WELSH LANGUAGE AND EDUCATION (WALES) ACT 2025

EXPLANATORY NOTES

INTRODUCTION

1. These Explanatory Notes are for the Welsh Language and Education (Wales) Act 2025 which was introduced into Senedd Cymru on 15 July 2024 and received Royal Assent on 7 July 2025. They have been prepared by the Welsh Government's Education, Culture and Welsh Language Group in order to assist the reader of the Act. The Explanatory Notes should be read in conjunction with the Act but are not part of it. Where a provision of the Act does not seem to require any explanation or comment, none is given.

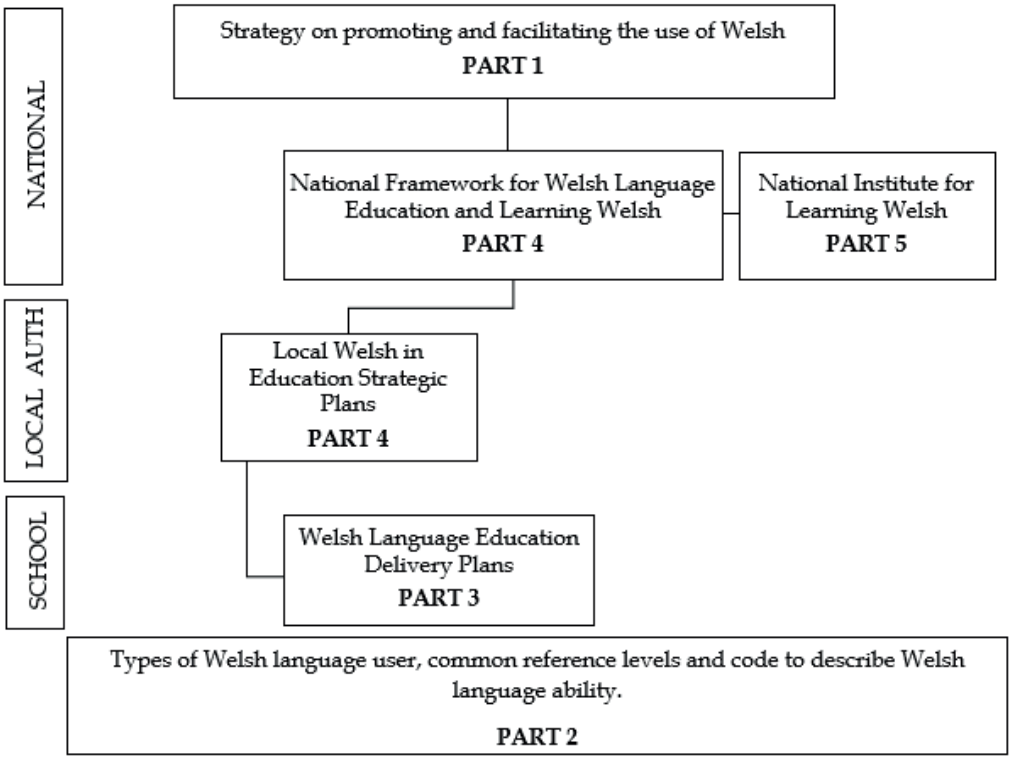
SUMMARY AND BACKGROUND

2. The Welsh Government has set a goal of a million Welsh speakers in Wales by 2050. The main objective of this Act is to contribute towards that goal by putting measures in place that aim to ensure that all pupils, by the time they cease to be of compulsory school age, are independent Welsh language users, at least. In particular, the objective is for all pupils to develop oral skills equivalent to B2 level of the Common European Framework of Reference for Languages.

3. In summary, the Act will:
    a) provide a statutory basis for the target of a million Welsh speakers by 2050, by requiring the Welsh language strategy to include a target of at least a million Welsh speakers by 2050, as well as other targets relating to the use of Welsh language, including use in the workplace and social use;
    b) establish a standard approach to describing Welsh language ability based on the common reference levels of the Common European Framework of Reference for Languages;
    c) sets out three statutory language categories for schools (Primarily Welsh language", "Dual Language", and "Primarily English language, partly Welsh"), and provides for the designation of those language categories, along with requirements relating to the minimum amount of Welsh language education provided, and Welsh language learning goals for each category;
    d) link the linguistic planning undertaken 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 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);

e) establish a National Institute for Learning Welsh as a new body, responsible for supporting people (of all ages) to learn Welsh.

4. The diagram below shows how different Parts of the Act interact to achieve the main aim of promoting and facilitating the use of Welsh at national, local authority and school level:



5. Noted below is a broad outline of the structure introduced by the Act for linguistic planning and accountability for the steps which are to be taken accordingly. For each level, the main duties imposed on Welsh Ministers, local authorities and schools are as follows: -

National Framework for Welsh Language Education and Learning Welsh

a) The Welsh Ministers are required to take all reasonable steps to implement their National Framework for Welsh Language Education and Learning Welsh (section 26), and must report on the implementation of National Framework annually (section 29).

Local authorities' local Welsh in education strategic plans

b) A local authority must take all reasonable steps to meet the targets set out in the National Framework in relation to its area (section 26), and its local Welsh in education strategic plan must be approved by the Welsh Ministers (section 32). Each local authority must also take all reasonable steps to implement its local Welsh in education strategic plan (section 33).

Schools' Welsh language education delivery plans

c) Each school's delivery plan must have regard to the local strategic plan of the local authority that maintains the school, and be approved by that local authority (sections 14 and 15). A school's governing body must ensure that the school provides at least the minimum amount of Welsh language education for the school's language category (section 10(6)) and take all reasonable steps (section 15(9)) to implement the proposals contained in its delivery plan (see section 14(e), (f), (g), (h) and (i)).

6. The Act consists of 57 sections and two Schedules.

COMMENTARY ON SECTIONS

Part 1 – Promotion and Facilitation of Use of the Welsh Language

Section 1 – Welsh language strategy targets: at least a million Welsh speakers and increase in use

7. The effect of section 1(1)(a) is that the Welsh Ministers' strategy on promoting and facilitating the use of the Welsh language, under section 78 of the Government of Wales Act 2006 ("Welsh language strategy"), must include the target of at least one million Welsh speakers by 2050. This provides that any target set in the strategy may not be less than one million, reflects the current target found in "Cymraeg 2050: A million Welsh speakers", published in 2017, and provides a statutory basis for the target.

8. Under section 78 of the Government of Wales Act 2006 the Welsh Ministers must adopt a Welsh language strategy setting out their proposals for promoting and facilitating the use of the Welsh language. They must publish the strategy and lay it before the Senedd. At the end of each financial year the Welsh Ministers must publish a report on how the proposals in the strategy were implemented and set out how effective the implementation of the proposals in the strategy has been in promoting and facilitating the use of Welsh. A copy of the report must be laid before the Senedd. They must also publish a plan before the start of each financial year setting out how they are going to implement the proposals in the strategy during that year.

9. Section 1 also provides for other matters that the strategy must include. The strategy must set targets:

- to increase the use of Welsh in the workplace and its social use;
- to increase the number of pupils of compulsory school age receiving education in "Primarily Welsh Language" category schools;
- to increase the number of "Primarily Welsh Language" category schools;
- to increase the amount of Welsh language education provided in "Dual Language" and "Primarily English language, partly Welsh" category schools; and
- to increase the number of people learning Welsh (section 1(1)(b) to (d)).

10. The target of a million Welsh speakers is the basis of the overall aim of this Act, which is to increase the number of people who speak and use Welsh, and drives the further targets set at national, local authority or school level – whether those targets are for use in workplaces, social use or for the Welsh language education and learning Welsh sector. The strategy's targets are also intended to set a context and direction for the Welsh Ministers, local authorities, the National Institute for Learning Welsh and for schools as they actively plan their work. Aligned actions will be needed at many levels in order to realise the overall aim of the Act. For example, the education-related targets specified in the strategy, in accordance with section 1(1)(c), form the basis of the content of the National Framework on Welsh Education and Learning Welsh (see Part 4), and of the targets set out in that Framework.

11. Section 1(1)(e) requires the Welsh Ministers to include in the strategy information about the steps they will take to encourage passing on the Welsh language, and section 1(1)(f) requires the strategy to specify the steps intended to be taken to encourage an increase in digital use of the Welsh language. Section 1(1)(g) imposes a requirement on the Welsh Ministers to set criteria to measure the progress that is needed in order to achieve the targets of this subsection.

