

## Appendix II: Comments by the UK authorities

### EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

#### The Welsh Assembly Government's comments on the Second Report of the Committee of Experts on the UK's compliance with the Charter

November 2006

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#### **1. Introduction**

The Welsh Assembly Government welcomes the second report of the Committee of Experts following its scrutiny of the UK's compliance with the European Charter for Regional or Minority Languages. The Assembly Government is grateful for the opportunity to contribute to the UK Government's comments on the report from the perspective of the Welsh language.

#### **2. General comments**

The Assembly Government is pleased that the Committee considers there has been an improvement since the Committee's first report in March 2003, with an increase in the number of "fulfilled" clauses. As regards education, the Welsh Assembly Government welcomes feedback from the Committee and is particularly pleased to note that in some instances it is judged by the Committee that we are not only still meeting the commitment but also that we have made significant progress.

However, there are aspects of the Committee findings which are disappointing – such as the Committee's view that the clause relating to Health and Social Care is still "unfulfilled" despite significant progress since the first report.

We would invite the Committee of Ministers to consider the points in the Annex, some of which constitute evidence which was not available at the time of the on the spot visit in December 2005, and some of which is further clarification of evidence already submitted to which the Assembly Government thinks that not enough weight has been attached.

#### **3. Detailed comments**

The Assembly Government's detailed comments on the report are enclosed at Annex 1, structured in line with the clauses of the Charter.

#### **4. Committee's recommendations**

The Assembly Government's response to the Committee's recommendations is included within the comments on the relevant individual clauses below.

# Detailed comments on the Committee's report

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## ARTICLE 8 - EDUCATION

### Primary Education

#### Charter clause:

**"b.i. to make available primary education in the relevant regional or minority languages;"**

#### Welsh Assembly Government's comments :

The Assembly Government is pleased that the Committee considers "the provision of primary Welsh-medium and bilingual education is on the whole very good" while at the same time it says that the undertaking is only partly fulfilled in 2006 compared with 2003 when the Committee considered "the undertaking fulfilled in most cases". We are disappointed that the Committee appear to dismiss the increase in the number of Welsh-medium primary schools from 440 (the base figure considered by the Committee in its 2003 report) to 448 (the figure presented in our evidence of January 2006) as "slight". We would ask that the Committee consider the latest figure for the number of Welsh-medium schools which has now risen to 455. This is 7 more schools and 1,700 more pupils in Welsh-medium education in 2005 than in 2004. This is at a time when overall pupil numbers in primary schools in Wales have been falling significantly: thus the proportion of pupils participating in Welsh medium education has increased, as well as the absolute number. The numbers of pupils in Welsh-medium schools now stands at 52,792 (source : Welsh in Schools – SB 4/2006 26 January 2006) as compared to 49,422 in 2000-01 – an increase of 6.8% (source : Welsh in Schools – SB 4/2006 26 January 2006). During this time the total number of primary pupils in Wales fell by 14,949, which represents a decrease of 5.5%. Thus the proportion of primary school pupils attending Welsh medium schools has increased from 18.0% to 20.4% in the 4 years in question.

As regards schools offering bilingual education as opposed to Welsh medium provision, the Assembly Government wishes to clarify both the description itself and the figures. We believe that the description of these schools as "offering bilingual education" may not be entirely as the Committee believes them to be. The numbers of "bilingual" schools quoted in paragraph 187 in the Committee's report are in fact for schools where either there are two language streams within the school and less than half the pupils are in the Welsh medium stream or where Welsh is used as a medium of instruction for less than half of the curriculum. It would be possible, therefore, for schools to fall into this category where they offer no more than one or two subjects through the medium of Welsh. It is questionable, in the view of the Assembly Government, whether such provision could truly be described as "bilingual" or whether, for the most part, such provision produces pupils who are equally fluent in both languages which is what might be expected of provision which describes itself as "bilingual". While the Assembly Government would acknowledge that such provision is likely to produce better linguistic outcomes for pupils than provision which relies solely on teaching Welsh as a second language and would not wish to restrict it where it exists, it is equally clear that it is schools in the Welsh-medium sector (i.e. the 448 noted in paragraph 187) which offer the best chance of fulfilling the overarching vision set out in *Iaith Pawb*, the National Action Plan for a Bilingual Wales.

Dual stream schools where the Welsh medium stream is smaller than the English medium stream are not now common, although the Welsh medium streams have the capacity to provide education similar to that which would be provided within a Welsh medium only school.

