

WELSH GOVERNMENT INTEGRATED IMPACT ASSESSMENT

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

Long term

The Well-being of Future Generations (Wales) Act 2015 requires public bodies across Wales named in the act to work towards 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.

The proposal

This proposal seeks to gain views on the revised non-statutory guidance on categorising schools according to their provision of Welsh based on the recommendations in the rapid review of the WESPs and the subsequent WESP advisory board. Following a review and extensive work with relevant stakeholders, consideration of the current system and the non-statutory guidance published in 2007, it is concluded that changes need to be made in order to reach the aims set out in Cymraeg 2050. It has been noted that the present non-statutory definitions are not used consistently and accurately, are misinterpreted and cause confusion, particularly amongst parents. The statutory process to increase the provision (by as little as 10%) is burdensome and does not encourage change. The ambiguity around the current categories does not support the commitments made in the WESPs, and this proposal seeks to address these matters.

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 review the categories of schools according to their Welsh-medium provision.

Cymraeg 2050 requires support from our local authorities and schools 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. 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 and for revising the school categories according to Welsh-medium provision arrangements. 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. The work outlined within this proposal will enable us to do that. 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

Cymraeg 2050 also acknowledges that it is unlikely that many new schools will be opened during the lifespan of the next WESPs 2021-31. Therefore in order to reach the ambitious targets agreed with the Welsh Government, many local authorities will need to focus on moving schools along the linguistic continuum, particularly increasing Welsh-medium provision in bilingual schools, and moving these schools from the bilingual category to the Welsh-medium category. The work outlined in this proposal will be one of our methods for ensuring that local authorities are enabled to undertake this process in a strategic way.

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.

Local targets within the WESPs 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 WESPs. This

proposal will be an important mechanism for the way many local authorities will achieve their individual targets.

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 using different methods tailored to the linguistic needs and composition of individual local authority areas.

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 are enabled to reach the aim of increasing their Welsh-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 lead on this work, working in close partnership with individual schools. Collaboration will also be needed with regional consortia and Estyn to successfully implement this proposal.

We have engaged with discussions with individual local authorities, representation from a range of local authorities schools, Estyn and other relevant stakeholders in the development of this proposal. We will formally consult on this proposal in Autumn 2020 and any further contribution these stakeholders may have in relation to this proposal will be incorporated following the consultation.

Involvement

In 2017, a rapid review of the WESPs was undertaken which acknowledged the need for change, in terms of individual plans' ambitions, as well as the legislative framework.

Following the rapid review, an independent advisory board was established to advise the Minister for Education on plans to strengthen the planning infrastructure for Welsh-medium education in line with the vision within the Welsh Government's Cymraeg 2050 Strategy. The advisory board recommended that the current arrangements for categorising schools according to their Welsh language provision should be reviewed, as the board was of the view that the current arrangements are not suitable to allow for the developments needed to achieve the aims set out in Cymraeg 2050.

The delivery of this proposal will be the responsibility of individual local authorities and schools as part of their relevant WESPs. Duties to consult on changes will continue to be consistent with the current arrangements under the School Standards and Organisation Act and code. During the process of increasing Welsh-medium provision or changing the language category of a school, it is a statutory requirement that local authorities publicly consult on the proposed changes.

Impact

Welsh-medium education, and its expansion, is crucial 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 within individual schools and at local authority level, increase Welsh-medium provision thus contributing to reaching the 1 million speakers target.

Based on evidence presented the WESP advisory board concluded that the current structure that supports the statutory planning of Welsh-medium education provision through WESPs no longer supports the long-term ambition for the Welsh language and

provided advice to the Minister for Education based on this evidence, and this proposal forms part of the response to this recommendation.

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 wishing to increase provision to improve their Welsh language skills.

This proposal will require local authorities and individual schools to make long term changes to the way in which they plan for the growth and delivery 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.

Costs and Savings

The costs and benefits associated with this proposal will be assessed on an individual Local Authority basis according to their own individual plans.

Mechanism

This proposal offers a guidance which will allow local authorities to ensure growth of Welsh-medium education in their areas in line with the targets set in their WESPs.

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

2.1 People and Communities

The education system is recognised as one of the key aspects in reaching the aims set out in Cymraeg 2050. The proposal outlined will allow local authorities and schools to plan, and reconfigure their provision over time to increase Welsh-medium provision within their areas. Consequently it will allow local authorities to contribute significantly to

the Welsh Government's Cymraeg 2050 Strategy.

