

Advice under the designation

Regulation of tertiary education and training providers

August 2025

Introduction

1. Welsh Ministers have 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. Medr is developing a new system to regulate tertiary education and training providers. The first step was to consult on a regulatory approach and framework (May–July 2025).
3. The Coleg has made specific comments on the proposed regulatory approach and framework in its response to the consultation.
4. This Advice Note offers a broader perspective on Medr's regulatory approach and advises Medr on how to apply it in relation to the Welsh language. It sets out what the Coleg would expect to see in the regulatory condition for the Welsh language and advises Medr to develop supplementary guidance in due course.
5. The Coleg is grateful to Medr officers for the regular and constructive discussions that have taken place since the signing of the [Memorandum of Understanding](#) between the two bodies in August 2024.

Context

6. In September 2024 the Coleg presented [Initial Advice](#) (CCC.2024.i) to Medr. It is high-level, overarching advice which states:

The Coleg Cymraeg Cenedlaethol's vision is that all learners use, maintain and develop their Welsh language skills during their tertiary education or training.

The Initial Advice counsels Medr to commit in its first Strategic Plan to developing a National Plan for the Welsh language across the whole tertiary education sector in order to deliver its strategic duties and strategic priorities in relation to the Welsh language.

7. In February 2025 Medr published its Strategic Plan, which makes the Welsh language a Strategic Goal and sets out an intention to develop a National Plan for the Welsh language. In June 2025 Medr published its Operational Plan, which sets out an intention to develop the National Plan by August 2026, and to draw up a specific regulatory condition for the Welsh language. The Coleg welcomes all this very much.
8. Since the Initial Advice was presented, it has been clarified that the tertiary education sector is within the scope of the National Framework on Welsh Education and Learning Welsh which will be developed by Welsh Ministers following the passage of the Welsh Language and Education (Wales) Act 2025. This provides additional impetus to plan the provision of Welsh and bilingual tertiary education in a strategic way. In its Operational Plan, Medr notes its intention to assess the impact of the Act on its strategic objectives.

Medr's regulatory approach

9. The Coleg's Initial Advice states that it is crucial that Medr uses its regulatory power purposefully in order to carry out its duties in relation to the Welsh language:

As Medr develops regulatory conditions, requirements relating to the Welsh language should be front and centre.. ... 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.

10. The Coleg wishes to see a regulatory approach that facilitates achieving the objectives of the National Plan for the Welsh Language; encouraging national and institutional planning and allowing targets to be set on relevant providers along with robust monitoring and accountability processes. Under such an approach, provider governing bodies would own their institutions' strategies in relation to the Welsh language and ensure that they are implemented.
11. Medr's proposed approach and regulatory framework complement the Coleg's objectives for the Welsh language and are suited to the purpose of supporting Medr in fulfilling its duties in relation to the Welsh language. The Coleg welcomes that the Welsh language is an Ongoing Condition of Registration and is pleased to see Medr respond positively to its responsibilities in relation to the Welsh language under the 2022 Act.
12. Medr will encourage providers to innovate and ensure continuous improvement in order to contribute to the excellence of the Welsh tertiary education system. The Coleg wishes to see providers using the regulatory condition as a framework to proactively expand and promote the demand for Welsh-medium provision.
13. Medr intends to implement a proportionate risk-based regulatory approach. The most far-reaching risks if providers do not comply with the Ongoing Condition for the Welsh language are:
 - failure to achieve the objectives of the National Plan, and Medr therefore failing to deliver on its strategic duties under the 2022 Act, the strategic

priorities placed on it by Welsh Ministers, and the objectives of its Strategic Plan;

- failure to reach Cymraeg 2050 targets due to lack of progress in the tertiary education sector.

14. These are serious risks to providers, Medr and Welsh Government. To mitigate them, the Coleg advises Medr to take a very proactive approach to monitoring compliance with the Welsh language condition and to take immediate action if there are any concerns. Factors such as developments in the statutory education system as a result of implementing the Welsh Language and Education Act will also influence progress made by providers, and should be kept in mind.
15. We now turn to two specific clauses in Medr's draft documentation on regulation where the Welsh language is a consideration. We would advise Medr to consider these further:
 - **Condition of registration regarding the provision of information to prospective students (Regulatory Framework, p. 42):** the linguistic nature of the course should be noted;
 - **Data sources relating to quality (Quality Framework, para. 57):** for each data source listed, it is important to be able to split the data by language of study and/or the learner's linguistic ability (based on the Code to describe Welsh language ability) to get a complete picture of any quality issues that arise. We appreciate, however, that Medr may not have these data at present.

The condition for the Welsh language

16. The regulatory approach and method for the Welsh language are set out in Medr's Regulatory Approach and Intervention Powers (2.6). In April 2026 Medr will publish a regulatory condition for the Welsh language which will come into effect in August 2026.