These issues confirm the possible difficulties arising from the fact that there are not, as yet, definitions of the varying patterns of linguistic provision in schools which are both universally understood and accepted. The Assembly Government has now consulted widely on methods of defining schools according to the extent to which Welsh is used as a medium of instruction and in the business of the school, and is currently considering the responses.

In the circumstances, we believe that the Committee may have given disproportionate weight to this aspect and not enough to the impressive increase in Welsh-medium provision over the same period.



Wales where it is available to them. In the view of the Assembly Government, therefore, the issue of linguistic continuity, or the lack of it, does not impinge on the terms of the undertaking.

### Technical and vocational education

#### Charter clause:

**“d.iv. to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient”**

#### Welsh Assembly Government's comments:

The Welsh Assembly Government is pleased that the Committee considers the steps which have been taken in respect of this undertaking to be positive but is disappointed to note that the Committee still considers the undertaking not to be fulfilled. Further information will be provided in the next periodic report as requested but, in the meantime, we would want to record that as a result of the steps taken to support an increased range of vocational qualifications, an additional 31 such qualifications are being made available this year.

In addition, the Welsh Assembly Government's 14-19 Learning Pathways policy will secure wider choice of vocational learning for learners of all abilities, leading to a wide range of vocational qualifications. Specific work focused learning pathways are also under development in partnership with a number of sector skills councils and will be piloted from September 2007. These work focused learning pathways will be consistent with the Welsh Baccalaureate Qualification which also includes opportunities for vocational qualifications.

Schools, Further Education Institutions and Work Based Learning Providers are working together to create collaborative option menus for each local authority area. Option menus will include vocational and academic programmes from entry level to level 3 in each of five domains:

- Mathematics, science and all aspects of technology
- Business and administration
- Services to people
- Creative arts and culture
- Humanities and languages

The Welsh Assembly Government has also taken steps to ensure appropriate recognition of vocational qualifications alongside academic ones. It has adopted a wider points score as a measure of success for all schools, which brings together the wide range of vocational qualifications available for learners from the age of 14, and seeks to ensure parity of esteem for all approved qualifications.

### Monitoring

#### Charter clause:

**“i. to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public”**

#### Welsh Assembly Government's comments:

The Welsh Assembly Government has noted the recommendation made by the Committee and would be prepared to give it further consideration. However, we are not clear about the view that the Committee might take in respect of the fulfilment (or otherwise) of undertaking if we were to implement the recommendation. The Assembly Government would welcome clarification on this matter before coming to a view about the Committee's recommendation.

## ARTICLE 10 - ADMINISTRATIVE AUTHORITIES AND PUBLIC SERVICES

### Charter clause:

#### "Paragraph 2

**In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:**

- a. **the use of regional or minority languages within the framework of the regional or local authority;**
- b. **the possibility for users of regional or minority languages to submit oral or written applications in these languages;**
- c. **the publication by regional authorities of their official documents also in the relevant regional or minority languages;**
- d. **the publication by local authorities of their official documents also in the relevant regional or minority languages;**
- e. **the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;**
- f. **the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;"**

### Welsh Assembly Government's comments:

The Welsh Assembly Government welcomes the fact that the Committee of Experts considers the undertakings above fulfilled with regard to the National Assembly for Wales. However, the Assembly Government is disappointed that the Committee is not in a position to conclude with regard to local authorities.

The Committee's report mentions the use of Welsh in the workplace in respect of local authorities. There is undoubtedly more work to be done to encourage the use of Welsh within the internal administrations of local authorities, and the Committee rightly acknowledges the Welsh Language Board's work to develop this area. However, the Assembly Government would argue strongly that the use of Welsh within the internal administrations of local authorities is outside the provisions listed in paragraphs b, c, d, e & f, and it is therefore unclear why the Committee has reported on all 6 paragraphs (a-f) together. The provisions listed in paragraphs b-f are in the context of interactions between the local authorities and the public. As stated in the UK's second periodical report, these interactions are requirements contained within the Welsh Language Schemes of the individual local authorities.

Neither the Assembly Government or the Welsh Language Board through its monitoring work are aware of general negative trends with regard to the use of Welsh in local authorities which the Committee report refers to in paragraph 230. All Schemes contain procedures for redress with regard to the services provided in Welsh by the local authority in question. There are also procedures set out in the Welsh Language Act to refer complaints to the Welsh Language Board, for the Board to conduct investigations, and for investigations to be submitted to the Assembly Government to adjudicate. If the public, or representatives of local authorities, have concerns about negative trends with regard to the use of Welsh, the Assembly Government would urge them to seek redress through the above routes.

