsh.</p>	
Gender Reassignment (the act of transitioning)	No impacts identified		

and Transgender people)			
Pregnancy and maternity	No impacts identified	This proposal is related to the statutory education period only.	
Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)	Positive	<p>This proposal will give all children and young people the opportunity to acquire and develop Welsh Language skills and will be offered support throughout their education journey to do so.</p> <p>As part of this proposal local authorities are required to provide immersion provision for newcomers or latecomers into Welsh medium education. This provision means all children and young people can access Welsh medium education and will be offered the necessary support should they chose to do so.</p> <p>The greater focus on creating Welsh-medium education provision in education will provide people from all races with</p>	

		enhanced choices in education for their children as well as options to integrate into Welsh-speaking communities.	
Religion, belief and non-belief	No impacts identified		
Sex / Gender	No impacts identified		
Sexual orientation (Lesbian, Gay and Bisexual)	No impacts identified		
Marriage and civil partnership	No impacts identified		
Children and young people up to the age of 18	Positive	<p>This proposal will have a positive impact on children and young people of all ages.</p> <p>This proposal will give all children and young people the opportunity to acquire and develop Welsh Language skills and will be offered support throughout their education journey to do so.</p> <p>This will also result in children and young</p>	

		people having Welsh language skills for the workplace in the future.	
Low-income households	Positive	This proposal will give all children and young people the opportunity to acquire and develop Welsh Language skills and will be offered support throughout their education journey to do so.	

### Human Rights and UN Conventions

Do you think that this policy will have a positive or negative impact on people's human rights?  
*(Please refer to point 1.4 of the EIA Guidance for further information about Human Rights and the UN Conventions).*

Human Rights	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate negative Impacts?
Article 26	Positive impact	This proposal relates to children and young people within the statutory education system, however this proposal is consistent with the statement within article 26 - that everyone has a right to	

		education and that parents have the right to choose the kind of education that shall be given to their child. In relation to this proposal, the above is relevant to Welsh medium education.	
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## C. WELSH LANGUAGE IMPACT ASSESSMENT

1. Welsh Language Impact Assessment reference number  
02/04/2019
  
2. Does the proposal demonstrate a clear link with the Welsh Government's strategy for the Welsh language? – *Cymraeg 2050 A million Welsh speakers* and the related Work Programme for 2017-2021?

The education system is key to reaching a million speakers as set out in the Cymraeg 2050 strategy, and it is vital that we create a statutory education system which increases the number of confident Welsh speakers. This proposal which seeks to strengthen the current statutory process for the planning of Welsh medium education by Local Authorities is a crucial part of this process between now and 2050.

The regulations within this proposal sets out statutory duties pursuant of the School Standards and Organisations (Wales) Act 2013 which require local authorities to produce a Welsh in Education Strategic Plan. These revised regulations respond to commitments made in the Cymraeg 2050 strategy, to review the current statutory process for the planning of Welsh-medium education provision by Local Authorities.

Prior to this, Welsh-medium education planning was driven by the Welsh-medium Education Strategy 2010 (WMES). The strategy set out the national strategic direction for Welsh-medium education planning for the period 2010 – 2015.

An evaluation of the Welsh-medium education strategy in 2016 concluded that placing the Plans on a statutory basis had improved Welsh-medium education planning insofar as they enabled Local Authorities to plan Welsh-medium education within a structured framework. Nevertheless, both the enquiry by the Assembly's Children, Young People and Education (CYPE) Committee in 2015 and a thematic review of Welsh in Education Strategic Plans by Estyn in 2016 came to similar conclusions which were that the plans were not well enough aligned with the Welsh Government's vision for Welsh-medium education.

For the first time, within Cymraeg 2050, we have a clear vision for a Wales in which the language is thriving. One of the strategy's key aims is to create a statutory education system which increases the number of confident speakers. To realise this aim there must be a considerable increase in the number of school pupils who are given the opportunity to develop Welsh language skills in school and the opportunity to use the language in their everyday lives.

Cymraeg 2050 requires support from our Local Authorities to respond to our ambition of a million Welsh speakers and to do so by showing clear leadership and a commitment to share the same long term vision. The legislation which sets out the requirements on Local Authorities to plan Welsh medium education needs to reflect the Welsh Government's strategic aspirations for the Welsh language over the next 30 years. We must take significant, systematic and proactive steps towards the aim of increasing the number of pupils who learn Welsh.