17. **Regulatory objective for the Welsh language:** the Coleg considers that the objective of regulation in relation to the Welsh language is broader than the current wording, so we advise that it be strengthened as follows:
- Regulatory objective:** *More quality Welsh medium provision, together with encouragement and support to participate in it, helps safeguard the Welsh language and supports the Welsh Government's aspiration for a million Welsh speakers.* [Advised amendments underlined.]
18. **Regulatory approach for the Welsh language:** the Coleg welcomes this proposed regulatory approach, particularly the intention to regulate in a way that 'challenges providers to expand and improve provision'. By using the National Plan for the Welsh Language as a framework, Medr can purposefully use its regulatory power to achieve strategic national objectives that have been agreed by a range of stakeholders. Nevertheless, the Coleg advises that the wording be strengthened as follows to fully reflect Medr's duties in relation to the Welsh language:
- Regulatory approach:** *Medr will work with key stakeholders including the Coleg Cymraeg Cenedlaethol to develop a national plan for Welsh medium tertiary education. Informed by that plan, we will regulate in a way that challenges providers to expand and improve provision, both in terms of its quality and accessibility; to encourage demand for and participation in that provision; whilst also encouraging greater use of the language across all tertiary environments.* [Advised amendment underlined.]
19. Each provider starts from a different place in relation to the Welsh language, so the regulatory approach must allow providers to respond to their current situation. The Coleg recognises that the suggested regulatory requirements go a step further than in the past, and this reflects the duties imposed on Medr in the 2022 Act. It is also in line with the model that will be imposed on the statutory education sector following the passage of the Welsh Language and Education Act, where institutions are moved along a language continuum, whatever their starting point.

20. **Provider strategies:** the Coleg advises that the condition for the Welsh language should state that each provider is expected to have a strategy for the Welsh language that has been agreed by its governing body. Medr should set an expectation that each individual strategy contributes towards achieving the objectives of the National Plan for the Welsh Language and includes:
- Measurable outcomes for increasing Welsh medium provision
 - Measurable outcomes for increasing participation in Welsh medium education
 - A plan for increasing and maintaining an adequate workforce to provide that education
 - Consideration of local, regional and national plans to enable strategic planning across Wales
 - Where relevant, an expectation to contribute towards the promotion of Welsh-medium research
 - Where relevant, an expectation to provide Welsh as a subject
 - Consideration for administrative matters such as the duration of the strategy and reporting and monitoring requirements.
21. **Engagement with providers:** the Welsh language is a new regulatory condition and one where progress cannot be measured based on one or a narrow range of indicators. The Coleg therefore advises Medr to adopt a holistic and close engagement model – Model 2 in the Regulatory Framework consultation document – tailored to each provider. We also advise that Medr continues to develop a close relationship with the Coleg, so that the Coleg can alert Medr early on of any concerns or a likelihood that a provider will fail to comply.
22. **Setting targets:** the Coleg expects that the National Plan will provide a framework for providers to set ambitious targets. The condition for the Welsh language should set out how providers will be expected to demonstrate that they are constantly moving towards their targets. The Coleg advises that this be discussed further in due course in relation to monitoring the progress of the National Plan. If, for example, Medr committed to publishing an annual

progress report on the National Plan, opportunities for scrutiny and accountability would be created.

23. **Monitoring:** the Coleg welcomes Medr's intention to undertake a range of monitoring. The Coleg wishes to work with Medr to ensure that the monitoring processes of the two bodies are aligned where possible in order to reduce the administrative burden on providers and avoid duplication. The Coleg annually assesses providers' progress against targets it has set and would be keen to discuss how Medr can use this evidence in monitoring compliance with the Welsh language condition.
24. **Research:** Medr has a responsibility under the 2022 Act to promote 'the carrying out by relevant persons of research and innovation and of activities related to research and innovation through the medium of Welsh.' The Coleg advises Medr to consider using the regulatory condition for the Welsh language to place an expectation on relevant providers to contribute towards this.
25. **Welsh as a subject:** given the specific attention in the Welsh Language and Education Act to Welsh as a subject, the Coleg advises Medr to consider using the regulatory condition to place an expectation on relevant providers to contribute towards ensuring that all learners can study Welsh as a subject.

Supplementary guidance

26. Medr will consult on the condition for the Welsh language in autumn 2025. The National Plan for the Welsh Language will not be published by then. As providers will be expected to contribute towards achieving the objectives of the National Plan to comply with the condition for the Welsh language, the Coleg advises Medr to provide supplementary guidance on the condition once the National Plan has been published.
27. The Coleg will provide further advice to Medr to support the development of the guidance.

28. The Coleg advises that guidance may also be required for the development of provision in line with the proposed National Framework on Welsh Education and Learning Welsh. The Coleg will be ready to advise further as needed.