### Charter clause:

#### "Paragraph 3

**With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:**

- a. **to ensure that the regional or minority languages are used in the provision of the service;"**

Welsh Assembly Government's comments:

The Welsh Assembly Government is disappointed that the Committee of Experts is unable to conclude whether this undertaking is being met. The Assembly Government will attempt to provide further information in the next periodical report as requested. However, the detailed monitoring work of the Welsh Language Board (they received and responded to 137 Welsh language scheme monitoring reports in 2005-06), and of the public bodies themselves, gives us confidence that the undertaking above is generally being met. Where deficiencies have come to light the Board has been successful in working with the organisations concerned to improve their Welsh language services. The following are examples of such work:

- Following a complaint by a member of the public and resulting monitoring work by Welsh Language Board officers, Flintshire County Council conducted an internal inquiry into its Council Tax process in 2004. The inquiry concluded that Council tax bills had been produced in English contrary to the Council's Welsh Language Scheme. Following the exercise the Council took urgent steps to rectify the situation and commitments were also made to ensure other improvements, such as ensuring that internal auditors check compliance and that appropriate guidance is given to staff in the finance department.
- During Summer 2006 the Welsh Language Board received a complaint about the Welsh language service offered by Conwy County Council's planning department. In resolving the complaint and as part of the Board's monitoring work the Council have assured the Board that they will put systems in place to deal with Welsh language applications and to ensure that applicants receive correspondence in Welsh (if they wish) throughout the process.
- In 2004 the **North East Wales NHS Trust** was criticised for the levels of services in Welsh. This criticism was accepted and by 2006, when officers of the Welsh Language Board visited the Trust, in order to assess the improvement it was evident that a lot of time and resources had been invested and had paid dividend. A Welsh reception, systems for recording language choice and a general bilingual corporate image were seen in each site visited.
- **DVLA:** the help line offered a Welsh language option to callers from Wales, using landlines. However, those using mobile phones (or who withheld their numbers) were not given this option. The Welsh Language Board advised them to set up a separate number for Welsh language services (whilst also keeping the Welsh language option on the original number). As a result, those using mobiles, or who withhold their numbers, are now able to access to the Welsh language service.
- **Job Centre Plus:** the majority of its forms are now available in electronic format and are printed as required. As a result of this, publishing costs have fallen and JCP decided, in discussion with the Welsh Language Board, to use some of the resources saved to expand the number of forms available in Welsh. JCP have conducted an audit of the most used forms and are now in the process of translating them. This will be a continuous process and it will enable Welsh speakers to have access to a much larger variety of Welsh language forms.

Charter clause:

**Paragraph 4**

**"With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:**

**"b. recruitment and, where necessary, training of the officials and other public service employees required;"**

Welsh Assembly Government's comments:

The Welsh Assembly Government argues strongly that the fact that there are provisions with regard to recruitment and training within all Welsh language schemes of public sector organisations would indicate this undertaking being fulfilled. The Welsh Language Board's statutory guidelines on the preparation of Welsh language schemes contains specific guidelines requiring organisations to include commitments on recruitment and training of staff to ensure sufficient numbers of staff with Welsh language skills to meet their Welsh

language scheme commitments. The aim of the work that the Welsh Language Board is doing to develop further guidance in this area, as described in paragraph 237 of the Committee's report, is to help organisations to improve their performance in meeting the recruitment and training commitments of their schemes.

This undertaking does not mention the need for an officially recognised accreditation, which the Committee's report suggests is the reason it considers the undertaking "partly fulfilled". However, since the beginning of the 2006-07 academic year students enrolling on courses through the Welsh for Adults regional centres are all following a national course and assessment. At the same time a programme for a national accreditation for Welsh for Adults tutors has started.

## ARTICLE 12 – CULTURAL ACTIVITIES AND FACILITIES

### Charter clauses:

#### **"Paragraph 2**

**In respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage and/or provide appropriate cultural activities and facilities in accordance with the preceding paragraph."**

#### **"Paragraph 3**

**The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.**

### Welsh Assembly Government's comments:

The Welsh Assembly Government is disappointed that the Committee cannot conclude that this undertaking is fulfilled. Patagonia is the only region outside the UK where Welsh is spoken as a community language. In the UK Government's 2<sup>nd</sup> Periodical report, detailed information was provided about the Assembly Government's continued support of the Welsh language teaching project in Patagonia and the project aimed at fostering sustainable links between local museums, archives and libraries in Wales and the Welsh community in Patagonia.

In addition, the Welsh Assembly Government, through the Welsh Language Board, is providing £29,000 during the 2006-07 financial year to the London Welsh Medium primary school.