12. Section 1(2) sets out that the Welsh Ministers may, by regulations, amend the targets required to be set by the strategy in line with section 1(1)(c) which relate to:
    - increasing the number of pupils of compulsory school age receiving education in "Primarily Welsh Language" category schools;
    - increasing the number of "Primarily Welsh Language" category schools; and
    - increasing the amount of Welsh language education provided in "Dual Language" and "Primarily English language, partly Welsh" category schools.

13. The Welsh Ministers are required to consider the targets set in accordance with section 1(1)(a)-(d) as they set out in the strategy (section 1(3)) their proposals for promoting and facilitating the Welsh language. Section 1(4) requires them to set out (in the plan published annually under section 78(9) of the Government of Wales Act 2006) what they will do to achieve the targets referred to in section 1(1)(a) and (b). In addition, they are required, in accordance with section 29, to include information in the annual report (under section 78(8) of the Government of Wales Act 2006) about how the National Framework has been implemented. They must also include information in the plan (under section 78(9) of the Government of Wales Act 2006) about how they will implement the National Framework. Section 24 places a requirement on the Welsh Ministers to set out in the National Framework how they will implement the strategy's proposals in relation to the targets set in accordance with section 1(1)(c)-(d).

14. Section 1(5) amends section 78 of the Government of Wales Act 2006 as a result of these provisions, and adds the Welsh Language Commissioner as a consultee when the Welsh Ministers consult on a new Welsh language strategy or make amendments to that strategy.

15. Section 1(6) defines certain terms for the purposes of Part 1 of the Act, including the definition of "Welsh language education"'.

Section 2 - Reporting on targets in the Welsh language strategy

16. This section formalises the accountability role of the Senedd in relation to the target of a million Welsh speakers and the other targets in the Welsh language strategy. This section aligns with the provision in section 78 of the Government of Wales Act 2006 for the Welsh Ministers to report annually on how their proposals have been implemented in the Welsh language strategy.

17. At least once every 5 years the report under section 78(8) of the Government of Wales Act 2006 must include an analysis of the situation of the Welsh language, which includes the elements listed in section 2(1)(a) to (f). The analysis is also required to assess the likelihood of Welsh language strategy targets being achieved, with reference to the criteria that are set to measure progress against the targets (section 1(1)(g)).

18. Following such an analysis, and if the Welsh Ministers conclude that a target is unlikely to be achieved, section 2(2) to (4) places a duty on the Welsh Ministers to lay before the Senedd a statement explaining the reasons for this, and set out the further steps they will take to achieve the target.

Section 3 - Calculating the number of Welsh speakers

19. This section makes provision in relation to how to calculate the number of Welsh speakers for the purposes of sections 1 and 2.

20. Under section 3(1) regulations by the Welsh Ministers must state the sources of data to be used to calculate the number of Welsh speakers, and consideration must be given to any relevant data derived from a census conducted in accordance with the Census Act 1920. Section 3(2) states that a self-assessment (that is, a person's own assessment of their ability in Welsh) is the basis of a decision on whether a person is a Welsh speaker for persons aged 17 and over. For children under the age of 17 this will be decided either on the basis of a self-assessment, or an assessment by a parent or carer. The Welsh Ministers may also, by regulations, specify a different method of deciding whether a child under the age of 17 is a Welsh speaker for the purposes of section 1 and 2, and specify whether that method is to be used in addition to, or instead of, the self-assessment or assessment by a parent or carer.

21. Section 3(4) to (6) makes provision in relation to the preparation and publication of guidance on assessments. These will assist individuals to complete assessments, including a self-assessment of their ability in Welsh, and such guidance will also assist when collecting data on the number of Welsh speakers. The Welsh Ministers are required to consider the Code on describing Welsh language ability under section 6 when preparing the guidance.

Section 4 - Reviewing the Welsh language standards

22. Part 4 of the Welsh Language (Wales) Measure 2011 contains provision in relation to standards of conduct relating to the Welsh language and about the enforcement of those standards. Regulations under the Measure specify the standards, and they are imposed on particular bodies through compliance notices issued by the Welsh Language Commissioner.

23. This section requires the Welsh Ministers to review some of the standards in light of the provisions of this Act, and sets out some arrangements for that review.

24. In accordance with section 4(1) the review must consider whether certain standards need to be amended to facilitate meeting a target in the Welsh language strategy set by Part 1 or (in the case of some of those standards) to reflect provisions found in Part 2 (Describing Welsh Language Ability) of this Act.

25. Under section 4(2), the Welsh Ministers must consult the Welsh Language Commissioner as part of the review. They must complete the review within 12 months after they publish a Code to describe Welsh language ability under section 7.

Part 2 – Describing Welsh Language Ability and Schedule 1 – Types of Welsh Language User and Common Reference Levels

Section 5 - Types of Welsh language user and common reference levels

26. This section and Schedule 1 establish a standard method for describing Welsh language ability, which is intended to be relevant to all contexts.

27. Section 5(1) introduces Schedule 1, which includes a Table. The Table makes provision:
    a) describing three types of Welsh language user,
    b) specifying levels (referred to as "common reference levels") for the types of Welsh language user, and
    c) describing the general characteristics of those levels.

28. The three types of Welsh language user are "basic Welsh language user", "independent Welsh language user", and "proficient Welsh language user". The Table in Schedule 1 describes their ability in Welsh based on six levels (A1-C2). They are grouped as follows:
    a) basic user (A1 and A2),
    b) independent user (B1 and B2), and
    c) proficient user (C1 and C2).

29. The Table in Schedule 1 has been reproduced (in relation to the Welsh language) from the document *Council of Europe (2020), Common European Framework of Reference for Languages: Learning, teaching, assessment – Companion volume*, Council of Europe Publishing, Strasbourg, available at www.coe.int/lang-cefr (ISBN 978-92-871-8621-8). The English language version is published with permission from the Council of Europe, and the Welsh language version by arrangement with the Council of Europe, under the sole responsibility of Senedd Cymru.

30. In accordance with section 5(2) and (3), the Welsh Ministers have the power, by regulations, to amend the Table in Schedule 1. However, they may not use this power unless it is necessary to respond to any change made to the Common European Framework of Reference for Languages.

Section 6 - Code to describe Welsh language ability

31. This section places a duty on the Welsh Ministers to produce a Code that will explain how to use the common reference levels in the Table in Schedule 1, and describe the characteristics of those levels in more detail. The Code will assist with using the standard method established to describe the ability of Welsh language users in relation to section 5 and the Table in Schedule 1.

32. Section 6(2) sets out what the Welsh Ministers are required to include in the Code, but under section 6(3) it can also include anything else related to describing Welsh language ability. Therefore, the Code is not limited to only explaining the contents of the Common European Framework of Reference for Languages.

Section 7 - Publishing and reviewing the Code

33. This section makes provision for publishing, reviewing and amending the Code. See also section 52 for specific provision in relation to the duty to publish. In addition, the Welsh Ministers are required to consult before publishing the Code or revised Code.

Part 3 – Welsh Language Education

Introduction

Section 8 – Overview and interpretation

34. This section provides an overview of this Part which makes provision for what schools and local authorities are required to do in relation to their Welsh language education provision.

35. Section 8(2) defines terms that are necessary to understand before considering the remainder of Part 3, namely "Welsh language education", "Welsh language nursery education" and "school". The definition of the term "maintained school", found in section 51 (where other terms are defined for the purposes of the Act), applies when considering the term "school".

School language categories

Section 9 - School language categories

36. This section establishes a system to categorise all schools (except community special schools) according to the school's Welsh language education provision. There are three language categories for schools in Wales:
    (i) Primarily Welsh Language,
    (ii) Dual Language, and
    (iii) Primarily English Language, partly Welsh.

37. Section 9(1) states that the language category designated to a school determines the minimum amount of Welsh language education that must be provided in the school (in accordance with section 10) and the school's Welsh language learning goals (in accordance with section 11). A category is designated to a school when its delivery plan (which includes its category) is approved (sections 15(5), 18(3) and 19(3)).

38. When a language category is designated to a school, the school must provide a sum of Welsh language education in line with the minimum amount, or above the minimum amount, set for that category in section 10(2).

39. In accordance with section 9(3), a school may have more than one language category. An example might be a primary school with two different language streams.

40. Section 9(3) also gives the Welsh Ministers a power to make regulations in relation to schools with more than one language category.