Cymraeg 2050 is the main policy driving the changes to the statutory process around planning Welsh-medium education. The Cymraeg 2050 strategy notes that Welsh-medium immersion education is our principal method for ensuring that children can develop their Welsh language skills, and for creating new speakers. School data tells us how many children are educated through the medium of Welsh, and is a key indicator of the growth required, and demonstrates the importance of ensuring the commitment of the education system to create a million Welsh speakers. It also highlights the importance of the early years sector as a point of early entry to immersion education, and as a way to increase demand for Welsh-medium education. The English-medium sector also has an important contribution to make to our aim of developing Welsh speakers.

A Rapid Review of the Welsh in Education Strategic Plans, commissioned in 2017 acknowledged the need for change, not only in terms of the ambitions of individual Local Authority plans, but also in terms of the legislative framework set out by Welsh Government. The review highlighted the need to change the regulations and guidelines arising from the legislation in order to strengthen the responsibilities and expectations of Local Authorities and other stakeholders.

The Board concluded that the current structure that supports the statutory planning of Welsh-medium education provision through Welsh in Education Strategic Plans no longer supports the long-term ambition for the Welsh language. Therefore, *the Welsh in Education Strategic Plans (Wales) Regulations 2019 ("the 2019 Regulations")*, seek to improve the future framework for planning Welsh-medium education provision is consistent with current and future expectation for growth.

3. Describe and explain the impact of the proposal on the Welsh language, and explain how you will address these impacts in order to improve outcomes for the Welsh language. How will the proposal affect Welsh speakers of all ages (both positive and/or adverse effects)? You should note your responses to the following in your answer to this question, along with any other relevant information:

This proposal relates to the statutory education system therefore largely impacts children and young people in the current system, however it will have a lifelong impact on those who go through the education system as it seeks to increase the number of confident Welsh speakers. This will result in more people having language skills that can be transferred into the workplace in future and the opportunity to use the language in their everyday lives.

Cymraeg 2050 requires support from our Local Authorities to respond to our ambition of a million Welsh speakers and to do so by showing clear leadership and a commitment to share the same long term vision. The legislation which sets out the requirements on local authorities to plan Welsh medium education needs to reflect the Welsh Government's strategic aspirations for the Welsh language over the next 30 years. We must take significant, systematic and proactive steps towards the aim of increasing the number of pupils who learn Welsh.

Outcomes for the Welsh language will be improved within the statutory education system as part of the duties within this proposal. Local Authorities will be broadly required to;

- improve the planning of the provision of Welsh-medium education in its area
- improve the standards of Welsh-medium education and of the teaching of Welsh in its area
- set targets for improving the planning of the provision of Welsh-medium education in its area and for improving the standards of that education and of the teaching of Welsh in its area
- report on the progress made to meet the targets set.

Furthermore, outcomes for the Welsh language will be strengthened through this proposal as Local Authorities will have a statutory duty to work towards the following seven outcomes;

- More nursery children/3 year olds receive their education through the medium of Welsh
- More reception class children/ 5 year olds receive their education through the medium of Welsh
- More children continue to improve their Welsh language skills when transferring from one stage of their statutory education to another
- More learners study for assessed qualifications in Welsh (as a subject) and subjects through the medium of Welsh



- More opportunities for learners to use Welsh in different contexts in school
- An increase in Welsh-medium education provision for learners with additional learning needs (in accordance with duties determined by the ALN Act)
- Increase the number of teaching staff able to teach Welsh (as a subject) and teach through the medium of Welsh.

The patterns of Welsh-medium and bilingual provision throughout Wales vary from area to area, and from primary school to secondary school. A number of these differences reflect patterns of language usage in the wider community and others reflect differences in the way in which policies are implemented. Although the education system needs to be sufficiently flexible to reflect the linguistic characteristics of different areas of Wales, it is important that we ensure that education is planned and provided on the basis of a clear understanding of learners' linguistic outcomes. As part of this proposal, Local Authorities will work towards their own individual target to contribute to the Welsh Government's overall target set of ensuring that 30% of pupils are educated through the medium of Welsh by 2031. A methodology for these targets has been developed and reflects the linguistic nature of specific Local Authorities. This proposed methodology takes into account the range of Welsh-medium education provision across Wales and considers factors including the percentage of learners taught in Welsh; the models of Welsh-medium education provision adopted by the authority and the linguistic nature of a local authority.

