

## **The Welsh Language Commissioner's response to Medr's consultation: A new regulatory system including conditions of registration and funding**

December 2025

Below is the Commissioner's response to Medr's [consultation](#) on a new regulatory system including conditions of registration and funding. The response was originally submitted in the form of answers to a number of specific questions on an online form.

### **Overview**

We welcome and support a number of aspects of the new regulatory system. We are also of the view that the system's requirements and recommendations could be strengthened to have a more positive impact on the Welsh language. These matters are discussed in more detail below. We first present a summary of our recommendations, acknowledging that some issues are broader than the scope of the consultation and are suitable for consideration by Medr in the context of the development of its National Plan for the Welsh Language in Tertiary Education.

- The Regulatory Framework should describe the complaints and enforcement process in the context of matters relevant to the Welsh language, explaining the responsibilities of the Commissioner and Medr.
- Clear arrangements should be made for sharing information and evidence between the Commissioner's office and Medr.
- The Regulatory Framework should specify that relevant providers are expected to report on their compliance with the Welsh language standards in an annual report to the Welsh Language Commissioner.
- The proposed timetable for the providers' Welsh Language Strategy should be explained, including arrangements for reporting on progress and the process for reviewing and updating the strategies. It is essential that these strategies align with the National Plan and the Code to describe Welsh language ability, prepared by the Welsh Ministers, and more generally respond to the sector priorities that are likely to change over time.
- Relevant providers should be encouraged to report in their Welsh Language Strategy on how they go beyond the requirements of the standards and the Cynnig Cymraeg (Welsh Offer) and are innovative in their use of Welsh and their methods of promoting the language across the organisation.
- There should be a recommendation that providers plan proactively to increase the number of staff teaching through the medium of Welsh.
- In their Welsh Language Strategy, providers should explain how they will sustain and enhance learners' Welsh language skills and avoid a decline in those skills, including developing a multi-layered strategy that offers appropriate language provision for learners at every level of Welsh language ability.
- The Regulatory Framework should require providers to record learners' language skills at the beginning and end of their studies, in order to assess the extent to which they have

sustained or developed their Welsh language skills following appropriate Welsh-medium or bilingual provision carefully planned to improve those skills during the learners' study period.

- In their Welsh Language Strategy, providers should explain how they will increase participation by people from under-represented groups in Welsh-medium education.
- Providers should be asked to share information with prospective students about the language of instruction of courses and the benefits of studying through the medium of Welsh, including additional career opportunities.

### **Regulatory Approach**

We welcome Medr's statement that its regulatory approach will involve not only enforcing standards, but also working with education providers and stakeholders to achieve shared outcomes. The proportionate and risk-based approach reflects the Commissioner's approach to regulating the Welsh language standards. We prioritize areas that have the greatest impact on Welsh language users and work proactively with organisations to address risks before they lead to breaches of standards.

### **Monitoring arrangements**

The Regulatory Framework notes that Medr's monitoring activity will use a wide range of sources of information and evidence. It states that Medr could consider third-party assurance obtained from providers, such as other regulatory bodies. We welcome Medr's intention to monitor and assess compliance with the Welsh language condition, specifically, by means which include engaging with the Commissioner's office. We would like more clarity regarding the Commissioner's role, who is responsible for assessing providers' compliance with the Welsh language standards, in the context of Medr's monitoring work. Recognizing that the Regulatory Framework goes beyond the requirements of the Welsh language standards, it will be necessary to ensure that it is clear to those involved in tertiary education what the complaints and enforcement process is in the context of matters relevant to the Welsh language. Clear arrangements will need to be established for sharing information and evidence between the Commissioner's office and Medr.

### **Learner protection plans**

In the Regulatory Framework, we welcome the fact that the examples in Annex C of circumstances relevant to Learner Protection Plans include a change of medium of study from Welsh to English. We recommend that a change of this kind should also be highlighted in the Triggers list.

### **Equality of opportunity**

We support the Equality of Opportunity condition and the principle of increasing participation by people from under-represented groups in tertiary education, research and innovation. As part of this, equality of opportunity should be ensured for people from all backgrounds to develop their Welsh

language skills. In their Welsh Language Strategy, providers should explain how they will increase participation by people from under-represented groups in Welsh-medium education.

### **Information provided to prospective students**

We welcome the intention to remind providers of their duty to adhere to the Welsh language standards in the context of sharing information with prospective students. Providing information in Welsh in advance to prospective students is a crucial first step towards normalizing the use of Welsh by students in tertiary education. To build on this, we believe that information should also be shared with prospective students about the language medium of the providers' courses and the benefits that come from studying through the medium of Welsh, including additional career opportunities. Medr could consider this when developing its National Plan for the Welsh Language in Tertiary Education.