41. A language category is not designated for community special schools but see section 20 for a specific provision for community special schools, which includes the option of voluntarily designating a language category. The term "community special school" is defined in section 51(2).

Section 10 – Minimum amount of provision of Welsh language education for each language category

42. Section 10(2) sets out the minimum amount of Welsh language education for each language category, and section 10(1) explains that the percentages specified as a minimum are a percentage of the education and training provided over a school year during school sessions for pupils of compulsory school age. Welsh language provision provided outside of school sessions is therefore not to be counted towards meeting the minimum. The term "school sessions" is definedin section 51. In addition, the minimum amount refers to the school's education and training provision in general – not the provision given to each individual pupil.

43. Section 10(2) specifies that the minimum amounts for the three categories are:
    a) 80% for the "Primarily Welsh language" category;
    b) 50% for the "Dual Language" category;
    c) 10% for the "Primarily English language, partly Welsh" category.

44. In accordance with section 10(3), the Welsh Ministers may make regulations amending the minimum amounts in section 10(2). However, the amended minimum may not be below 80% for the "Primarily Welsh language" category, 50% for the "Dual Language" category, and 10% for the "Primarily English language, partly Welsh" category.

45. Section 10(4) places a duty on the Welsh Ministers to decide whether they will exercise the power to make regulations under subsection (3) in relation to the category "Primarily English language, partly Welsh"" within every 5 year period. They must decide that within the period of 5 years beginning with the day after the day on which the section comes into force, and then within every period of 5 years thereafter.

46. Section 10(5) places a further duty on the Welsh Ministers, when making a decision to exercise the power in subsection (3), to consider the likely effect of the minimum amounts on achieving the targets set by the Welsh language strategy in accordance with section 1 of this Act. This includes the target of one million speakers, and the other targets in section 1. While the duty under subsection (4) to decide whether the minimum should be amended arises every 5 years, the requirement in subsection (5) means that the decision must be made with specific regard to the timetable for reaching the million by 2050.

47. Section 10(6) requires a school's governing body to ensure that the school provides the minimum amount of Welsh language education, at least, for the language category designated to the school, for each school year to which the delivery plan applies. The term "school year" is defined in section 51.

Section 11 - Welsh language learning goals for each language category

48. Section 11(1) to (3) establishes the Welsh learning goals for school language categories, which are based on the common reference levels (found in the Table in Schedule 1). The effect of section 9(1) is that the Welsh language learning goal for a school depends on its language category. Section 14 provides that a delivery plan must include the school's proposals in relation to achieving the school's Welsh language learning goal.

49. The learning goals are as follows:

Language category	**Welsh language learning goal**
Primarily Welsh Language	That pupils are proficient users, at least, by the time they cease to be of compulsory school age (common reference level C1 or C2). The Table in Schedule 1 describes the general characteristics of a proficient user.
Dual Language	That pupils, as an initial goal, are independent users, at least, by the time they cease to be of compulsory school age (common reference level B1 or B2). The Table in Schedule 1 describes the general characteristics of an independent user.
	In relation to a year group in a school year specified by the Welsh Ministers by regulations, and the year groups that follow, that pupils are independent users and also reach common reference level B2 in terms of oral interaction by the time they cease to be of compulsory school age.
Primarily English Language, partly Welsh	That pupils, as an initial goal, are basic users, at least, by the time they cease to be of compulsory school age (common reference level A1 or A2). The Table in Schedule 1 describes the general characteristics of a basic user.
	In relation to a year group in a school year determined by the Welsh Ministers by regulations, and the year groups that follow, that pupils are independent users by the time they cease to be of compulsory school age (common reference level B1 or B2).
	In relation to a year group in a school year specified by the Welsh Ministers by regulations, and the year groups that follow, that pupils are independent users and also reach common reference level B2 in terms of oral interaction by the time they cease to be of compulsory school age.

50. The purpose of the Welsh language learning goals is that they are fixed and overarching ones that will serve as a backdrop to the planning of Welsh language education provision in schools.

51. Regulations will specify dates for upgrading the learning goals for schools in the "Dual Language" category and in the "Primarily English Language, partly Welsh" category.

52. As the learning goals in section 11 are based on pupils reaching a specific common reference level by the time they cease to be of compulsory school age, section 11(4) sets out how the Welsh language learning goals are to be interpreted in the context of primary schools. In considering the learning goals for a primary school it must be assumed that their pupils will remain in a school of the same category when they receive their secondary education. The effect of the assumption is that the school must assume that the pupils stay in a school of the same category, rather than expecting that to happen.

53. Section 11(5) places a similar duty on the Welsh Ministers to the duty imposed by section 10(5), that they must have regard to the likely impact of the learning goals on achieving the targets set by the Welsh language strategy in accordance with section 1 when they decide when to upgrade the learning goals by regulations. As this includes the target of one million Welsh speakers by 2050, the decision on upgrading the learning goals will be made with specific regard to the timetable for reaching the million by 2050.

54. Section 11(6) defines the term "B2 common reference level for oral interaction", and the term "year group".

Section 12 - Assessing progress towards meeting Welsh language learning goals

55. Section 12 creates a link between this Act and the Curriculum and Assessment (Wales) Act 2021. Section 56 of the 2021 Act places a duty on the Welsh Ministers to make provision in regulations about assessment arrangements.

56. This section provides that the Welsh Ministers may, in the regulations under section 56 of the 2021 Act, make arrangements to assess pupils' progress towards achieving the Welsh language learning goals.

57. The regulations about arrangements to assess pupils' progress towards achieving those Welsh language learning goals may include, among other matters, the matters set out in section 12(2)(a) and (b) and therefore make use of the standard method of describing Welsh language ability for which this Act makes provision.

58. Section 12(2)(c) allows for different assessment arrangements to be made for "Primarily English language, partly Welsh" category schools that are exempt from the requirement to provide the minimum amount of Welsh language education (see sections 18 and 19).

59. Under section 7 of the 2021 Act Welsh Ministers must prepare a "Progression Code" setting out how a curriculum must make provision for progress by pupils and children. Section 12(3) amends the 2021 Act for the purpose of ensuring that the Welsh Ministers, in preparing the Progression Code, must have regard to the Welsh language learning goals set by section 11 of this Act. This duty also applies as the Welsh Ministers keep the Progression Code under review.

Section 13 - Regulations on school language categories

60. This section gives the Welsh Ministers power to make regulations that make further provision in relation to the school language categories.

Welsh language education delivery plans

Section 14 - School Welsh language education delivery plans

61. Section 14(1) requires a school's governing body to prepare a plan in relation to the Welsh language ("Welsh language education delivery plan"), and section 14(1)(a) to (i) details what must be included in such a plan. The purpose is to require schools to plan for the provision of Welsh language education, both in the short term and in the future, and to follow the direction set by the Welsh Ministers and the relevant local authority (see Part 4).

62. Section 14(5) exempts community special schools from the requirements of this section (but see section 20 for the requirement for them to have a community special school Welsh language education plan).

63. In accordance with section 14(1)(a) to (c), a delivery plan must identify a language category for a school, identify the school's current Welsh language education provision (i.e. the amount), and explain how the governing body will ensure that the school provides at least the minimum amount of Welsh language education in accordance with the requirements of its language category.

64. In accordance with section 14(1)(d) a delivery plan must set out how the governing body will promote late immersion education for pupils in accordance with section 23(3).

65. In addition to what must be stated in accordance with section 14(1)(c) (providing at least the minimum amount of Welsh language education in accordance with the language category), in line with section 14(1)(e), a delivery plan must set out the governing body's proposals for the exact amount of Welsh language education the school intends to provide during the period of the plan, and how it will maintain that sum, and increase it when reasonably practicable.

66. Section 14(1)(f) requires the delivery plan to set out information regarding the school's provision of Welsh language nursery education for pupils under compulsory school age (if such provision is offered), and the governing body's proposals for maintaining that amount of Welsh language nursery education, and increasing the amount where this is reasonably practicable.

67. Section 14(1)(g) requires a governing body to also note in its Welsh language education delivery plan its proposals on how to promote a Welsh language ethos and culture within the school and promote the use of the Welsh language. This could, for example, include organising activities beyond school sessions that foster a sense of pride and ownership of the Welsh language amongst pupils and the school community. It also includes proposals on how to facilitate continuous improvement in the school's Welsh language education that would lead to progress along the common reference levels.