Given the above, the Assembly Government would value clarification as to what further measures would be required before the undertaking could be said to be met.

## ARTICLE 13 - ECONOMIC AND SOCIAL LIFE

### Charter clause:

**"c. to ensure that social care facilities such as hospitals, retirement homes and hostels offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on grounds of ill-health, old age or for other reasons;"**

### Welsh Assembly Government's comments:

The Welsh Assembly Government takes note of the Committee's conclusion that the undertaking above is "not fulfilled at present".

We are pleased that "the Committee acknowledges the positive steps being taken" to improve Welsh language provision and we have taken note of the recommendation made.

We are aware that further work needs to be done to ensure that Welsh language provision is available within the service. However, significant progress has been made as was evidenced by the Deputy Minister for Health and Social Services and officers of the NHS Welsh Language Unit during the Committee visit.

We would draw attention to a 2006 Report from the Welsh Language Board (WLB): *Review of the Welsh Language in the NHS Trusts*. <http://www.bwrdd-yr-iaith.org.uk/cynnwys.php?CID=&PID=109&nID=2147&langID=2>

In the Foreword to the Report, the Chair of the WLB says:

*"I was pleased to find that there has been progress on the whole and this was quite significant in some areas.*

*"At the last Welsh Language in Healthcare Conference I was urging you to change gear, it is now quite evident that a number of the Trusts have taken this on board, with significant success. Language is important to patients and your [the Trusts] efforts to improve Welsh medium services are a valuable investment for those whose first language is Welsh."*

We acknowledge that there is more work to be done but do believe that progress made should be recognised. Evidence of this is seen in this year's Welsh Language in Healthcare Awards, which attracted 112 high quality nominations. This is a reflection of the development within the service and we consider that the improvement is significant.

## EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

### Combined comments from the Scottish Executive and Bòrd na Gàidhlig on the Second Report of the Committee of Experts on the UK's compliance with the Charter

November 2006

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The Scottish Executive welcomes the Committee's 2<sup>nd</sup> report and is grateful for time taken by the Committee to investigate these matters in detail. We also welcome the opportunity to comment on the observations of the Experts, including their proposals for recommendations to be made to the Committee of Ministers.

We would like to reassure the Committee that we will write to all local authorities, public bodies and minority language groups in Scotland and make them aware of the Committee's report and the recommendations.

We have noted the proposals for recommendations that the report contains. We are content for these recommendations to go forward to the Committee of Ministers and we will seek to address these concerns within the period of the next Report and are confident that adequate measures will be put in place to achieve this.

#### **Territory**

As the Committee is aware there have been discussions over what constitutes a territory in this context. The view of the Report would appear to be that the relevant territory for Scottish Gaelic is all of Scotland. For this reason the Committee are able to acknowledge that progress has been made in Gaelic education but that a number of the education undertakings remain only partially fulfilled. It is possible that this position will remain for some time as a result of demand, local priorities and teacher supply.

The Scottish Executive understands the European Charter for Regional or Minority Languages to be founded upon flexible implementation and provides for undertakings to be applied within territories in 'the areas where the language is used'. The Scottish Executive has adopted that same broad approach to its Gaelic language legislation, with the provisions of the Gaelic Language (Scotland) Act 2005 applying on a national basis and providing for the development of a National Gaelic Language Plan. Such an approach does, however, necessitate a proportionate approach to the implementation of Charter undertakings and Gaelic development generally, targeting scarce resources where they can have most impact and benefit to the overall well-being of the language.

#### **Bòrd na Gàidhlig Response to the European Charter on Regional or Minority Languages, Comex 2<sup>nd</sup> UK Report**

Bòrd na Gàidhlig would like to make the following comments and observations on the second report on the UK in respect of the above charter by the Committee of Experts (Comex) of the Council of Europe. The Bòrd will restrict itself to the areas of the report concerning Scots Gaelic.

The Bòrd notes with satisfaction the expressions of commendation made by Comex regarding progress in a number of areas, and views the reduction in recommendations over the first report as an indication of this progress. The authorities concerned are to be congratulated on this progress.

The Bòrd is worried by the number of instances in which insufficient information was made available to the committee for it to reach a decision on compliance, and recognises that in its role under section 1(2)(d) of the Gaelic Language (Scotland) Act it will now be the Bòrd's responsibility to address these concerns for future periodical reports. However, it also recognises that it will only be able to undertake this responsibility properly with the full co-operation of executive authorities at local, Scottish and UK levels.