### **Quality Framework**

We support the intention to make the quality requirements equally applicable to Welsh-medium, bilingual, and English-medium provision. We note that the Quality Framework recognises providers' duty to comply with the Welsh language standards. We also note the statement that Welsh-medium and bilingual provision are embedded in the approaches that characterise good-quality education. Specific reference should be made to Welsh-medium and bilingual provision in the opening sentence of paragraphs 16, 18 and 19 to emphasise the importance of mainstreaming the Welsh language. We also recommend that Medr includes performance indicators related to the Welsh language among the indicators it intends to consult on by 2027.

We support the principle of consistency of outcomes for learners across the tertiary education sector, including Welsh-medium and bilingual provision. The Quality Framework acknowledges that quality processes and learner support will vary due to the diversity of the sector, learner demographics and the needs of learner groups. High-quality education and support for learners who wish to use and improve their Welsh language skills should be a feature of the tertiary education sector as a whole, whether the numbers of those learners are lower or higher under any provider. We acknowledge Medr's expectation that every provider, over time, will develop their ability to use, promote and support the use of the Welsh language across their services as a provider, through their educational provision and through their research and innovation activities.

We welcome the statement that Welsh language and bilingual considerations are embedded in each pillar of the Quality Framework. We support the requirement for providers to consider their Welsh-medium and bilingual provision when self-evaluating and to support their staff to improve Welsh-medium provision and the use of Welsh as part of professional learning and development. We recommend referring specifically to Welsh-medium provision in the context of learner engagement and the learner's voice.

We welcome Medr's intention, when monitoring and assessing provider risk, to evaluate outcomes for learners who are studying partially or entirely through the medium of Welsh. In the Commissioner's report, [\*Post-compulsory education and the Welsh language: the learners' voice\*](#),

attention is drawn to the fact that the outcomes of bilingual education can vary greatly in the context of learner attainment in both languages. The report also highlights the need to strengthen Welsh language provision in the post-16 sector to ensure that the linguistic attainment of all learners is supported strongly and practically. It is crucial to consider the type of input that will lead to different language outcomes. This could be done by mapping learners' journeys through the tertiary education sector and assessing how provision should be planned to sustain and develop their Welsh language skills. This would need to be done with regard to learners who are fluent in Welsh, learners with some Welsh language skills but who lack confidence, and learners with very little Welsh language skills. Provision needs to be planned in a strategic and structured way, based on carefully defined and planned bilingual or Welsh-medium education models.

### **Learner Engagement Code**

We support Principle 5 which makes it mandatory for providers to engage with learners bilingually, giving them opportunities to be involved in the provider's approach to Welsh-medium provision and promoting the Welsh language and culture. We welcome the requirement for providers to involve learners in the work of developing, monitoring and evaluating strategies that promote the Welsh language, increase demand for tertiary education through the medium of Welsh and increase participation in that education. The Code should refer to the Welsh language standards, as some organisations are under a duty to comply with relevant standards, for example in the context of corresponding in Welsh and seeking views on the impact of policies on the Welsh language.

### **The Welsh Language**

We welcome the fact that the Welsh language is an ongoing condition of registration and a condition of funding. Medr states that the condition will be continually reviewed to take into account the development of the National Plan for the Welsh Language in Tertiary Education. The Regulatory Framework imposes a requirement on providers to publish a Welsh Language Strategy and recommends that the strategy should reflect the providers' contributions to the proposed National Plan. We support this principle.

#### *Supplementary guidelines*

We know that the intention is to publish the National Plan in April 2027 and to implement it at the beginning of the academic year in September 2027. We have already recommended to Medr that supplementary guidelines regarding the condition should be presented following the publication of the National Plan. The guidelines should outline Medr's vision and ambition and give advice and guidance to organisations on the content of the strategies and a method of measuring progress linked to the National Plan. Without that, there is a risk that the sole purpose of the strategies will be to fulfil a condition. They must be powerful strategies that will create change. They should intertwine with the requirements of the Welsh language standards on the providers, going further than that and discussing the expansion of Welsh-medium provision, encouraging participation and developing the Welsh-medium workforce as well.

One issue that needs further consideration is how long the strategies are expected to last and how often providers are expected to report on their achievement. It would also be beneficial to clarify when the strategies will need to be updated to ensure that they align with the National Plan and respond to sector priorities. A useful example in this context is the Welsh Language and Education (Wales) Act 2025 where local authorities are required to review their Welsh in Education Strategic Plans every five years. We believe that introducing a structured timetable of this type is essential to ensure that the providers' strategies are up-to-date and reflect Medr's ambition and priorities as well as national policy. This is particularly relevant considering that it is a period of major reform for the education sector and that a number of significant developments are underway in terms of the Welsh Language and Education Act. This includes the Welsh Ministers' duty to publish a National Framework for Welsh Language Education and Learning Welsh, and to introduce a Code to describe Welsh language ability. It is likely that the providers' first strategies will be drawn up before these developments take root completely.