68. Section 14(1)(h) requires a Welsh language education delivery plan to specify proposals, if the school is a "Primarily Welsh language"" or "Dual Language" category school, in terms of how it will assist parents who are not confident Welsh speakers to support their children's learning and support their children's contribution to the school's Welsh language ethos and culture.

69. If a school's governing body intends to increase the amount of Welsh language education provided for the purpose of changing category, the delivery plan must, in accordance with section 14(1)(i), set out the steps the school will take to achieve this. See also section 17 for specific requirements about amending a school's Welsh language education delivery plan for the purpose of changing its language category.

70. Under section 30 (Part 4) a local authority must prepare a local Welsh in education strategic plan. Section 14(2) requires a school's governing body to have regard to its local authority's local Welsh in education strategic plan when preparing a delivery plan. It also details the persons that a school's governing body must consult when preparing a plan. This is to ensure that stakeholders have the opportunity to contribute to decisions made about the Welsh language education provided by a school and, in particular, for the local authority to provide its views on the suitability of the delivery plan to meet the provisions of the local Welsh in education strategic plan (Part 4). The local authority must consider the plan when deciding whether to approve it under section 15, and the consultation is an early opportunity to provide views on the suitability of a school's delivery plan.

71. Section 14(3) states that delivery plans have effect for a period of three school years. The Welsh Ministers will state, by regulations, with which school year the period of the first delivery plan starts. The period of subsequent delivery plans will begin immediately after the previous delivery plan came to an end.

72. Section 14(4) gives the Welsh Ministers power to make regulations for the purpose of changing the length of time for which delivery plans have effect, and to make specific provision in relation to the form and content of a delivery plan.

Section 15 - Approval of Welsh language education delivery plans

73. Section 15(1) to (3) makes provision for what a governing body is required to do when submitting delivery plans. Section 14 details what a school delivery plan must include.

74. Section 15(1) requires a school's governing body to submit to the local authority a draft of the delivery plan it has prepared in accordance with section 14. The governing body will have already consulted with the local authority when preparing a plan in accordance with section 14(2). The draft plan must be submitted to the local authority at least 9 months (section 15(2)) before the start of the period in which the plan has effect (see section 14(3)).

75. Section 15(3) states that, when submitting its draft, the governing body is required to include a summary of any responses to its plan received during the consultation period.

76. Section 15(4) to (6) sets out the steps the local authority may take in relation to a delivery plan that has been submitted to it under section 15(1). It may approve the plan, with or without modifications, or reject it. The purpose of this provision is to ensure that a local authority is able to influence Welsh language education within its area, and can achieve the targets placed on it by the Welsh Ministers in the National Framework on Welsh Language Education and Learning Welsh. If a local authority rejects a delivery plan, it must give a direction to the governing body to reconsider the plan. That direction must set out the reasons for the decision and specify by when the governing body must submit a further draft of the plan to the local authority.

77. Section 15(4) to (6) also applies to a delivery plan that is resubmitted. This means that a delivery plan may need to be resubmitted more than once if a local authority remains of the view that it will not approve the delivery plan.

78. Section 15 has been prepared with the intention that a local authority and a school's governing body will agree on the content of the school's Welsh language education delivery plans. Therefore local authorities, under this section, are not able to prepare a delivery plan on behalf of a school. It should be noted that, as public bodies, local authorities and school governing bodies must act reasonably. Should there be a delay in agreeing a delivery plan, or if a school governing body or local authority is believed to have acted unreasonably, local authorities or the Welsh Ministers may (as deemed appropriate) consider exercising their intervention powers under Part 2 of the School Standards and Organisation (Wales) Act 2013 (see also section 50 of this Act).

79. Under section 15(8) an approved school delivery plan must be published. This includes publishing it on the school's website if that school has a website. See section 52 for specific duties regarding the publication of documents.

80. Section 15(9) requires a school's governing body to take all reasonable steps to implement the proposals under section 14(1)(e) to (h) that are contained in the delivery plan approved by a local authority.

Section 16 - Review and amendment of Welsh language education delivery plan

81. Section 16(1) requires a school's governing body to review its delivery plan at least once before the end of the period for which the plan has effect.

82. Taking this into account, section 16(2) allows a school's governing body to amend a delivery plan during the period that the plan has effect. Once the period of the plan comes to an end, a new plan for the next period must be prepared and approved (section 14). Under section 16(3) to (4) a school's governing body must have regard to the local authority's local Welsh in education strategic plan (see section 30) when reviewing or amending the delivery plan, and submit an amended draft to the local authority. Section 16(5) places a duty on the governing body to provide a summary of the amendments proposed and the reasons for them.

83. Section 16(6) to (7) sets out the steps that the local authority may take in relation to the revised delivery plan that has been submitted to it under section 16(3). It may approve the plan, with or without modifications, or reject it.

84. If a local authority rejects a revised delivery plan it must give a direction to a governing body to reconsider the plan. The local authority must set out the reasons for the decision and specify by when the governing body must submit a further draft of the delivery plan to the local authority.

85. If a governing body must submit a further draft of the delivery plan, that plan must be submitted in accordance with section 16(5) to (7). A revised delivery plan may need to be resubmitted more than once.

86. In accordance with section 16(9), a school delivery plan that has been amended and approved by the local authority must be published. This includes publishing it on the school's website if that school has a website. See section 50 for specific duties regarding the publication of documents. A school's governing body is also required to take all reasonable steps to implement the proposals under section 14(1)(e) to (i) in the revised delivery plan that a local authority has approved.

Section 17 – Amending Welsh language education delivery plan to change school language category

87. Section 17 applies where an amendment to a school's Welsh language education delivery plan is proposed for the purpose of changing the school's language category during the period that the plan has effect. It provides that a "Primarily Welsh Language" category school may not amend a delivery plan that would change the school's language category to "Dual Language" or "Primarily English language, partly Welsh". Also, a "Dual Language" school may not change its language category to "Primarily English Language, partly Welsh". This supports the principles set out in the requirements of section 14(1)(e) to (i) that proposals should be prepared for the purpose of increasing the school's Welsh language provision where reasonably practicable, and facilitate continued improvement in the school's Welsh language education. They also reflect the requirement to include targets for increasing the Welsh language education provision in the strategy (section 1(1)(c)).

88. If a delivery plan is amended for the purpose of changing a language category, section 16 also applies in this respect. The requirement to consult the persons listed in section 14(2)(b) also applies.

Section 18 - Minimum amount of Welsh language education: temporary exemption

89. Section 18 makes provision for exempting schools from the requirement to provide the minimum amount of Welsh language education that is required for a school in the "Primarily English language, partly Welsh" category, which is 10% of the education and training provided during school sessions during a school year to pupils of compulsory school age. It is not possible for the governing bodies of schools who set themselves within the "Dual Language" or "Primarily Welsh language" category in their draft delivery plan to apply for a temporary exemption. If a school is unable to provide the minimum required for the "Primarily Welsh language" category, for instance, then it would specify the "Dual Language"" category in its delivery plan until it can provide the minimum amount of Welsh language education required for the "Primarily Welsh language" category.

90. It is possible for a school's governing body to obtain an exemption if, in preparing its first delivery plan, it considers that it is not reasonably practicable for the school to provide the minimum amount of Welsh language education for a "Primarily English Language, partly Welsh" category school, which is 10% (section 10(2)(c)). Similarly, if a governing body concludes that it is not reasonably practicable for a school to provide the minimum amount of Welsh language education for a "Primarily English Language, partly Welsh" category school after the start of its first delivery plan period, it may propose to amend the plan (under section 16) to reflect this and seek an exemption.

91. In such cases a delivery plan must include additional elements if the school seeks an exemption. Section 18(2)(d) specifically states that a school's governing body must identify the support it needs in order to provide the minimum amount of Welsh language education. The local authority itself will be subject to the provisions of its local Welsh in education strategic plan (section 30) and the requirement to take all reasonable steps to meet the targets they have been set in the National Framework (section 26). Therefore, in order to meet these provisions the local authority will need to support schools to increase their Welsh language education so that they meet the minimum amount of Welsh language education.

92. As provided in section 15, the local authority is responsible for approving delivery plans. As such, the local authority will decide — by approving the plan — whether the school is exempt from the requirement to provide the minimum amount of Welsh language education. For example, if the local authority considers that there are no reasonably practicable barriers preventing a school from providing the minimum amount of Welsh language education, it may be appropriate for the local authority to give the school a direction to reconsider the delivery plan.