The Bòrd notes and approves the two recommendations submitted by Comex for adoption by the Council of Europe ministers, viz., that the authorities in the UK:

- elaborate and implement a comprehensive education policy, and
- increase support for the printed media

Education policy will be directly impacted on by the forthcoming National Gaelic Education Strategy, though full support on the part of executive authorities will of course be required for this to become policy.

Support for the printed media is addressed in the draft National Plan for Gaelic, but perhaps the emphasis placed in the Comex report on this topic presents a challenge to which the Bòrd and executive authorities must rise, and consideration will be given to reflecting this in the final draft of the National Plan.

Bòrd na Gàidhlig notes the specific concerns expressed by Comex in its report. These are, with comment by the Bòrd, are:

- Major concern: "to include within the objectives of education and training in the UK at large, respect, understanding and tolerance in relation to regional or minority languages traditionally spoken in the UK" (160)

Whilst being sympathetic to any steps taken along these lines elsewhere in the UK, Bòrd na Gàidhlig sees it as being more feasible and cost-effective for this to be progressed immediately and independently in the context of the Scottish education system. But outwith Scotland, support for Gaelic education might be concentrated on a limited number of specific institutions, with particular reference in the short term to established networks of adult learners and to established tertiary-level study into Gaelic and its culture and history in Scotland.

- Major concern: "to increase efforts to make available primary Scottish Gaelic-medium education to meet the demand" (300)

Bòrd na Gàidhlig wholeheartedly agrees with this concern, but wishes it to be recognised that demand itself needs to be greatly increased, that the models of delivery of Gaelic-medium education have become an issue, and that the draft National Plan places primary education in the context of follow-through provision and, crucially, of language vitality.

- "staff were not aware of the right to use Scottish Gaelic in [three civil courts in the north-west]" (149)

Bòrd na Gàidhlig is concerned with this specific instance, and also with the danger that the impact of the Charter and of the Gaelic Act might be seriously compromised by similar failure to cascade knowledge and practice in all current and future language policy initiatives.

- "The Scottish Executive's National Cultural Strategy promotes the existence of traditional and new linguistic groups in Scotland as an enriching aspect of cultural diversity. However, it is unclear to ... how this strategy has been implemented" (155)

See the response to (160) above regarding education – similarly for culture.

- "structural problems in terms of funding and teacher supply in certain subjects, especially at secondary and tertiary level" (286)

Bòrd na Gàidhlig has embarked on tackling this problem.

- "the situation of Gaelic-medium pre-school education in those areas where there is a high concentration of speakers, such as in the Outer Hebrides" (292)

Bòrd na Gàidhlig expects that Gaelic-medium education at all levels will feature prominently in the Gaelic language plans required of education authorities. All education authorities with high concentrations of speakers have been, or are within three years due to be, notified under the Gaelic Act of a requirement to prepare Gaelic language plans.

- "[how] demand is measured for the teaching in/of Scottish Gaelic in the context of technical and vocational education ... [and how] Scottish Gaelic language courses are linked to technical and vocational education, and if so, how they are linked" (313)

Bòrd na Gàidhlig has highlighted this issue in the draft National Plan.

- "the teaching of the history and culture ... seems to be a matter of choice for the individual school" (324)

Bòrd na Gàidhlig would favour the widest possible teaching of Gaelic history and culture; it also favours widespread access to the language through schemes such as Gaelic Language in Primary School – though not as replacements for Gaelic-medium education.

- "evidence that a ... leaflet in Scottish Gaelic was refused since it is "seen as a language of choice as opposed to one of need". The Committee emphasises that this approach is contrary to [UK undertakings] and to the spirit of the Charter" (357)

Bòrd na Gàidhlig has drawn attention to the correct approach through the interpretation of "equal respect" in the draft Guidance on Gaelic Language Plans. It recognises, however, the work and direction that will be required to establish widespread acceptance of this both among public-body staff and among users of Gaelic.

- "Highland Council's proposal to erect bilingual road signs within the Highlands has been rejected by the Scottish Executive" (363)

Bòrd na Gàidhlig shares the concern at the lack of progress with bilingual signage in the central highlands with particular reference to the A9. We recognise this is not a matter for local authority decision making and would urge the Scottish Executive to agree to extend bilingual signage on the A9 and other trunk roads.

## EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

### Comments from the Department of Culture, Media and Sport on the Second Report of the Committee of Experts on the UK's compliance with the Charter

November 2006

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#### **Article 11 Media**

##### Paragraph 368 (correction)

The Committee were informed that a dedicated Gaelic digital television service would be set up, not a channel. Also DCMS are only making a one off contribution to funding.