### *The Welsh language standards and the Cynnig Cymraeg*

The Regulatory Framework requires providers to specify in their Welsh Language Strategy how they will promote and encourage more use of the Welsh language across the provider, including among staff and learners. It states that the strategy should consider any regulatory conditions that are relevant to offering Welsh language services, such as the Welsh language standards. The Welsh language standards, in the context of post-16 education institutions, set requirements that are relevant to the educational provision as well as the use of the Welsh language internally by the workforce. It should be noted in the Regulatory Framework that providers are expected to report on their compliance with the Welsh language standards in an annual report to the Welsh Language Commissioner. We consider that the duty to draw up a Welsh Language Strategy gives providers an opportunity to report on how they go beyond the requirements of the standards and, indeed, are innovative in their use of the Welsh language and their methods of promoting the language across the organisation. We support the requirement for providers who are not subject to the Welsh language standards to work with the Commissioner to receive Cynnig Cymraeg recognition. They should also explain in their Welsh Language Strategy how they will go further than their commitments for the Cynnig Cymraeg, to meet the objectives of the Welsh language condition. The relationship between the two different regulatory regimes will need to be explained, bearing in mind that it is possible to work together to achieve common objectives.

### *Co-operation*

We support the Regulatory Framework's recommendations that each provider's Welsh Language Strategy should include measurable outcomes for increasing demand and participation in Welsh-medium education and Welsh as a subject. This will help to focus those efforts and assess the extent to which they succeed. We also agree that providers should work together to increase demand and participation and consider each other's strategies to complement a co-ordinated approach in the context of Welsh-medium provision. The Commissioner has called for planning and collaboration between providers in the report, [\*Post-compulsory education and the Welsh language: the learners' voice\*](#), especially in the context of the sixth form in schools. We also support Medr's recommendation regarding collaboration between providers, the Coleg Cymraeg Cenedlaethol and the National Institute for Learning Welsh. Regarding the sixth form in schools, as they do not fall within the scope

of the Welsh language condition but are subject to other requirements in terms of Welsh-medium provision, we would like to emphasize that it is necessary to consider those requirements and to be clear about the responsibilities involved.

### Welsh-medium workforce

We agree that providers should consider the capacity of the teaching workforce in the context of assisting more learners to study through the medium of Welsh and Welsh as a subject. However, we believe that this recommendation should be stronger. Medr should recommend that providers plan proactively and strategically to increase the number of staff who teach through the medium of Welsh. Maintaining and developing a workforce with the ability to teach in Welsh is essential for increasing Welsh-medium provision across the tertiary education sector. The Commissioner has a role in this context, advising organisations as well as regulating compliance with the standards. We support the Regulatory Framework's recommendation that the wider strategic plans of all providers should incorporate the principle of increasing demand and participation in Welsh-medium education and Welsh as a subject. They should include concrete objectives to that end. This is crucial to mainstreaming this principle in the tertiary education sector.

### Learners' Welsh language skills

We agree with the Regulatory Framework's recommendation that providers' admissions and enrolment processes should consider learners' language skills for the purposes of the continued development of their Welsh language skills, including through Welsh-medium study. In their Welsh Language Strategy, providers should explain how they will sustain and enhance learners' Welsh language skills and avoid a decline in those skills. That could include ensuring that learners who studied GCSE and/or A Level through the medium of Welsh are automatically enrolled on Welsh-medium courses. We recommend that providers should record the learners' language skills at the beginning and end of their studies, to assess the extent to which they have sustained or developed their Welsh language skills and check that the steps the providers are taking to sustain and improve skills are appropriate.

We support the Regulatory Framework's recommendation that the development of relevant learning programmes should be in line with the Code to describe Welsh language ability, prepared by the Welsh Ministers. To develop the Welsh language skills of all learners, a multi-layered strategy will be needed which targets learners beginning from very different levels, accepting that the expected outcomes will also be different. The strategies should be clear about the outcomes expected for different types of learners at the end of their period of education. There has been very little increase in the number of learners who study a substantial proportion of their courses in Welsh or bilingually. Resolving this is a priority for the sector.

As noted above, we welcome Medr's intention to monitor and assess compliance with the Welsh language condition through means including engagement with the Commissioner's office. We would be glad to discuss this further and how we could share information between the Commissioner's office and Medr. We also support the intention to review the condition regularly to ensure that it is in line with the evolving needs of the sector, changes in policy and feedback from stakeholders. This is particularly relevant considering the changes that will come to the education sector in the context of the Welsh language, due to the new requirements of the Welsh Language and Education Act. The

aim of the Act is to ensure that all learners in Wales, by the end of their period of compulsory education, are independent users of Welsh. The tertiary education sector should plan for the increase in the Welsh language skills of young people throughout Wales that this will bring and its role in preparing learners for the bilingual workforce of the future. As stated in *Cymraeg 2050*, “post-compulsory education and training providers have a key role to play in sustaining learners’ Welsh language skills to meet the growing need for a bilingual workforce”.