

Welsh Language Impact Assessment

Template

August 2014

Welsh Language Impact Assessment

Title: Reform of School Governance: proposals to revise and consolidate the school governance regulatory framework.	WLIA Reference No <i>(completed by WLU):</i>				
Name of person completing form:	Louise Thomas				
Date:	[To be completed]				
Policy lead:	Tracey Jones/ Steve Vincent				
Contact details:	CP2, 3 rd Floor, North Core Cardiff				
Programme/Project Type <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Grant <input type="checkbox"/> Business change <input type="checkbox"/> Infrastructure <input type="checkbox"/> Construction, Capital <input type="checkbox"/> ICT <input type="checkbox"/> Other (Please specify below)					
<input type="checkbox"/> Project or programme <input type="checkbox"/> Research, evaluation <input type="checkbox"/> Services <input type="checkbox"/> Contracts, tenders					
Costs: How much is the projected whole life cost for the programme/project? If below £25k, then a full WLIA is not always required (see guidance).					
Under £25k	£25k - £49k	£50 - £249K	£250K - £1m	Over £1m	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Of the above, please provide details if there are any identified costs directly associated with the Welsh language?					
How long is the programme/project expected to run?					
Up to 1 yr	Up to 2yrs	Up to 5yrs	Up to 10yrs	More than 10 yrs	Unknown
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Key milestone dates for the programme/ project:					
11 th November 2016: Consult for 14 weeks on proposals to revise and consolidate the school governance regulatory framework. 17 th February 2017: Consultation closes. 20 th February 2017: Consideration begins on responses to the consultation					

1st June 2017: Proposed making and laying of the regulations to revise and consolidate school governance.

1st December 2017: Proposed coming into force date of the regulations to revise and consolidate school governance.

1st December 2018: Proposed date on which all school governing bodies will operate under the regulations to revise and consolidate school governance.

STAGE 1: PLANNING

What are the aims and objectives of the policy?

What are the desired outcomes/ what constitutes 'success'?

To consult on a proposal to bring about this reform of school governance by revising and consolidating the regulations which currently underpin the school governance framework in Wales. The purpose of making these changes is to enable better governance and more successful schools, which in turn will lead to improved outcomes in terms of educational attainment and well-being for their pupils.

In order to reform school governance in Wales we need to revise and consolidate the existing sets of Regulations which currently underpin the school governance framework, many of which are more than ten years old. The "Existing Regulations" are:

- The School Government (Terms of Reference) (Wales) Regulations 2000
- The New Maintained Schools (Wales) Regulations 2005
- The Government of Maintained Schools (Wales) Regulations 2005
- The Governor Allowances (Wales) Regulations 2005
- The Staffing of Maintained Schools (Wales) Regulations 2006
- The Changing of School Session Times (Wales) Regulations 2009
- The Federation of Maintained Schools (Wales) Regulations 2014.

What policy options have been considered?

and

What impacts will there be if the policy is *not* implemented?

- **Do nothing**

Under this option there would be no revision of the school governance regulatory framework; school governing bodies would continue to be subject to the current regime under the Existing Regulations and the related statutory guidance.

As a result, maintained school governing bodies in Wales would not be best placed to ensure the effective governance and success of their schools. For example, categories of school governor would remain unchanged as would the composition of governing bodies and governors' terms of office. As a result governing bodies would not be given the flexibility to be smaller and to "tailor" themselves to meet the individual requirements of their schools.

- **Do minimum - update existing statutory guidance¹**

Under this option the Existing Regulations would not be revised but related statutory guidance would, where possible, be amended.

This is not the preferred option, as revision of guidance is not able to make up for there

¹ A Governors' Guide to the Law available at:

<http://gov.wales/topics/educationandskills/schoolshome/fundingschools/school-governance/schoolgovguide/?lang=en>

being no revision of the Existing Regulations. This is because:

- Guidance cannot contradict or alter the requirements in the Existing Regulations
- Governing bodies need only “have regard” to statutory guidance, whereas requirements in regulations are mandatory.

For example, guidance would not be able to revise the requirements surrounding the categories and terms of office of governors which are set out in the Existing Regulations, or requirements regarding the composition of governing bodies. As a result governing bodies would lack the flexibility to be smaller and to “tailor” themselves to meet the individual requirements of their schools.

Does the programme demonstrate a clear link with the Welsh Government’s strategy for the Welsh language - laith fyw: laith byw?

All maintained school governing bodies are within scope, including federated governing bodies and the temporary governing bodies of new schools. Also included are governing bodies of all Welsh medium maintained schools.

What are the impacts/ effects (both positive and/or adverse) on the Welsh language you have identified at the initial planning stage

i.e. Welsh speakers, Welsh language communities, Welsh medium education, Welsh learners, services available in Welsh?

We have not identified any impacts on the Welsh language at this stage, but we are consulting to “test” whether we are correct.