93. Where the local authority approves the scheme, the governing body is exempt from the requirement to provide the minimum amount of Welsh language education required, and the school will be designated a "Primarily English Language, partly Welsh" category school for the time being. The exemption will have effect until the end of the first delivery plan period in accordance with section 18(3)(a). However, in accordance with section 18(2)(c), the governing body must set out by what date it will ensure that the school can provide the minimum amount of Welsh language education. During the temporary exemption period, a school's governing body is required to take all reasonable steps to implement its proposals which are set out in the delivery plan, which include the proposals to ensure that the school will be able to provide the minimum amount of Welsh language education.

Section 19 - Minimum amount of Welsh language education: further exemption

94. Section 19 makes provision for a further exemption (up to an additional three-year period) for a school's governing body that was given an exemption in relation to their first delivery plan. As is the case for an exemption under section 18, a second exemption is only applicable to "Primarily English language, partly Welsh" category schools. A second exemption is a possibility if the governing body remains of the view that it is not reasonably practicable for the school to provide the minimum amount of Welsh language education. It is only possible to apply for a further exemption when preparing the second delivery plan (and not during the period of the second delivery plan).

95. Section 19(2) requires the second delivery plan to include additional elements if the governing body seeks a second exemption under this section. This includes the reasons why the proposals in the first delivery plan to ensure the minimum provision were not implemented, or why those proposals did not succeed. A governing body must also set out the support it needs to meet the minimum amount of Welsh language education as soon as possible, and no later than the end of the additional three-year period.

96. The second exemption has the same effect as the first exemption, except that there is no absolute exemption until the end of the three-year period (as in section 18(3)(a)). Instead, the exemption from providing the minimum amount of Welsh language education applies until the date specified in the delivery plan. For example, if a school's second delivery plan proposes that it will provide the minimum amount of Welsh language education by the end of the second year of that plan, the exemption will not apply for the third year of the plan. In addition, section 19(3)(d) requires a local authority to provide information to the Welsh Ministers detailing the reasons why the delivery plan leading to a second exemption was approved along with information about any support the local authority (or anyone else) has offered to a school's governing body that has been granted a second exemption. This will enable Welsh Ministers to monitor the use of second exemptions by each local authority.

Special Schools

Section 20 - Community special schools: plans and language category designation

97. This section requires the governing body of a community special school to prepare a community special school Welsh language education delivery plan. Section 51 of this Act provides that "community special school" has the same meaning as in the School Standards and Framework Act 1998.

98. Section 20(1)(a) to (d) details what must be included in a community special school Welsh language education delivery plan, and section 20(2) provides the Welsh Ministers with the power to make further provision, by regulations, about such a plan.

99. Section 20(3) means that a language category will not be routinely designated to a community special school. However, the governing body of a community special school may choose to have a language category for its school on a voluntary basis if it wishes ("a voluntary designation"). In accordance with section 20(4) the Welsh Ministers must make regulations for this purpose.

Maintained Nursery Schools

Section 21 - Welsh language nursery education delivery plans

100. This section requires the governing body of a maintained nursery school to prepare a Welsh language nursery education delivery plan. The term "maintained nursery school" is defined in section 51.

101. Section 21(1)(a) to (d) details what must be included in a Welsh language nursery education delivery plan. Section 21(2) places a duty on a nursery school's governing body to have regard to the local authority's local Welsh in education strategic plan. Under section 21(3), the Welsh Ministers may make further provision, by regulations, about such a plan.

Register

Section 22 - Register of school language categories

102. Under section 22(1) a local authority must maintain and publish a register of the language categories of the schools in its area (see also section 52 for a specific provision relating to the publication of documents). The register must also include a record of all schools that have been given an exemption from the requirement to provide the minimum amount of Welsh language education, and the proposed language category of any new schools for which proposals have been made under section 41 of the School Standards and Organisation (Wales) Act 2013, as well as the proposed language category of proposed schools for which proposals have not been made under that section of that Act. In accordance with section 22(3) the Welsh Ministers are given the power to make regulations to make further provision about the matters to be included in the register together with its form and publication arrangements.

103. Section 22(2) amends section 41 of the School Standards and Organisation (Wales) Act 2013 to refer to the register in section 22(1) of this Act.

Late immersion education

Section 23 - Late immersion education in Welsh

104. Section 23(2) sets out what a local authority is required to do in order to raise and ensure awareness of late immersion education (defined in section 23(1)) so that parents or guardians can make informed decisions about a child's education at any point. Duties include encouraging an increase in the demand for late immersion education, and increased participation in it. Section 23(2) also places a duty on local authorities to make arrangements to provide information and advice to the persons listed in section 23(2)(b)(i) to (v) regarding late immersion education, and taking all reasonable steps to provide late immersion education that meets the demand in its area (section 23(2)(c)).

105. Where a local authority notifies a school's governing body of the availability of late immersion education, section 23(3) requires a school's governing body to take all reasonable steps to ensure that information about the provision of late immersion education, and how to access it, is known to the school's pupils and their parents.

Part 4 – Planning Welsh Language Education and Learning Welsh

National Framework

Section 24 - National Framework for Welsh Language Education and Learning Welsh

106. This section places a duty on the Welsh Ministers to prepare a National Framework for Welsh Language Education and Learning Welsh which covers the education provided to pupils of compulsory school age and also lifelong Welsh language learning.

107. The Welsh Ministers must adopt a strategy on promoting and facilitating the use of the Welsh language under section 78 of the Government of Wales Act 2006, and the strategy must include the targets set out in section 1(1). The National Framework is required to set out how the Welsh Ministers will implement the Welsh language strategy in the context of Welsh language education, Welsh language provision in tertiary education and in the context of acquiring and lifelong learning of the Welsh language.

108. Section 24(3) to (6) contains requirements as to what Welsh Ministers must include in a National Framework. This includes:

a) setting out the steps they will take to promote and facilitate the use of the Welsh language, including in relation to increasing the amount of Welsh language education in schools and improving Welsh language education in schools;
b) promoting the Welsh language education in "Primarily Welsh language" category schools, in order to increase the number of pupils who attend those schools;
c) encouraging continuity in teaching the Welsh language and education through the medium of Welsh between different periods of education;
d) setting out the steps they will take to provide opportunities for people of all ages to learn Welsh throughout their life and to maintain and improve their Welsh language ability and usage: in childcare to those under compulsory school age, during different stages of their education careers and in the workplace and the community;
e) setting targets on local authorities to reflect any national target set out in the Welsh language strategy in accordance with section 1(1)(c) (these targets are the basis for what local authorities must include in the local Welsh in education strategic plans (see section 30));
f) assessments and analysis in terms of the current provision of Welsh language education in each local authority area, and what is needed in terms of Welsh language education to achieve any targets set on local authorities in the National Framework.

109. The steps set out in section 24(3) are intended to be considered alongside action at county level by local authorities and at a local level in schools. The table below elaborates on the specific requirements in relation to Welsh language education in schools, and their interconnection with other provisions:

The National Framework must set out the steps to be taken to:	**Further explanation**
Increase the provision of Welsh language education provided	These are the steps that Welsh Ministers will take to ensure that schools increase the Welsh language education they offer where reasonably practicable. <u>Interconnection</u> Although these are steps to be taken at a national level, this requirement aligns with the requirement at a local level for schools to set out in their delivery plans how they will ensure an increase in Welsh language education where reasonably practicable (see section 14(1)(e)(ii) of this Act).
Improve the provision of Welsh language education	These are the steps that Welsh Ministers will take at a national level to support schools to improve their Welsh language education. <u>Interconnection</u> This requirement aligns with the requirement: (i) at a local authority level for a local Welsh in education strategic plan to set out the steps a local authority will take to improve the provision of Welsh language education (see section 30(3)(a)(i)); (ii) at a school level: for schools to set out in their delivery plans how they will facilitate continuous improvement in Welsh language education (see section 14(1)(g)(iii)).

The National Framework must set out the steps to be taken to:	**Further explanation**
Promote Welsh language education in "Primarily Welsh Language" category schools, and increase the number of pupils attending schools of that category	To ensure that pupils have the best possible opportunity to become independent Welsh users, and presenting new opportunities to them as a result, Welsh Ministers have role to play in the promotion of education in "Primarily Welsh Language" category schools. <u>Interconnection</u> This requirement aligns with the requirement at local authority level to set out the steps it will take to promote and provide information about the Welsh language education provided in "Primarily Welsh Language" category schools in its area (see section 30(3)(b)). It also aligns with the duty on local authorities in relation to late immersion education in Welsh in section 23(2).

