

Advice under the Designation

The Coleg Cymraeg Cenedlaethol's initial advice to Medr

September 2024

Introduction

1. The Welsh Government has designated the Coleg Cymraeg Cenedlaethol (the Coleg) to advise Medr on its duties relating to the Welsh language under section 9(1) of the Tertiary Education and Research (Wales) Act 2022 ('the 2022 Act').
2. This is the Coleg's first Advice Note to Medr under the designation. This is initial advice: it covers the entire tertiary sector and aims to influence Medr's first Strategic Plan, which will be presented to Welsh Government Ministers in December 2024. The Coleg has consulted with stakeholders when drafting this Advice Note.
3. Medr and the Coleg have already agreed on a Memorandum of Understanding, which forms the basis for the operational relationship between the two bodies. As a result, we will agree upon formal meeting arrangements to discuss Advice Notes and operational matters. The Coleg will present further Advice Notes to Medr on specific issues in consultation with relevant stakeholders.
4. The 2022 Act places 11 strategic duties on Medr. One of those, Section 9, relates to 'promoting tertiary education through the medium of Welsh':
9(1) The Commission must—
 - a. *encourage demand for, and participation in, Welsh tertiary education provided through the medium of Welsh;*

8. The Welsh language belongs to us all. All learners in the tertiary education sector should be given the opportunity and encouragement to use, maintain and improve their Welsh language skills, in a way and at a level that is appropriate and feels relevant to them. All learners should complete their tertiary education or training with Welsh language skills that will assist them in the next steps in their careers and lives, allowing them to be members of bilingual workforces and communities.
9. In this vision, education and training providers² are aware of learners' level of Welsh language skills at the start of their course or training. They provide meaningful and appropriate Welsh-language or bilingual provision for all learners, regardless of their ability, skills and background: be it a combination of Welsh-medium or bilingual provision, Welsh language lessons, language awareness provision and/or opportunities to use Welsh on a work placement. All pathways are available through the medium of Welsh. All providers have sufficient staff who are qualified to support learners along their pathway, and the qualifications taken are available in Welsh. Learners are supported to make informed, positive decisions about their Welsh-language journey. Learners leave the tertiary sector having had first-rate Welsh-language and bilingual educational experiences and are ready to use their Welsh language skills in the workplace and in the community.

² 'Provider' refers to an institution 'providing tertiary education, including tertiary education provided on its behalf, whose activities are wholly or mainly carried on in Wales' (Tertiary Education and Research (Wales) Act, Section 144(1)).

Putting the vision into practice: A National Plan for the Welsh Language

10. In his statement of priorities for the Commission for Tertiary Education and Research (Medr) on 28 February 2024, the Minister for Education and Welsh Language stated that Medr should:

Develop a plan to increase and improve the provision and promotion of Welsh-medium education and assessment in the whole of the tertiary system recognising the role of Coleg Cymraeg Cenedlaethol, as the designated person under Section 9 of the 2022 Act and Qualifications Wales as the independent qualifications regulator. This is a key part of the seamless pathway for learners into the tertiary education of their choosing.

11. To put this into practice, the Coleg advises Medr to commit in its first Strategic Plan to developing a National Plan for the Welsh language across the entire tertiary education sector.
12. This Advice Note suggests a collaborative process for drawing up such a plan, as well as a series of high-level principles and aims which provide a basis for Medr to implement its strategic statutory duties in line with the 2022 Act.

A collaborative process for drawing up a National Plan

13. In 2018, the development of the Coleg's Further Education and Apprenticeships Plan was driven by a task and finish group chaired by the Coleg's Chief Executive with representation from Welsh Government and sector leaders. The fact that the plan was so widely accepted and implemented by providers is a testament to the inclusive and careful way in which it was drawn up.
14. Developing a National Plan for the Welsh language across the entire tertiary education sector would require working with a greater range of stakeholders

including learners, providers, regulators and other relevant national bodies.

The Coleg advises developing a planning process which fosters the same sensitive and collaborative approach and considers the circumstances and needs of each provider.

15. It is vital that Medr develops and takes ownership of a plan that is achievable and ensures that it is implemented.
16. The Coleg has expertise, experience and relationships across Welsh-medium and bilingual tertiary education planning, and will have a statutory role advising on the National Plan. We emphasise, however, that it is Medr which has the statutory responsibilities in relation to the Welsh language and the regulatory power to implement plans. As Medr develops regulatory conditions, requirements relating to the Welsh language should be front and centre.
17. We propose that the process of developing a National Plan be the subject of further discussion between officers of Medr and the Coleg in order to agree on a process that will allow different voices to be heard and ensure that everyone who has a role to play in the development and implementation of the plan is eager and ready to play their part.

