Dear Sir/Madam

21st Century Schools, Consultation Document 2016: Consultation on Specialist Provision for Primary Aged Pupils with Speech and Language Difficulties and with Behavioural Emotional and Social Difficulties (Wales)

Thank you for this opportunity to provide our comments on the above document. The Welsh Language Commissioner’s comments, and the issues which Cardiff County Council may wish to address as it develops the document further, may be summarised as follows:

The document provides guidance on how the proposed changes to schools organization introduced in relation to specialist provision for pupils with special educational needs (SEN) in Cardiff, will ensure a Welsh medium provision for pupils. In addition, there is reference to the growing need for efficient and specialist provision that includes the Welsh language.

It shows that the increase in demand for places in a Special School or a Specialist Resource Base for primary age pupils with challenging behaviour has increased by 30 percent over the past two years. The document states that the new arrangements will be of benefit to SEN pupils who need specialist Welsh medium support.

Considering how fundamental language is to any additional learning provision that may be required by learners, we suggest that the changes to school organization must ensure that any internal or external support provided by the relevant agencies is available in Welsh.

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11/03/2016
During the period of transition there is a possibility that the Specialist Resource Base will be operating mixed classes of pupils. During this period you should ensure that Welsh medium provision is available for pupils who need it and the language needs of learners are not therefore undermined.

The document suggests that the proposed changes will be beneficial to the Welsh language with a Welsh medium intervention class provided in addition to the existing provision within the specialist resource bases. As part of this provision, a sufficient number of SEN staff who are able to provide support through the medium of Welsh should be ensured.

You should ensure that you have an adequate supply of Welsh medium services in order to achieve the changes. In utilising external support from the Educational Psychology service and the Specialist Teachers Services who contribute to the assessments, providing support and advice, you should ensure that the information together with any support is available in Welsh for children and parents/carers.

Context

The principal aim of the Welsh Language Commissioner is to promote and facilitate the use of Welsh. This entails raising awareness of the official status of the Welsh language in Wales and imposing standards on organizations. This, in turn, will lead to the establishment of rights for Welsh speakers.

Two principles underpin the Commissioner's work:

- In Wales, the Welsh language should be treated no less favourably than the English language;
- Persons in Wales should be able to live their lives through the medium of the Welsh language if they choose to do so.

Secondary legislation has introduced new powers allowing the setting and imposing of standards on organizations. At the same time, the Commissioner will continue to inspect statutory language schemes through the powers inherited under the Welsh Language Act 1993.

The role of Welsh Language Commissioner was created by the Welsh Language (Wales) Measure 2011. The Commissioner may investigate failure to implement a language scheme; interference with the freedom to use Welsh in Wales and, in future, complaints regarding the failure of organizations to meet standards.
One of the Commissioner's strategic aims is to influence the consideration given to the Welsh language in terms of policy development. Comments are provided on policy in accordance with this remit and the Commissioner acts as an independent advocate on behalf of Welsh speakers in Wales who could be affected by this Bill. This approach is used to avoid any possible compromise of the Commissioner's functions in the area of regulation, and should the Commissioner wish to formally review the performance of individual bodies or the Welsh Government in accordance with the provisions of the Measure.


Article 2 protects the child from suffering language discrimination and places a duty upon nations that are party to it to protect the child from all forms of discrimination. Articles 12 and 13 confer a right to freedom of expression for children and Article 30 gives a child who belongs to a minority the right to use his/her own language in a community with other members of his/her group.

**Considering how fundamental language is to any additional learning provision that may be required by learners, we suggest that the changes to school organization must ensure that any internal or external support provided by the relevant agencies is available in Welsh.**

**During the period of transition there is a possibility that the Specialist Resource Base will be operating mixed classes of pupils. During this period you should ensure that Welsh medium provision is available for pupils who need it and the language needs of learners are not therefore undermined.**

**Welsh Government Policy Aims in terms of the Welsh Language**

Strategic Aim 1 of the Welsh Government's Welsh-medium Education Strategy calls for an improvement in the planning of Welsh-medium provision in the pre-statutory and statutory phases of education, for learners with ALN. The Strategy notes that the aim of the Government in (SO1.5) is:

'**To expect improved planning of Welsh-medium education provision and services for learners with additional learning needs (ALN) as an integral part of education provision at national, regional and local levels**.'
In the Government's strategy for promoting and facilitating the use of Welsh in everyday life, 'A living language: a language for living', the following aims are outlined:

*to increase the provision of Welsh-medium activities for children and young people and to increase their awareness of the value of the language; to increase and improve Welsh-language services to citizens*

A number of children and young people with additional learning needs may be vulnerable, and ensuring that vulnerable people can access services in the language in which they feel most comfortable is an intrinsic part of good service provision and effective workforce planning. The relevant organizations must acknowledge that some people can only express their needs effectively through the medium of Welsh, and services have a duty to meet those needs:

You should ensure that you have an adequate supply of Welsh medium services in order to achieve the changes. In utilising external support from the Educational Psychology service and the Specialist Teachers Services who contribute to the assessments, providing support and advice, you should ensure that the information together with any support is available in Welsh for children and parents/carers.

**The importance of the document in Planning Welsh Medium Provision**

The document explains the impact of the changes to school organization and in particular the benefits to pupils with additional learning needs who need Welsh medium support. However, the document is not sufficiently specific in some aspects. We refer in particular to underlining the importance of gathering evidence not only of the demand from learners for Welsh medium services but also in terms of the Welsh language skills of staff who will be providing the whole range of services under the banner of additional learning needs.

It is fair to say that not enough primary evidence has been gathered in terms of the number of pupils with specialist or additional learning needs and the adequacy of the support available in Welsh. Without this information, it is unclear how Welsh medium provision will be ensured for every child who needs it. There is reference to the need to use the Educational Psychology services and wider specialist support in the provision of additional support for pupils. Once again, there are no specific guidelines on how to provide for pupils who need this provision through the medium of Welsh:

*The document suggests that the proposed changes will be beneficial to the Welsh language with a Welsh medium intervention class provided in addition to the existing provision within the specialist resource bases. As part of this provision, a sufficient number of SEN staff who are able to provide support through the medium of Welsh should be ensured.*

**Closing remarks**

There is an attempt in this document to provide specifically for the Welsh language in planning the reorganization of schools introduced in relation to specialist provision for
pupils with special learning needs in Cardiff. The proposed changes acknowledge the importance of language to pupils and go as far as to say that the new arrangements will be beneficial to SEN pupils who need Welsh medium specialist support. However, you must also consider how these changes are to be achieved when looking in greater detail at the workforce planning in the context of the Welsh language.

Yours sincerely,

Meri Huws
Welsh Language Commissioner