The National Framework must set out the steps to be taken to:	**Further explanation**
Encourage progression in teaching Welsh and in education through the medium of Welsh in various contexts	These are the steps that Welsh Ministers will take to encourage pupils to follow a Welsh language education pathway consistent with the previous provision they received. That way, pupils will be encouraged to make continued progress in their Welsh language skills and build on the progress already made. For example, this could be through continuing in a school of the same language category when moving from primary education to secondary education. <u>Interconnection</u> This requirement aligns with the requirement at a local authority level to set out the steps it will take to facilitate progression in teaching Welsh and education through the medium of Welsh between— (i) nursery education and education for pupils of compulsory school age (see section 30(3)(d)(i)), (ii) maintained primary schools and maintained secondary schools (see section 30(3)(d)(ii)), and (iii) education for pupils of compulsory school age and tertiary education (see section 30(3)(d)(iii)). It also aligns with the duty on local authorities and governing bodies in relation to late immersion education in Welsh in section 23 of this Act.

110. In addition to the targets set by the National Framework under section 24(5), section 24(7) enables the Framework to set further targets on local authorities for the purpose of implementing the Framework.

111. The Welsh Ministers also have the power, in accordance with section 24(8), to set targets on the National Institute for Learning Welsh for the purpose of facilitating the achievement of national targets (contained in the Welsh language strategy) relating to supporting people to learn Welsh and facilitating their progress.

112. In addition, section 24(9) allows flexibility in making provisions in the National Framework. As one example the National Framework could set different targets, in accordance with section 24(5), for different local authorities.

113. Section 24(10) enables Welsh Ministers, by regulations, to amend sections 24(3) to (8) in relation to the content of the National Framework.

Section 25 - National Framework: further provision on the education workforce

114. Section 25(1) requires the National Framework to set out the steps the Welsh Ministers will take in relation to education practitioners in Wales in order to improve ability in the Welsh language, specifically to ensure that training, professional development and support is available.

115. In accordance with section 25(2)(a), the Framework must also include an assessment of the number of education practitioners needed in each local authority in order to meet targets set under section 24(5) and (7). The target in section 24(5) must be linked to a target in the Welsh Language Strategy in accordance with section 1(1)(c). The targets in that section are linked to:

- increasing the number of pupils of compulsory school age receiving education in "Primarily Welsh language" category schools;
- increasing the number of "Primarily Welsh language" category schools;
- increasing the amount of Welsh language education provided in "Dual Language" and "Primarily English language, partly Welsh" category schools.

116. Section 25(2)(b) provides that the Framework must set out the specific steps that the Welsh Ministers will take, based on that assessment, to ensure that the number of education practitioners meets the need.

Section 26 - Implementing the National Framework

117. Section 26(1) requires the Welsh Ministers to take all reasonable steps to implement the National Framework.

118. All local authorities are required, in accordance with section 26(2), to take all reasonable steps to meet the targets they have been set by the National Framework, and to provide to the Welsh Ministers any information they need in order to complete the assessments and analyses referred to in sections 24(6) and 25(2)(a), and set the targets in sections 24(5) or 24(7).

Section 27 - National Framework: further provision about content, review and amendment

119. Under this section, when preparing or amending the National Framework, the Welsh Ministers must set out the steps they intend to take, in accordance with the requirements of section 24(3) and (4) and section 25, for periods of 10 years. The section also details the process of reviewing and amending the National Framework.

120. The National Framework must be reviewed and amended every 5 years in order to update the steps that the Welsh Ministers intend to take. The Welsh Ministers must also review the National Framework targets, and set new targets if necessary.

121. Section 27(4) gives the Welsh Ministers the power to amend the National Framework from time to time, or to prepare a new one, and section 27(5) sets out which sections of the Act apply in doing so. Section 27(7) states that section 27(6) applies to a new National Framework as it applies to the first National Framework.

Section 28 – Consultation and publication of the National Framework

122. This section includes requirements for Welsh Ministers to consult in preparing or amending the National Framework, and a requirement to publish the Framework. It must also be laid before Senedd Cymru. The first National Framework must be laid before Senedd Cymru before 31 July 2028.

Section 29 - Reporting on the National Framework

123. This section places a duty on the Welsh Ministers to include information on the implementation of the National Framework in the report published by the Welsh Ministers annually under section 78(8) of the Government of Wales Act 2006. Information must also be included in the annual plan on the Welsh Language Strategy about how they will implement the National Framework.

Local plans

Section 30 – Local Welsh in education strategic plans

124. This section makes provision to change the system of Welsh in education strategic plans prepared by local authorities. The Welsh in Education strategic plans (WESP) regime was introduced by the School Standards and Organisation (Wales) Act 2013. This Act introduces local Welsh in education strategic plans and omits the provisions under the 2013 Act (see also section 36 of this Act). Through the provisions of this Act local authorities' strategic plans will have to respond to targets they have been set in the National Framework for Welsh Language Education and Learning Welsh, and school delivery plans will have to have regard to the targets of their local authority's strategic plans. The targets that local authorities have been set in the National Framework must reflect national targets that have been set in the Welsh language strategy (section 1(1)). The purpose of co-ordinating the targets is to ensure that targets facilitate the process of working towards the same goals.

125. In accordance with section 30 each local authority is required to prepare a local Welsh in education strategic plan that includes the matters set out in section 30(1) to (4).

126. Section 30(1)(a) places a duty on a local authority to detail in its plan how it will promote and facilitate, in its area, Welsh language education and the use of Welsh in schools. A plan must also, in accordance with section 30(1)(b), set out how the local authority will take all reasonable steps to meet the targets it has been set in the National Framework (section 26(2)(a)).

127. Section 30(2) requires local authorities to set out in their local Welsh in education strategic plan, to the extent required by regulations made by the Welsh Ministers, how they will exercise their education functions to promote and facilitate teaching Welsh and education and training through the medium of Welsh to children of compulsory school age who are not pupils in schools. This will include children receiving education other than at school.

128. Section 30(3)(a) to (d) details the type of steps that a local authority is required to include in a plan. Section 30(3)(a) states that a local authority's plan must set out the steps it intends to take to exercise its education functions to improve the provision of Welsh language education and the planning of Welsh language education provision within its area. The term "Welsh language education" is defined for the purpose of Part 4 in section 37.

129. Section 30(3)(b) places a duty on a local authority to detail in its plan how it will promote and provide information about Welsh language education in "Primarily Welsh Language" schools (as defined in Part 3). There is an interconnection here with a similar duty on the Welsh Ministers to promote Welsh language education in "Primarily Welsh language" category schools in accordance with section 24(3)(c). The strategic plan could refer to the type of information needed about Welsh language education in "Primarily Welsh Language" category schools in order to improve public understanding, and about where that information will be made available to the public. In terms of promotion, the strategic plan could explain what the local authority will do to draw the public's attention to opportunities within the local authority area to access "Primarily Welsh Language" category schools.

130. Section 30(3)(c) requires a local authority to set out in its plan the steps it will take to promote and provide information about late immersion education provision in its area. Section 23 of this Act makes further provision about late immersion education.

131. In accordance with section 30(3)(d)(i) to (iii), a local authority is required to set out in its plan the steps it will take to facilitate progression for learners who are learning Welsh and those who are learning through the medium of Welsh from one stage of their education to the next. Those periods are detailed in sub-paragraph (i) between nursery education and education for pupils of compulsory school age, in sub-paragraph (ii) between maintained primary schools and maintained secondary schools, and in sub-paragraph (iii) between education for pupils of compulsory school age and tertiary education. The term "nursery education" is defined in section 37 and encompasses full-time or part-time education provided to children under compulsory school age in a school or other location outside the school premises. The term "tertiary education" is defined in section 51 and encompasses sixth form provision in schools.

132. In accordance with section 30(4)(a) the local authority is required to include information in its plan about the education practitioners working in its area and, under section 30(4)(b), a report outlining the progress made during the period of the previous plan.

133. Section 30(5) sets out the persons who must be consulted by a local authority when preparing a plan, with a view to ensuring that Welsh language education is planned in a co-ordinated manner across the local authority's area and neighbouring local authorities, and a view to facilitating that process. In addition, the fact that strategic plans are subject to the approval of Welsh Ministers, in accordance with section 32, should ensure that the vision of the strategic plan is aligned with the National Framework.