Therefore it should read:

The Committee of Experts has been informed that a Gaelic digital television service will be set up and in operation from 2007. This will be a collaborative venture between the BBC and the Gaelic Media Service (see also paras. 380-383 below).

##### Paragraph 370 (correction & clarification) It should read:

The Committee of Experts was informed during the on-the-spot visit by the BBC and the Gaelic Media Service (GMS) that the funding situation for the channel was still uncertain. Costs will be split between the Scottish Executive and most likely the BBC. DCMS would be making a one off contribution of £250k. The plan is to begin with at least 1 ½ hours of new programming and otherwise re-programming, which would amount to an estimated cost of £16.8 million.

##### Paragraph 372 (clarification)

Paragraph states that little progress has been made in terms of geographical fm radio coverage. The BBC have stated that, in line with the Committee of Ministers' recommendations, it has greatly increased FM coverage (there was a boost in 2002 and again in 2003).

##### Paragraph 373 (clarification)

The £8m quoted in paragraph 373 is not purely for radio. The Gaelic Media Service (GMS) received £8.5m in 2005-06, in 2006-07 they receive £8.7m of funding from the Scottish Executive, which they use to fund television and radio programming, as well as investing in training, audience research etc. Their recent annual report states that 1.2% (equates to less than £100k) is used by the GMS to commission radio programmes production.

##### Page 62 - Recommendation 4 (correction)

As above, the Committee were informed that a dedicated Gaelic digital television service would be set up, not a channel. Also DCMS are only making a one off contribution to funding.

Therefore it should read:

With regard to the first part of this recommendation, the Committee of Experts has been informed that a Gaelic digital television service is to be set up and in operation from 2007. This will be a collaborative venture between the BBC and the Gaelic Media Service. Costs will be split between the Scottish Executive and most likely the BBC. DCMS would be making a one off contribution of £250k. The plan is to begin with at least 1 ½ hours of new programming and otherwise re-programming, which would amount to an estimated cost of £16.8 million.

## EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

### Northern Ireland Department's comments on the Second Report of the Committee of Experts on the UK's compliance with the Charter

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#### ***Factual Points***

##### Paras 106 and 107:

The work being done by the Stranmillis Unit should be described as either 'programme' or 'project'.

##### Para 107:

Government does not prescribe the materials to be used by schools – they comprise a resource which can be utilised by all teachers. With the revised curriculum, professional flexibility is being handed back to teachers and it would be entirely inconsistent to move to prescription for any particular area (including Ulster Scots). Specialised training in use of these resources is therefore not appropriate.

##### Para 108:

The word 'materials' should be used in this paragraph, instead of 'curriculum', as it is more accurate.

##### Para 111:

There has not been any demand for such courses and making a provision in a specification that would meet the criteria for accrediting qualifications would be very difficult, given the lack of codification and standardisation of Ulster Scots.

##### Para 153:

The statement in the 2<sup>nd</sup> sentence is incorrect. The curriculum was revised to provide greater flexibility and to better prepare young people for life and work. The revised curriculum includes Citizenship and Cultural Heritage as key elements that run across the whole curriculum and these will provide pupils with opportunities to develop their understanding and respect for diversity in general, including linguistic diversity.

##### Para 414:

The Department of Education for Northern Ireland had never made any commitment to fund Iontaobhas na Gaelscolaíochta (InaG), so the remarks made by Pobal that it was to cease funding were incorrect. However, in October 2006, the Department has given a commitment in principle to provide InaG with additional funding to enable it to secure a matched contribution to support the development of Irish-medium education.

##### Para 415:

As part of the review of public administration, responsibility for front line support and related functions currently provided by Comhairle na Gaelscolaíochta (CncG) will transfer to the new Education and Skills Authority. The Irish-medium sector will be represented on the new Departmental advisory body, the Education Authority Forum.

##### Para 416:

The current school transport arrangements are designed to ensure that pupils attending Irish-Medium schools are treated no less favourably than pupils travelling to other schools.

##### Para 420:

The Department of Education does not fund the establishment of voluntary pre-school provision in any sector, but funds a pre-school place for children in their final pre-school year. Due to additional funding, all eligible Irish Medium voluntary providers that applied for pre-school Expansion Programme funding received funding on the same pre-child as all other settings. The number of children accessing pre-school through the medium of Irish continues to be larger than the P1 cohort in Irish Medium primary schools. A Strategic Review of Education is being undertaken to see how best to address the Department's duty to encourage and facilitate Irish-medium education.

Para 421:

All voluntary pre-school places receive exactly the same funding per child, whether they are Irish or English Medium.