The context for and form of the National Plan

18. This Advice Note identifies principles arising from legislation, ministerial statements, policy, current practice, and good practice in language planning. These principles form the basis for giving effect to:
 - Medr's strategic duties in relation to the Welsh language under the 2022 Act
 - Medr's strategic priorities in relation to Welsh as outlined by Welsh Government
 - The Coleg's vision

and, ultimately, the far-reaching goals of Cymraeg 2050, the Welsh Government's national strategy to create a million Welsh speakers and double the daily use of the language.

19. In this context, it is important to note that the Welsh Government published the Welsh Language and Education (Wales) Bill on 15 July 2024. The Bill:
 - provides a statutory basis for the target of one million Welsh speakers by 2050, as well as other targets relating to the use of the language, including in the workplace and socially
 - establishes a standard method for describing Welsh language ability based on the common reference levels of the Common European Framework of Reference for Languages (CEFR)
 - makes provisions for designating statutory language categories for schools, along with requirements relating to the amount of Welsh language education provided (including a minimum), and Welsh language learning goals for each category
 - links linguistic planning at a national level (by placing a duty on the Welsh Ministers to prepare a National Framework for Welsh Language Education and Learning Welsh), at local authority level (by placing a duty on the local authorities to prepare local Welsh in education strategic plans), and at school level (by placing a duty on schools to prepare Welsh language education delivery plans)
 - establishes a National Institute for Learning Welsh as a statutory body responsible for supporting people of all ages to learn Welsh.
20. The provisions in the Bill aim towards a situation where everyone leaving the statutory education sector is an 'independent Welsh language user'. Medr and the tertiary sector must plan for this context.
21. While the Bill will not become an Act until after Medr has published its first Strategic Plan, this Advice Note heeds the provisions in the Bill and is consistent with the Welsh Government's ambition for the Welsh language and Welsh education. The Coleg's advice that Medr develops a National Plan for

the Welsh language in the tertiary sector is consistent with the provision in the Bill requiring the Government to develop a National Framework for Welsh Language Education and Learning Welsh. When the Bill becomes law, it will be vital that the plan developed by Medr for the tertiary sector is consistent with and builds upon the proposed National Framework

22. Implementing this advice across the tertiary sector in a way that includes all learners will build upon the activity in the statutory sector and increase the percentage of young people who can confidently use their Welsh language skills in their studies, training and work.
23. Below, we have set out a fundamental principle and six core principles that arise from it. We then elaborate, for each core principle, on high-level aims. The Coleg advises that Medr should adopt these principles and aims in order to fulfil the strategic duty relating to Welsh under Section 9(1) of the 2022 Act.
24. We advise that Medr develops a National Plan which builds on this Advice Note, setting high-level aims and operational approaches for each aim. The National Plan would set national themes and priorities across the entire sector, and providers would then plan and work towards the delivery of those themes and priorities within their own contexts. The support and cooperation of regulators and other relevant national bodies will also be required when developing and implementing the Plan. These bodies have a key role in supporting providers within different areas of the tertiary education and training sector.
25. The Coleg will provide further advice to help Medr develop the Plan.
26. While Medr's responsibilities cover the entire tertiary sector, it will be important to recognise sectoral, geographical and historical differences when developing the Plan.
27. For example, in the higher education sector, there has been a significant increase in the number of subjects that can be studied through the medium of Welsh since the Coleg was established. There is some Welsh language provision in each of the 36 'main subject groups' that are listed in the Coleg's Higher Education Academic Plan, compared to 12 in 2011.

28. On the other hand, the increase in bilingual provision in further education colleges and apprenticeship providers is a relatively new development. In most cases to date, the provision that has been developed is at B3 level .
29. The most extensive Welsh language provision is in school sixth forms. A wide range of A Level subjects is offered, as well as vocational provision in an increasing number of subjects. Many sixth forms are fragile, and this needs to be considered when developing the National Plan because of the key importance of Welsh-medium sixth forms to realising Cymraeg 2050 targets. It is critical when planning in this context that the voice of Welsh-medium and bilingual schools is heard clearly and that Medr tackles the challenges the sector faces in a collaborative manner. We therefore advise that Medr should identify suitable methods to ensure that the voice of Welsh-medium and bilingual schools receives specific attention in the process of developing the National Plan.
30. We further advise that local authorities – who will receive funding from Medr to fund sixth forms in schools – proactively plan with Welsh-medium and bilingual schools that have a sixth form.