Section 31 - Period of local Welsh in education strategic plans

134. This section sets out the period of time for which a strategic plan has effect. It is a 5 year plan but local authorities must set out the steps they intend to take in accordance with section 30(3) over a 10-year period. This is to enable local authorities to outline their long-term intentions, recognising that some changes to school provision can take a decade to come to fruition.

135. Welsh Ministers, through regulations, will determine by when a local authority must prepare its first plan. The intention is that all local authorities operate to the same timetable with the 5-year period commencing simultaneously for all local authorities.

Section 32 - Approval of local Welsh in education strategic plans

136. This section relates to the approval process for local Welsh in education strategic plans, including the steps that local authorities must take in submitting their draft plan to the Welsh Ministers.

137. Section 32(2) states that the local authority is required, when submitting its draft plan, to include a summary of responses it has received during the consultation period, along with the local authority's response to the consultation.

138. Section 32(3) and (4) outlines the options the Welsh Ministers have in relation to a draft plan after receiving it. There are three options namely:
    (a) to approve the draft plan as submitted,
    (b) to approve a modified draft plan (where the local authority would need to agree any changes with the Welsh Ministers), and
    (c) to reject the plan and direct the local authority to reconsider the draft plan (which may involve reconsideration of elements of the draft plan or the plan as a whole).

139. In accordance with section 32(4), if the Welsh Ministers decide to reject a draft plan, they must provide the local authority with reasons for that decision and direct it to reconsider its plan. In addition, they must set out a date by when a local authority must resubmit its draft plan.

140. Section 32(5) confirms that section 32(3) to (4) applies to a further draft plan (e.g. a plan that is resubmitted). This means that a local authority may need to resubmit a plan more than once if Welsh Ministers remain of the view that they cannot approve the draft plan.

141. Similar to the process for approving schools' Welsh language education delivery plans, section 32 has been drawn up with the intention that all local authorities and Welsh Ministers will agree on the content of the local Welsh in education strategic plans. It is not therefore possible for Welsh Ministers, under this section, to insist on the specific content of any local strategic plan. But in this regard they must, as public bodies, act reasonably. If a local authority acts unreasonably during the approval process, the Welsh Ministers may consider whether it is necessary to exercise their powers of intervention under Part 2 of the School Standards and Organisation (Wales) Act 2013 (see also section 50).

Section 33- Publication and implementation of local Welsh in education strategic plans

142. This section makes provision in relation to when a local authority should publish a local Welsh in education strategic plan after it has been approved by the Welsh Ministers, as well as the persons to whom local authorities are expected to send a copy. Section 52 makes specific provision for the publication of documents, and section 53 makes specific provision relating to sending documents.

143. Section 33(2) places a duty on a local authority to take all reasonable steps to implement its local Welsh in education strategic plan.

Section 34 - Review and amendment of local Welsh in education strategic plans

144. This section makes provision for the review and amendment of local Welsh in education strategic plans.

145. Section 34(1) requires a local authority to keep its plan under review for the purpose of considering if it needs to be amended, for example if there is a risk that the local authority's plan is not going to lead to meeting its targets, or that circumstances beyond the local authority's control affect its ability to achieve the targets.

146. Section 34(2) and (3) makes provision about the circumstances in which the Welsh Ministers may direct a local authority to consider reviewing its plan, with section 34(4) to (6) setting out what a local authority is required to do when considering to amend or deciding not to amend its scheme.

147. Under section 34(4), if a local authority decides not to amend its plan following a direction under section 34(3), it would have to give Welsh Ministers reasons for not doing so. If Welsh Ministers do not accept the local authority's reasons, the Welsh Ministers may give a new direction. Depending on the circumstances, they may also consider using their powers under Part 2 of the School Standards and Organisation (Wales) Act 2013 (which allows Welsh Ministers to intervene in relation to education functions in certain circumstances). The Welsh Ministers might also wish to ask His Majesty's Chief Inspector for Education and Training in Wales (in accordance with their powers in section 38 of the Education Act 1997) to inspect how the local authority performs its education functions. The functions of a local authority in this Part are education functions (section 50).

Section 35 - Regulations

148. This section gives the Welsh Ministers a power, by regulations, to make further provision about local Welsh in education strategic plans. Section 35(1)(a) to (f) sets out that what regulations may provide for, but the power is not limited to those matters. This power is intended to enable the Welsh Ministers to provide further detail on the matters outlined in section 30 of the Act, for example in relation to the form and content of a plan. This may include making regulations requiring local authorities to provide details in their plans as to how programmes, policies and their wider statutory duties have been considered in relation to the targets they have been set, e.g. Childcare Sufficiency Assessments, Early Years Programmes, school capital programmes, learner travel arrangements, amongst others. Regulations may also detail the timetable for the receipt, consideration and approval of a draft plan, as well as arrangements for reporting on the implementation of the scheme, for example through annual review reports.

149. A power is also conferred on the Welsh Ministers, by regulations, to enable two or more local authorities to produce a joint plan, and to apply any provision in this Part with modifications for that purpose.

Section 36 – Amendments to the School Standards and Organisation (Wales) Act 2013

150. This section omits Part 4, comprising sections 84 to 87, and also section 1(13) and (14) of the School Standards and Organisation (Wales) Act 2013, which relate to a local authority's preparation of a Welsh language in education strategic plan. This Act changes that system. Sections 30 to 35 make specific provision about local Welsh in education strategic plans and interconnect those provisions with the other provisions in the Act. Those sections make the provisions omitted by this section redundant.

Section 37 – Interpretation

151. This section interprets terms used in Part 4 of this Act.

Part 5 - National Institute for Learning Welsh and Schedule 2 - National Institute for Learning Welsh

Section 38 - National Institute for Learning Welsh

152. This section provides for the establishment of the National Institute for Learning Welsh. The Learning Welsh Institute will be a corporate body with its own legal personality with specific powers and duties in relation to facilitating and supporting the learning of Welsh.

153. Schedule 2 is introduced by this section, which confirms that the Learning Welsh Institute is not a Crown body and makes provision in relation to members, staff, procedures and financial matters. The Schedule also makes minor amendments and consequential provisions to primary legislation.

154. The members of the Learning Welsh Institute are the chair and between six and ten non-executive members, appointed by the Welsh Ministers. The chief executive is an executive member and the chief executive and non-executive members may appoint up to two members of staff to be executive members. The Welsh Ministers may, by regulations, change the number of non-executive and executive members appointed, but the number of non-executive members must always exceed the number of executive members.

155. The first chief executive will be appointed by the Welsh Ministers, with non-executive members appointing the successors. The chief executive is a member of staff at the Learning Welsh Institute and, in that capacity, is also an accounting officer. However, paragraphs 15(2) to (3) of Schedule 2 allow another member of staff to be an accounting officer where the chief executive is unable to fulfil the responsibilities as an accounting officer (e.g. due to a period of long-term ill health), or where there is no chief executive, and during the period until a chief executive is appointed.

156. Schedule 2 also contains provisions about the committees and sub-committees of the Learning Welsh Institute, audit and accounts, procedures, register of interests and supplementary powers.

Section 39 - Facilitating and supporting lifelong Welsh language learning

157. This section sets the objective of the Learning Welsh Institute. The main role of the Learning Welsh Institute is to support people to learn Welsh, and facilitate their progression, so that more people learn the language and improve their skills. This is intended to help achieve the objectives of Cymraeg 2050, which are to increase the number of Welsh speakers and increase the use of the language. Section 39(2) imposes duties on the Learning Welsh Institute in order to meet this objective.

158. Section 39(4) gives the Learning Welsh Institute power in relation to the co-ordinating and commissioning research on teaching or learning Welsh, and gives it powers to advise any person on teaching or learning Welsh and to provide financial support to any person in relation to teaching or learning Welsh. It also allows the Learning Welsh Institute to do anything else, related to supporting people to learn Welsh, and facilitating their progress, if it considers it appropriate to achieve targets set in the National Framework on Welsh Language Education and Learning Welsh under section 24(8).