Para 428:

All newly qualified teachers, including those employed in Irish-Medium primary schools are supported during the stages of induction and early professional development (i.e. during the first 3 years of their careers). The Teacher Education Partnership handbook provides guidance on the roles and responsibilities of all the partners (Education and Library Boards, Higher Education Institutions, schools and the teachers themselves) during these stages. Irish-Medium education is supported by dedicated officers within both the Council for the Curriculum, Examinations and Assessment (CCEA) and the Curriculum Advisory and Support Services of the Education and Library Boards. CCEA includes a small team of translators based in St Mary's College, Belfast which has responsibility for the provision of teaching materials for the Irish-Medium sector. It has a team of editors and translators, who create, adapt and translate texts for use in Irish-Medium schools. Since 2000 the Department of Education has funded and published a number of research projects to inform policy and guide practice in the Irish-Medium sector.

The curriculum was revised to provide greater flexibility and to better prepare young people for life and work. The revised curriculum includes Citizenship and Cultural Heritage as key elements that run across the whole curriculum and these will provide pupils with opportunities to develop their understanding and respect of Irish and Ulster Scots and respect for diversity in general, including linguistic diversity.

All schools in Northern Ireland, including those in the Irish Medium (IM) sector, are required to follow statutory guidance contained in the Code of Practice on the Identification and Assessment of Special Educational Needs and the more recent Supplement to the Code. Equally, the Education and Library Boards have a statutory duty to identify and make provision for those children with special educational needs, for whom they are responsible, despite the grant aided setting in which the child is placed.

Paras 436 and 437:

The comments in these paragraphs do not accurately reflect the position with regard to the Jobskills Irish language pilot. Between 2001 and 2005/06 academic years, the Department for Employment and Learning funded the pilot Jobskills-based Irish language vocational training programme, delivered in partnership between Belfast Institute of Further and Higher Education and Forbairt Feirste. This programme aimed to address the training needs of pupils leaving Irish medium secondary schools at the age of 16. In conjunction with advice received from the Education and Training Inspectorate (ETI), and following discussions with the two delivery partners, the Department decided to mainstream the provision as a Further Education (FE) course with effect from September 2006. Outstanding concerns about communications with the relevant organisations have, to the best of this Department's knowledge, now been satisfactorily resolved.

Irish Medium Training Programme (Forbairt Feirste)

Year	Participants
2001/2002	12
2002/2003	18
2003/2004	21
2004/2005	12
2005/2006	14
2006/2007	15

Para 439:

Government would consider that this paragraph is not an evaluation of a current policy, but comments on future policy proposals. However, the Department of Education in Northern Ireland has commented as follows:

***Irish Medium schools and the Entitlement Framework***

There are wide variations in the number and range of courses provided by schools and one key focus of the current reforms is to ensure that all pupils should have the same right to choose from a wider range of applied and general courses. The Entitlement Framework will require all schools to provide access to a minimum of 24 courses at Key Stage 4 and a minimum of 27 courses at post-16. At least one third of these courses must be general (academic) and at least one third applied (vocational). The Department recognises

that there will be particular challenges for Irish-Medium schools but that is no reason why their pupils should be denied the course choice available to others.

It is unlikely that many schools (in any sector) will be able to provide access to the Entitlement Framework on their own; schools will need to develop arrangements to cooperate and collaborate with other schools and with the Further Education sector. These arrangements will be developed locally to respond to local needs and circumstances and they will be flexible to respond to changing needs.

*The Department has allocated resources to CnaG (as well as to the Education and Library Boards, CCMS and NICIE) to enable them to employ additional staff to support and facilitate schools in their sector to begin to develop collaborative arrangements and generally to support work by schools to prepare for the implementation of new post-primary arrangements. DE (in association with DEL) is also making additional funding available to enable schools and FE colleges to explore innovative methods of course delivery.*

Para 442:

Additional information requested by the Committee regarding the number of pupils taking advantage of the Irish-Medium courses on offer, is as follows:

**Higher Education**

<b>Academic Year</b>	<b>Total Enrolments on Celtic Courses (defined by the HESA Celtic Studies Group)</b>	<b>Of which relate to Celtic Studies Courses</b>	<b>Of which are on Irish Gaelic Courses</b>	<b>Of which are on Irish Gaelic Literature courses</b>
2003/2004	506	85	349	72
2004/2005	496	76	343	77

Some portions of Irish language courses may be taught in the medium of Irish but details of these are not currently held.

In addition the following relates to initial teacher training (ITE) courses with an element of Celtic/Irish studies.