Who are the stakeholders? Are the needs of Welsh speakers and learners addressed? To what extent are Welsh language interest groups likely to respond positively to the proposals?

Key stakeholders include Estyn, local and diocesan authorities, a 10% sample of school governing bodies (including various faith and non-faith schools), the Equality and Human Rights Commission, the Children’s Commissioner for Wales, the Welsh Language Commissioner and education Consortia.

We do not think that our proposals impact on the needs of Welsh speakers and learners, but invite responses to our consultation on this.

Where an assessment was not completed, or no impacts were identified, please provide a full account for record keeping purposes?

(This could be used in the Welsh Language Tribunal in future)

Our proposals are to revise and consolidate the secondary legislative framework which underpins school governance in Wales.

While we have not identified any impacts ourselves, we invite responses to our consultation to inform the further development of this impact assessment.

<p>What actions/ further work has been identified at the initial planning stage? e.g. data requirements, need for peer review, external engagement with Welsh speaking groups, identify stakeholders or consultation list, need to contact Welsh Language Unit for advice)?</p>	
<p>Need to consult.</p>	
<p>STAGE 2: IDENTIFYING AND ASSESSING IMPACTS</p>	
<p><u>Impact Assessment Summary</u> Summarise the detailed impact assessment carried out together with the scores assigned.</p>	
<p>Positive effects/ impacts:</p>	
<p>Questions have been included within the consultation and the responses will be analysed to identify the effects/Impacts.</p>	
<p>Adverse effects/ impacts:</p>	
<p>Questions have been included within the consultation and the responses will be analysed to identify the adverse effects/Impacts.</p>	
<p>Opportunities to promote the Welsh language e.g. status, use of Welsh language services, use of Welsh in everyday life, Welsh at work increased?</p>	
<p>Questions have been included within the consultation and the responses will be analysed to identify opportunities.</p>	
<p>Evidence/ data used including demographic profile when considering the effects/ impacts:</p>	
<p>Questions have been included within the consultation and the responses will be analysed to identify the effects/Impacts.</p>	
<p>What is the overall anticipated likely impact on the Welsh language if this policy is taken forward based on the impact assessment/ risk assessment?</p>	<p>Positive: <input type="checkbox"/></p> <p>Adverse: <input type="checkbox"/></p> <p>Neutral: <input type="checkbox"/></p> <p>Unknown: <input type="checkbox"/></p>
<p>Decision following IA</p>	<p>1. No major change <input type="checkbox"/></p>
	<p>2. Adjust the policy to improve impacts <input type="checkbox"/></p>
	<p>3. Continue the policy with mitigation measures <input type="checkbox"/></p>
	<p>4. Stop and remove the policy <input type="checkbox"/></p>

If answered 2,3, or 4 above – then answer the following:

How will you address these impacts in order to improve the outcomes for the Welsh language? Details of mitigation measures/ action points/ alternative options to reduce adverse impacts and increase positive outcomes:

If engaging or consulting, what are your plans? What questions do you wish to ask stakeholders about the Welsh Language Impact Assessment and Welsh language related issues?

The following questions have been included in the consultation.

We would like to know your views on the effects that the proposals to revise and consolidate the school governance regulatory framework would have on the Welsh language, specifically on

- i) opportunities for people to use Welsh and
- ii) on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Please also explain how you believe the proposals to revise and consolidate the school governance regulatory framework [could be formulated or changed so as to have

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and

no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

STAGE 3: POST CONSULTATION AND PREPARING FOR PUBLICATION, MONITORING AND EVALUATION

Following consultation, what changes have you made to address any Welsh language issues that were raised?

Will be considered following consultation.

How will you monitor the ongoing effects during the implementation of the policy?

Will be considered following consultation.

Please outline how you will continue to capture effects/ impacts in future monitoring and evaluation?

Will be considered following consultation.

Any other comments – ongoing results of evaluations, emerging impacts

Will be considered following consultation.

4. Declaration

Policy lead: <i>*Please delete as appropriate:</i> The policy *does / does not have an impact upon the Welsh language. Where there were identified adverse impacts or missed opportunities, the appropriate amendments and actions have been put in place.
Name: Louise Thomas
Department: EPS – Education Directorate
Date (s): 7 November 2016
Signature:
Planned Review Dates: February 2017 (following the consultation period)

SRO ENDORSEMENT and REVIEW	
I am satisfied that the WLIA is an accurate reflection of the programme/project at this stage of development. By signing, I am able to confirm that the Welsh Language Standards have been given the appropriate attention. I will re-assess the programme/project at key stages throughout the life of the programme/ project, including policy reviews.	
Signed (Senior Responsible Owner)	Date
Signed (Senior Responsible Owner)	Review Date
Signed (Senior Responsible Owner)	Review Date
Signed (Senior Responsible Owner)	Review Date