This will ensure that Local Authorities through the statutory education system must maintain or improve the sustainability of their Welsh speaking communities.

This proposal will have a positive effect on Welsh medium education and Welsh learners of all ages. Implementing this proposal in time will lead to increasing the number of learners in the statutory education sector who develop Welsh language skills, and will ensure that each learner develops skills in Welsh to a standard which will enable them to use the language in their everyday lives. It will also ensure that more children and young people will develop skills that can be taken into the workplace once they have left the statutory education system.

This proposal will lead to a positive impact on some Welsh medium services delivered by Local Authorities in addition to education due to the nature of the outcomes that they will be expected to work towards within their Welsh in Education Strategic Plans. There will be a cross-over with services such as school transport, social services in the context of Additional Learning Needs provision as well as Welsh medium Youth services.

Within the statutory guidance for the WESPs we have strengthened the expectation on Local Authorities to ensure that all parents at any given point are more aware of the option of Welsh medium and bilingual education as well as the nature and extent of the teaching of Welsh within English medium schools. We have also strengthened the expectation on Local Authorities to share information with parents proactively, including what each option means for the education of their child. There will also be an expectation on Local

Authorities to consider how they will disseminate information that Welsh-medium education is an option for all children, whatever their linguistic background, and information about the advantages of bilingualism and multilingualism. They will also be expected to promote access to Welsh-medium provision in the context of home-school transport within the duties imposed by section 10 of the Learner Travel (Wales) Measure 2008.

The Welsh in Education Strategic Plans set out in this proposal are a key component of reaching the ambition set in our Cymraeg 2050 Strategy, and the new proposed 10 year plans will be subject to scrutiny through annual progress reports.

Local Authorities will be expected to develop their Welsh in Education Strategic Plan for 2021-31 on the basis of challenging but achievable targets. Local Authority targets within the 2021-31 cycle will be based on the overall long term target of a million speakers. Cymraeg 2050 outlines the commitment to increase the proportion within each school year who receives Welsh medium-education from 22% to 30% by 2031, and this national increase of 8% will be the basis for local authority targets within the Welsh in Education Strategic Plans.

The collection of annual school entry data, PLASC data as well as the annual progress reports will allow us to track the progress and success of this proposal based on evidence and data.

## D. BIODIVERSITY IMPACT ASSESSMENT

### 1. How will your proposal integrate biodiversity into decision making?

This proposal will not integrate biodiversity directly but indirectly will improve how Local Authorities, through the statutory education system reflect our communities and ensure that the system is representative of the diversity of priorities and experiences of all communities.

### 2. Has your proposal ensured biodiversity is accounted for in business decisions?

It will be for individual Local Authorities to give due regard to biodiversity in any business decisions relating to this proposal at a local level. Local Authorities will be under an obligation under Section 6 of the Environment (Wales) Act 2016 to seek and maintain biodiversity in the exercise of functions in relation to Wales.

### 3. How does your proposal improve understanding and raise awareness of the importance of biodiversity, encouraging others to act?

This will be the role of Local Authorities, which as part of this proposal and their duty under Section 6 of the 2016 Act to be more representative of the diversity of interests, priorities and experiences of communities.

### Improving our evidence, understanding and monitoring

### 4. Have you used the best available evidence of biodiversity to inform your proposal and this assessment?

The list of species and habitats of principal importance published under Section 7 of the 2016 Act and the State of Natural Resources Report has been considered and there are no direct issues arising. All 6 area statements have been considered, and there are no issues arising in relation to this proposal.

### 5. Have you used up to date knowledge of the key impacts on biodiversity to make evidence-based decisions?

There are no specific drivers of change and/or factors which would have a negative impact on biodiversity arising from this proposal.

**6. Can your proposal contribute to our body of knowledge for biodiversity?**

This will be for local authorities to take forward appropriately in the context of their duty under Section 6 of the 2016 Act.

**Governance and support for delivery of biodiversity action**

**7. Can your proposal support biodiversity action in any way?**

This will be for Local Authorities to take forward appropriately in the context of their duty under Section 6 of the 2016 Act.

**8. Can your proposal help to build capacity for biodiversity action?**

This will be for Local Authorities to take forward appropriately in the context of their duty under Section 6 of the 2016 Act.

**9. Have you recorded decisions and actions to maintain and enhance biodiversity?**

No impacts have been identified and therefore not recorded.