159. The Welsh language learning provision designed and developed for learners over compulsory school age under section 39(2)(f) must include a variety of matters as set out in section 39(5)(a) to (c), for example by providing a variety of courses, activities and resources at different learning levels, and in different locations. This may include providing various levels of Welsh courses in person as well as online. This is intended to make appropriate provision readily available to all who are already learning Welsh, or wish to learn Welsh, in order to facilitate learners' progression through the different levels of learning Welsh. The Learning Welsh Institute is required to base the learning levels on the common reference levels contained in the Schedule 1 table, and on the Code to describe ability in Welsh published by the Welsh Ministers (see section 6).

Section 40 - Additional functions

160. This section gives the Welsh Ministers power to make regulations to confer additional functions on the Learning Welsh Institute that are associated with supporting people to learn Welsh or facilitating their progress. The powers give the Welsh Ministers the flexibility to adjust the body's functions when necessary.

Section 41 – Promoting equality of opportunity

161. This section requires the Learning Welsh Institute, in the exercise of its functions, to promote increased participation by persons over compulsory school age who are under-represented in Welsh language learning, and to promote the completion of Welsh language learning programmes. The term "under-represented groups" is defined in section 41(2).

162. A duty is also placed on the Learning Welsh Institute to promote the reduction of gaps in attainment in Welsh language learning between different groups of persons where those differences are due to social, cultural, economic or organisational factors.

Section 42 - Promoting innovation and continuous improvement

163. This section requires the Learning Welsh Institute, in the exercise of its functions, to promote innovation and continuous improvement in relation to learning Welsh, and raising standards in learning Welsh. The section also specifies matters (section 42(2)(a) to (c)) which the Learning Welsh Institute must have regard to in the exercise of its functions in accordance with section 42(1).

Section 43 - Promoting collaboration in relation to learning Welsh

164. This section requires the Learning Welsh Institute, in the exercise of its functions, to promote collaboration between Welsh language learning providers, as well as between Welsh language learning providers and maintained schools and maintained nursery schools in Wales, other tertiary education providers in Wales, and employers in Wales.

Section 44 - Promoting co-ordination in relation to learning Welsh

165. This section requires the Learning Welsh Institute, in the exercise of its functions, to promote co-ordination in the provision of Welsh language learning in Wales to those over compulsory school age, and to share best practice in relation to teaching methods and transmission of the Welsh language to those over compulsory school age.

Section 45 - Application of Welsh language standards

166. Section 45 brings the Learning Welsh Institute under the Welsh Language Standards regime. It does so by adding the Learning Welsh Institute to Schedule 6 to the Welsh Language (Wales) Measure 2011, and to the list of bodies subject to the Welsh Language Standards (No. 6) Regulations 2017. This will enable the Welsh Language Commissioner to issue a compliance notice to the Learning Welsh Institute setting out the specific standards that will apply to it.

Section 46 - Strategic plan

167. This section places a duty on the Learning Welsh Institute to prepare a strategic plan for each planning period. The term "planning period" is defined in section 46(8). The strategic plan must set out how the Learning Welsh Institute intends to exercise its functions in accordance with sections 41 to 44 and achieve its objective.

168. Section 46(3), (4) and (6) sets out the arrangements that the Learning Welsh Institute must follow in preparing, submitting and publishing the strategic plan.

169. Under section 46(5), the Welsh Ministers have the power to modify and approve a plan, but those modifications must also be agreed by the Learning Welsh Institute.

170. The Institute may review its plan and submit an amended plan to the Welsh Ministers for approval.

Section 47 - Annual report

171. This section requires the Learning Welsh Institute to prepare and publish an annual report on the exercise of its functions during that year, and send it to the Welsh Ministers. The Welsh Ministers are required to lay the report before Senedd Cymru.

Part 6 – General

Section 48 - Directions and guidance

172. This section makes provision for directions given under Parts 3 and 4 of this Act. It also requires a local authority and a school's governing body, in exercising functions under the Act, to have regard to any guidance issued by the Welsh Ministers.

Section 49 - Repeal of provisions in the School Standards and Organisation (Wales) Act 2013

173. This section amends Schedule 2 to the School Standards and Organisation (Wales) Act 2013 by removing paragraphs and cross headings relating to the language medium of teaching at schools, and sets out certain consequential amendments. This means that alterations to the language medium of teaching described in Schedule 2 ("Regulated Alterations") to the 2013 Act are not a "regulated alteration" for the purpose of that Act. Consequently there is no need to follow the process in Part 3 of the 2013 Act when making such alterations to the language medium of the teaching. Instead, it is Part 3 of this Act which now makes provision about changing the language medium of teaching at schools.

Section 50 - Education Acts

174. This section adds Part 3 (Welsh Language Education) and Part 4 (Planning Welsh Language Education and Learning Welsh) of this Act to the list of Education Acts set out in section 578 of the Education Act 1996. This is a way of co-ordinating legislation involving education and its main effect is that the Welsh Ministers and local authorities have powers to intervene if the governing body of a maintained school fails to comply with duties under Part 3, or exercises functions under Part 3 in an unreasonable way. Similarly, if there is a failure by a local authority to comply with a duty under Part 3 or Part 4, if it acts unreasonably when carrying out a function under Part 3 or Part 4 or if it fails to carry out one or more of those functions to an adequate standard, the Welsh Ministers could exercise their power to intervene. These intervention powers are contained in Part 2 of the School Standards and Organisation (Wales) Act 2013.

Section 51 – Interpretation

175. This section defines some of the key terms used in the Act. In addition, this section provides that definitions in the provisions of the Education Act 1996 apply when the defined term is used in section 51(1), section 1(1)(c), section 2(1)(b) and (c) and Parts 3 and 4 of this Act. But if one of those terms is given another meaning by this Act, it is that other meaning rather than the definition in the Education Act 1996 that applies for the purposes of the Act. For example, this applies to the definitions of "school" and "maintained school" which have a specific meaning in this Act (see section 8(2)(c) and section 51(1)).

Section 52 – Publication

176. This section makes provision in relation to how a document must be published in accordance with a duty under this Act. The document must be in an electronic format. A person is also required to publish the document in another manner they consider appropriate so that those who are unable or are unlikely to be able to access the document electronically can access it.

Section 53 - Sending documents

177. This section makes provision in relation to the giving or sending of a notice, direction or document, and explains how a person may do so in accordance with a duty under this Act. Permitted means of communication include a person handing the document over, leaving it at the person's usual place of residence, and sending it by post or email. A person may use more than one method of communication if they wish. If a person gives or sends a notice, direction or document via email, section 53(2) sets conditions for doing so.

Section 54 — Regulations under this Act

178. This section makes provision in relation to the powers conferred on the Welsh Ministers in this Act to make regulations, and section 54(2) and (3) provides details on that power. Section 54(4) and (5) sets out the legislative procedures that apply to regulations under the Act. Regulations under the sections set out in 54(4) are subject to the affirmative procedure. Under section 54(5) any other statutory instrument containing regulations under the Act is subject to the negative procedure.

Section 55 — Consequential and transitional provision etc.

179. This section gives the Welsh Ministers power to make provision in regulations as a result of any provisions in this Act. This may be a supplementary provision, an incidental provision or a consequential provision, or a transitional provision, a transitory provision or a saving provision. This includes amending, repealing or revoking any primary or subordinate legislation (including any provision in this Act).

Section 56 - Coming into force

180. Section 56(1) provides that Part 6 (except section 49), section 1(1)(a) and section 1(4) (for the purposes of section 1(1)(a)) come into force on the day after the day the Act receives Royal Assent. Section 56(2) provides that sections 1(5) and 5 and Schedule 1 come into force two months after the Act receives Royal Assent. Section 56 also provides that Part 5 and Schedule 2 in relation to the National Institute for Learning Welsh come into force on 1 August 2027. All other sections come into force on a day specified by the Welsh Ministers by order.

Section 57 - Short title

181. The short title of the Act is the Welsh Language and Education (Wales) Act 2025.

RECORD OF PROCEEDINGS IN SENEDD CYMRU

182. The following table sets out the dates for each stage of the Act's passage through the Senedd. The Record of Proceedings and further information on the passage of this Act can be found on the Senedd website at: Welsh Language and Education (Wales) Act 2025

Stage	**Date**
Introduced	15 July 2024
Stage 1 - Debate	14 January 2025
Stage 2 Scrutiny Committee – consideration of amendments	13 and 19 February 2025
Stage 3 Plenary - consideration of amendments	6 May 2025
Stage 4 Approved by the Senedd	13 May 2025
Royal Assent	7 July 2025