This proposal will also allow local authorities and schools 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 increased 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 and increasing Welsh-medium education provision and services in these areas. Local authorities Welsh-medium and bilingual 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 within their WESPs, 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

This work will form part of local authorities WESPs which are a mechanism 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. This proposal is also aligned with current arrangements for school under the PLASC (Pupil Level Annual School Census) data collection system and there will be no changes in the way schools must record or report information annually in this respect.

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 enabling schools and local authorities to increase Welsh-medium provision, and allow for moving from one category to another. 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?

The business impact of this proposal will be assessed on an individual local authority basis in line with their own long term plans for this work.

4.2 Public Sector including local government and other public bodies

The work within this proposal will be delivered by local authorities and schools, therefore this proposal may have financial implications on 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 increase 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-configuring of education provision in 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 Welsh-medium or bilingual 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. Delivering some of the Welsh-medium provision within this proposal may be community based such as Welsh language immersion centres, and in some areas, 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 in which 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 or bilingual 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 conducted with a range of Local authorities across Wales The Welsh Government has also engaged in discussions with Local authorities schools and various relevant stakeholders such as Estyn and the regional consortia throughout the development of this proposal.

The recent changes to the WESPs regulations and the conclusions of the advisory board and subsequent specialist advisory board on the current school categories system highlighted the need for changes to the arrangements in order to support the WESPs and the aims set out in Cymraeg 2050.

The advisory and specialist boards included representation from various stakeholders and groups who will be affected by this proposal.

We will also invite the views of 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 will result in more equality of access for children and young people to Welsh-medium and bilingual provision.

Equality

This proposal seeks to increase the provision of Welsh-medium and bilingual 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 work. 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 and bilingual 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 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.

This work, through the wider duties of individual Local authorities will 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.

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 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 contribute to addressing and responding 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.
- 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 better 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 system for allowing schools to increase Welsh-medium and bilingual provision and allow local authorities to set the strategic direction for the planning and delivery of growth in Welsh-medium education. 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?

The work of this proposal forms part of the wider WESPs and local authorities will be expected to report annually on progress in relation to the targets set in individual plans. The new guidance and category arrangements will coexist with the proposed new arrangements until January 2023. There will be continuous discussions with local authorities on the implementation of the new system which will also feed into the evaluation process during the initial years of implementation.

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 WESPs. 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.

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 and subsequent advisory board highlighted the need to change the regulations and guidelines in relation to the WESPs as well as review the existing process for categorising schools according to their Welsh-medium provision. This proposal seeks to strengthen the current arrangements for increasing Welsh-medium provision and simplify the process of moving from one category to another.

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 WESPs will result in more equality of access for children and young people to Welsh-medium provision depending on the linguistic category of school they attend.
- ◆ As part of the consultation process we will specifically invite the views of young people to ensure that their views are fully represented.

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 in certain areas. Local authorities will be required as part of this proposal to take reasonable steps to provide this support where possible.
- ◆ As part of the consultation process we will specifically seek the views of 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 this proposal will ensure compliance with the articles in respect of children and young people in Wales.

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

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.

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.

In implementing this proposal, it will offer an increase in the opportunity people have to gain Welsh language skills through the education system. This may, in time, contribute to the tackling poverty agenda by equipping children with Welsh language skills who may not have had them without the work of this proposal. 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 and bilingual 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 and bilingual education is increasingly 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 WESPs and will also be evaluated as a national system during its implementation.

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	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.	
Gender Reassignment (the act of transitioning and Transgender people)	No impacts identified		
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>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 people having Welsh</p>	

		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 06/02/2020
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.

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 proposal. 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.

This proposal seeks to address the process of categorising schools according to Welsh-medium provision based on the recommendations in the rapid review of the WESPs and the subsequent WESP advisory board. Following research and extensive work with relevant stakeholders, the current system and the non-statutory guidance published in 2007 have been concluded that changes need to be made in order to reach the aims set out in *Cymraeg 2050*. It has been noted that the present non-statutory definitions are not

used consistently and accurately, are misinterpreted and cause confusion, particularly amongst parents. The statutory process to increase the provision (by as little as 10%) is burdensome and does not encourage change. The ambiguity around the current categories does not support the commitments made in the WESPs, and this proposal seeks to address these matters.

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.

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.

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 and bilingual 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.

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, outlining clearly what each option means for the education of their child. This will form a key part of this proposal. 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 school categories work set out in this proposal is a key component of reaching the ambition set in our Cymraeg 2050 Strategy, and the work will be subject to scrutiny through continuous discussions with local authorities and annual progress reports within the WESPs.

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.