**Initial Teacher Training with Celtic/Irish studies**

<b>Academic Year</b>	<b>B Ed Celtic Courses</b>	<b>PGCE Irish Medium (Primary) courses</b>	<b>Total enrolments</b>
2003/2004	43	16	59
2004/2005	43	20	63

Again information is not to hand on whether the courses are delivered in the medium of Irish.

From 2002/03, a procedure of apportionment is used to allocate students to specific subject areas, by dividing each headcount in a way that reflects the pattern of a split programme e.g. someone studying Irish and French will be split between both subject areas in a proportion determined by the institution. The numbers quoted above therefore relate to a full-person equivalent count.

**Further Education – Statutory Provision**

<b>Enrolments in Irish Language Courses</b>	<b>Vocational level</b>	<b>Non Vocational level</b>	<b>Total</b>
2003/2004	160	168	328
2004/2005	506	216	722

**Further Education – non statutory** (not funded by Department for Employment and Learning)

<b>Enrolments in Irish Language Courses</b>	<b>Ulster Peoples College</b>	<b>Workers Education Association</b>	<b>Total</b>
2002/2003	24	38	62
2003/2004	6	26	32
2004/2005	9	24	33

Information is not readily available as to whether any of these courses have been delivered via the medium of Irish.

Paras 447 and 448:

Government would disagree with the comments made by the Council for Irish-Medium Education, in the 2<sup>nd</sup> sentence of para 447. The Department of Education in Northern Ireland is actively engaged with other bodies (including the Council) in taking forward a proposal for the development of Irish Medium post primary Initial Teacher Education.

Paras 474 and 475:

Government is not aware of any other problems in this area, and is satisfied that its IT systems can accommodate diacritic marks.

**Findings (3.2)**

M (Page 65)

The word 'materials' should be used instead of 'curriculum' as it is more accurate.

P (Page 65)

The Department of Education in Northern Ireland suggest that the reference to the curriculum position on respect for specifically linguistic diversity should not only apply to the National Curriculum (which covers only England). In Northern Ireland local and global citizenship strands includes Diversity and Inclusion, where pupils should develop respect for others, look at influences such as culture and community background and ways in which identity is expressed e.g. through language.

## EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

### Cornish Language Comments on the Second Report of the Committee of Experts on the UK's compliance with the Charter

November 2006

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#### 1. Cornish

##### Paragraph 46 (factual correction):

Cornwall is represented on the voluntary South West Regional Assembly which makes recommendations to the UK Government on regional land use and transport planning and regional funding priorities for economic development, housing and transport investment. The Department for Communities and Local Government (DCLG) in England has no plans to revive earlier proposals, referred to by the Committee, for regional referendums to be held on a move towards elected regional assemblies where there was a demand. The DCLG issued a Local Government White Paper in October 2006 and has invited local authorities to submit proposals for restructuring or improved two-tier working in a small number of county areas. It remains the case that this would not have a negative effect on the Cornish language.

##### Paragraph 56 (factual correction)

The first sentence is inaccurate. The UK Government's report sets out, at pages 29-30, how the Strategy was commissioned and prepared.

#### 2. Additional Comments

##### Paragraph 151 (clarification)

The Department for Education & Skills is responsible for education policy only within England. The devolved administrations in the rest of the UK have their own responsibilities for education. The Languages Ladder is the national recognition scheme for language learning in England. It is one of the main strands of the National Languages Strategy for England. The Ladder, and the associated Asset Languages qualifications, are designed to endorse language competence in a wide range of languages (currently 21) for learners in schools, colleges or for native speakers wishing to demonstrate their level of language. Secondary schools must offer an official EU language in key stage 3 and, in addition, can offer any other language. In key stage 4, the school may only offer courses which lead to accredited qualifications so it would not be possible to offer a course in some languages.

## EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

### Isle of Man's comments on the Second Report of the Committee of Experts on the UK's compliance with the Charter

November 2006

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#### 1. Summary

Overall the Isle of Man Government is pleased with the Committee's report in respect of Manx Gaelic. The only comments received have been quite minor and are set out below.

#### 2. Detail

- With regard to the second report in Part II Evaluation, para 124 Manx is proposed as an option to German, not French.

- In Part II, para 126, the people who have taken the "A" level equivalent are for the most part adults. There has been one school pupil who has taken it, and three are currently studying for it.

- Para 127, not aware of there being any formal plans to create a Manx-medium secondary school although the subject may well need addressing in the future.

- Para 129, the six primary teachers will be following a twenty week training course, and we hope that we may be able to train more teachers in the next academic year.