Principles and aims for the National Plan

Fundamental principle: Every learner should use, maintain and develop their Welsh language skills during their tertiary education or training, to enable them to use these skills in the workplace and in informal settings.

31. This principle runs through Welsh Government legislation, ministerial statements and policies relating to the Welsh language in tertiary education. It can be seen, for example, in Cymraeg 2050 (Theme 1, Aim 4), in the Explanatory Memorandum of the 2022 Act (3.50 and 3.51) and in the Welsh Language and Education Bill (section 23(3)(e)).
32. This principle is at the core of the Coleg's vision and advice. Everything that follows stems from this fundamental principle.

Principle 1: Strategic and operational planning is essential

33. As noted above, Welsh Government has instructed Medr to:

Develop a plan to increase and improve the provision and promotion of Welsh-medium education and assessment in the whole of the tertiary system.

In order to fulfil Strategic Duty 9(1)(b) ('Take all reasonable steps to ensure that there is sufficient tertiary education provided through the medium of Welsh') and Strategic Duty 9(1)(c) ('encourage the provision of tertiary education through the medium of Welsh'), provision must be tailored to the needs of learners, the strategic priorities of providers, the requirements of workforces and the nature of local communities. This calls for national and institutional planning, and for Medr to make full use of its regulatory powers in relation to the Welsh language. It will be essential for Medr to collaborate closely with the Coleg when developing the National Plan for the Welsh language across the tertiary sector in order to make the best use of the

Coleg's expertise and experience in the field, as well as giving full consideration to the Coleg's advice under the designation.

Aim 1.1: In its first Strategic Plan, Medr commits to working with the Coleg and others to develop a National Plan for the Welsh language across the entire tertiary sector.

Aim 1.2: Medr, with the support of the Coleg, develops a full understanding of the context and policy of the Welsh language and Welsh-medium education and understands the importance and role of the tertiary sector within the wider Welsh-medium education system.

Aim 1.3: Medr's internal structures and processes ensure that the Welsh language is mainstreamed across the organisation and that strategic decisions regarding funding and wider policy support the objectives of the National Plan for the Welsh Language, comply with the Welsh Language Standards (No. 6) Regulations 2017 and the relevant frameworks, and contribute towards fulfilling the duties under Section 9 of the 2022 Act.

Aim 1.4: Welsh-medium and bilingual tertiary provision is planned strategically based on the national priorities in the National Plan: whether that be by relevant individual providers or local authorities.

Aim 1.5: Targets are set for relevant individual providers as part of the strategic planning, funding and regulatory arrangements.

Aim 1.6: Robust monitoring and accountability processes are part of Medr's strategic planning, funding and regulatory arrangements.

Aim 1.7: Relevant providers' governing bodies take ownership of providers' plans in relation to the Welsh language and ensure they are implemented.

Aim 1.8: Medr works with Welsh Government and other relevant bodies to ensure that the statutory and tertiary education workforce is designed to facilitate an increase in high-quality provision.

Aim 1.9: Medr works with other relevant bodies to ensure that resources and qualifications are designed to facilitate an increase in high-quality provision.

Aim 1.10: Planning processes encourage cooperation and collaboration between providers in the same geographical area or training area to support the national objectives.

Aim 1.11: Local authorities' planning processes safeguard and support 16–19 Welsh medium provision, which is by and large offered in school sixth forms.

Aim 1.12: The Welsh language is part of the broader strategic planning of every provider.

Aim 1.13: The needs of bilingual workforces and communities are a key consideration when planning provision and when planning how to encourage demand for, and participation in, Welsh-language tertiary education.

Principle 2: The learner is at the heart of the system

34. One of the purposes of the 2022 Act is to create a tertiary education system that is centred on the learner (Explanatory Memorandum, 3.1) and this is supported in the strategic priorities set by Welsh Government for Medr.

Aim 2.1: The Welsh language belongs to all learners, whatever their ability, skills and background, and Medr takes proactive steps to ensure the participation of underrepresented groups in Welsh-medium and bilingual provision.

Aim 2.2: The learner's voice is part of national and institutional planning in relation to the Welsh language.

Aim 2.3: All pathways are available through the medium of Welsh.³ The right of learners to study every subject and qualification through the medium of Welsh is protected, including in areas that attract small numbers of learners.

Aim 2.4: There are clear and coherent progression pathways that allow and encourage learners to follow Welsh-medium or bilingual provision throughout their journeys.

Aim 2.5: All learners follow a Welsh language element within their provision, tailored to the nature and level of the course/training to ensure that all learners use, maintain and develop their Welsh language skills.

