
Ymateb i Ymgynghoriad / Consultation Response

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Background information about Estyn

Estyn is the Office of Her Majesty's Inspectorate for Education and Training in Wales. As a Crown body, Estyn is independent of the Welsh Government.

Estyn's principal aim is to raise the standards and quality education and training in Wales. This is primarily set out in the Learning and Skills Act 2000 and the Education Act 2005. In exercising its functions, Estyn must give regard to the:

- Quality of education and training in Wales;
- Extent to which education and training meets the needs of learners;
- Educational standards achieved by education and training providers in Wales;
- Quality of leadership and management of those education and training providers;
- Spiritual, moral, social and cultural development of learners; and,
- Contribution made to the well-being of learners.

Estyn's remit includes (but is not exclusive to) nurseries and non-maintained settings, primary schools, secondary schools, independent schools, pupil referrals units, further education, adult community learning, local government education services, work-based learning, and teacher education and training.

Estyn may give advice to the Assembly on any matter connected to education and training in Wales. To achieve excellence for learners, Estyn has set three strategic objectives:

- Provide accountability to service users on the quality and standards of education and training in Wales;
- Inform the development of national policy by the Welsh Government;
- Build capacity for improvement of the education and training system in Wales.

This response is not confidential.

Response

Introduction

Overall, we feel that the code of practice provides clear and useful guidelines for bodies that are subject to the Welsh Language Standards (Number 2) Regulations 2016. The phrasing of the code is coherent and accessible, and relevant examples are provided that will facilitate internal compliance work. We have included suggestions that we believe, in a few cases, may add to the code's effectiveness.

Consultation questions

1. After reading the code, are any issues unclear? If so, what are they?

There are no issues that are unclear in the code. The code sets out the statutory requirements clearly and provides practical and useful examples.

2. Does the code help you to interpret the standards (and the terminology, phrases and interpretations within the regulations)? If not, what further information would be useful?

We believe that the code provides useful guidelines and information that will support organisations (that have received a compliance notice in line with the Welsh Language Standards (Number 2) Regulations 2016) to interpret the standards and their practical implications.

The code refers extensively to meetings and the need to provide simultaneous translation etc. It would be useful to include unambiguous references in the appropriate areas that this includes virtual meetings. This would be consistent with the content of the letter that was sent to the heads of organisations on 1/12/20 (Duties to enable the use of the Welsh language in meetings: advice under section 4(2)(j) of the Welsh Language Measure (Wales) 2011).

3. Do any elements of the code contradict any other part of the code or any other enactment that is relevant to your work?

No.

4. Do the examples that are included in the code help you to understand the requirements or put them better in their context? Are there any other examples that could be included?

The examples provide useful guidelines and answers to common questions that are often raised during internal meetings regarding compliance. For example, there are useful definitions regarding the meaning of 'display' (4.7.3) and practical guidelines in relation to best practice in terms of the use of subtitles (4.6.7).

This code will support us in raising awareness and disseminating information among our staff, particularly from the perspective of legal implications. A good example of this is section 8.3 A body publishing a complaints procedure (standards 153, 159 and 162). The section sets the expectations in terms of the content of any complaints policy, in addition to the type of training that is needed internally in order to ensure that relevant staff are able to deal with, and investigate, complaints related to non-compliance.

The examples will also provide us with practical and useful support in producing a Welsh Language Strategy to accompany our Welsh Language Policy.

5. Does including lists in the code help you to understand the requirements? Does the content of any list need to be expanded?

We believe that the lists include appropriate and useful items, for example the list of questions for assessing the need to produce documents that are available to the public (4.8.23) and the table (5.1.9), which provides examples of relevant questions that could be considered when investigating what positive and detrimental effects the policy decision would have on the Welsh language. The second example is particularly useful as getting organisations to understand the linguistic effect of their policy-making processes can be challenging.

Similarly, we welcome the checking template for issues such as policy-making, consultation, commissioning research and producing an annual report on compliance with the Standards, which is included at the end of the code. We believe that these will support organisations to check compliance expediently and practically.

Perhaps the above list could be expanded to include examples of the content needed for key internal policies, or a separate document could be produced for that purpose. For example, additional guidance, in addition to examples of good practice of what is included in section 8.3 regarding corporate complaints policies, may be useful.

The document also includes examples of the logo and images for Iaith Gwaith (Work Welsh) for different purposes. It would be useful if links could be included for bodies to download these images in formats that could be used easily in documents, video-conference backdrops etc.

6. Is the code structured and set out in a coherent manner? If not, do you have any suggestions about how to improve it?

The structure and order of the booklet and the content of the code are logical and clear, including the legal status of the code itself (1.13-1.18). This resource would be extremely useful to those who are responsible for implementing and monitoring compliance in their own organisations. Perhaps just as importantly, the code is coherent and accessible in terms of the language register and practical explanations for other employees in those organisations.

We intend to circulate the final documentation to those who are responsible for the Welsh language within individual departments, as it is a practical, easy-to-understand guide that will facilitate compliance, in addition to encouraging individual departments to improve their understanding and ownership of that process.

7. Is the language that is used clear? Do you have any suggestions on how to improve it?

We believe that the tone and register of the code are clear and coherent. As a result, the document should be accessible to different audiences, in addition to the bodies to whom the code is relevant.

8. Do you have any further comments on the content of this code?

We welcome the strong emphasis on training and nurturing Welsh language skills (6.8 standards 123-131). We also welcome the way in which the code explains and highlights the process of checking individuals' language levels against the levels of the National Centre for Learning Welsh (Welsh for Adults sector), CEFR and ALTE. References to the Work Welsh scheme are beneficial and provide organisations with clear guidance in terms of the types of suitable training that are available. We would like to suggest that you could make small changes to the wording of 6.8.31 which answers the question, 'What is meant by the term 'basic lessons'? This is the current wording of 6.8.31:

*'The term means lessons for learning basic Welsh language skills, such as **listening, understanding, reading, speaking and writing**. The aim*

of these lessons would be to allow an employee to undertake basic functions through the medium of Welsh.'

We feel that the emphasis could be changed in terms of the order of the linguistic skills. It should be ensured that organisations reflect the emerging emphasis in education on producing active Welsh speakers in order to achieve the aim of a million Welsh speakers by 2050. Training programmes, in our opinion, should usually focus mainly on the functional skills, such as oracy, rather than more passive skills such as reading and even writing, to an extent. As a result, perhaps it would be useful to replace the bold print above with wording such as '**such as oracy skills (namely listening/understanding and speaking), reading and writing**'. This would provide organisations with clearer guidance when organising training programmes, and avoid placing too much emphasis on training that is perhaps easier to organise but less effective in terms of ensuring active and meaningful use of the Welsh language within their organisations.