Principle 3: The learner's journey is based on the proposed Code for describing Welsh language ability

35. The Welsh Language and Education Bill places a duty on Welsh Ministers to 'prepare a Code describing ability in Welsh that is based on the Common European Framework of Reference for Languages' (the CEFR) (6(1)). The Bill's Explanatory Memorandum notes '[t]his will facilitate a shared understanding by learners, teachers, parents and employers of an individual's journey to learn the Welsh language and the expected linguistic outcomes at each stage of that journey' (3.35). It also notes that the Code and common reference levels 'will continue to be useful for lifelong learning and for the provision of qualifications for that purpose, and can be used in workplaces' (3.89).

Aim 3.1: The planning of Welsh-medium and bilingual provision in the tertiary sector is based on the proposed Code, with the aim of moving learners along the reference levels.

³ See [Written Statement: Publication of the Statement of strategic priorities for tertiary education and research and innovation \(28 February 2024\) | GOV.WALES](#)

Aim 3.2: Providers are aware of the Welsh language level of each learner at the beginning of and throughout their provision, based on the proposed Code.

Learners are also aware of their own Welsh language level.

Aim 3.3: Welsh-language and bilingual provision is at an appropriate level for the learner and relevant to their education or training.

Aim 3.4: Specific attention is paid when planning and funding provision to maintaining and increasing suitable provision for learners who are already at level C1 or C2 in the Welsh language.

Principle 4: Demand for, and participation in, Welsh-language tertiary education must be encouraged

36. This principle is based on Strategic Duty 9(1)(a) ('encourage demand for, and participation in, Welsh tertiary education provided through the medium of Welsh'). Medr has wide-ranging and far-reaching responsibility to build demand and to expand the choice for learners to study through the medium of Welsh, as tertiary education 'encompasses post-16 education including further and higher education, adult community learning and work based education, apprenticeships and local authority maintained school sixth forms' (Explanatory Memorandum, 1.3). Further, the Welsh Language and Education Bill places a requirement on Welsh Government and local authorities to 'facilitate progression in terms of teaching Welsh and education through the medium of Welsh between...education for pupils of compulsory school age and tertiary education' (23(3)(e), 28(2)(d)).

Aim 4.1: Encouraging demand for and participation in Welsh-language and bilingual tertiary education starts well before learners move from the statutory sector to the tertiary sector and continues throughout their time in it.

Aim 4.2: All learners are encouraged to maintain and develop their Welsh language skills while studying.

Aim 4.3: Work to encourage demand and participation is informed by data, research and good practice.

Aim 4.4: Providers are expected to enrol learners who have received statutory education through the medium of Welsh on Welsh-medium provision.

Aim 4.5: Local authorities and other providers in the tertiary sector work together to ensure appropriate progression in relation to Welsh medium and bilingual provision.

Principle 5: The funding model should support all learners to use, maintain and develop their Welsh language skills

37. This principle arises naturally from the core principle. There are additional costs associated with Welsh-medium provision, and this is already embedded in the funding models. In the higher education sector, this was highlighted once again in London Economics Wales' 2023 report to the Higher Education Funding Council for Wales, which shows that higher costs are associated with courses where a relatively small number of learners follow Welsh or bilingual provision.

Aim 5.1: A new transparent and consistent model of providing funding for Welsh language and bilingual provision is developed to support the implementation of the National Plan for the Welsh language.

Aim 5.2: Sufficient funding is allocated across the tertiary education system for the purposes of (1) encouraging new provision, (2) maintaining the existing provision including provision for learners who are already at C1 or C2 level, and (3) maintaining provision where numbers are small and likely to remain so.

Aim 5.3: Funding is used for specific purposes and carefully monitored.

Aim 5.4: There is clear accountability for the use of funding.

Aim 5.5: The Welsh language is a consideration within funding streams that are not specifically related to Welsh-language education.

Principle 6: Accurate, fit-for-purpose data is an essential basis for strategic planning, accountability and monitoring

38. Although good data does not in and of itself lead to an increase in provision, it is essential for planning, effective action and monitoring. Weaknesses in the way Welsh-medium and bilingual provision is defined, recorded and measured impedes planning and progress.

Aim 6.1: For planning purposes in the short to medium term, a baseline is established to measure the situation of the current Welsh and bilingual provision across the sector.

Aim 6.2: For the medium to long term, a correct and consistent method of identifying and recording learners' Welsh skills is developed, based on the proposed Code and including measuring progress over time.

Aim 6.3: For the medium to long term, a correct and consistent method of defining and recording Welsh medium and bilingual provision across the sector is developed.

Aim 6.4: The data system allows learners to be tracked throughout their education or tertiary training.