

Using the repository

1. Brief Overview

This repository holds language policy documents concerning both the United Kingdom (UK) as a whole and its constituent jurisdictions (England, Northern Ireland, Scotland and Wales). Whilst the emphasis is particularly on legislation, documents from a range of other bodies which make recommendations for policy or to policymakers are also included. Most documents in the repository are available in PDF format. Clicking on the title of the document will open the PDF in a new tab. This means that if the original online location of the document is no longer available, most documents will still be accessible. Documents which are not available elsewhere online or in PDF form are marked with an asterisk at the end of the document title (see section 4).

In what follows we outline what has and has not been included in the repository and give information about how the repository is organized so as to facilitate its use.

2. Legislation

As far as possible, all primary and secondary legislation from the UK and the devolved administrations relating to language policy interpreted in a broad sense is included in the repository. All of this was collected from the [legislation.gov.uk](https://www.legislation.gov.uk) website, a legislation database run by the National Archives on behalf of the UK government. The scope of their collection is as follows:

- All primary legislation from 1988 to present, and most pre-1988 primary legislation
- All secondary legislation from 1987 to present, a selection of secondary legislation from 1948-1986, and selected pre-1949 Statutory Rules and Orders

More information on what is/is not available via the legislation.gov website can be found here: <https://www.legislation.gov.uk/understanding-legislation#Whatlegislationisheldonlegislationgovuk>.

Whilst the government database holds legislation in its original form (as enacted) and in its most recent form (revised), the repository contains only the original forms of the legislation (the revised forms can be easily located on the website). Conversely, legislation containing amendments to the original legislation have been included allowing changes to legislation to be traced. Draft legislation, bills and commencement orders have not been included on the repository, but can, again, be found on the government website.

2.1 Devolution

Since 1998, certain powers in Northern Ireland, Scotland and Wales have been devolved from the UK government. Distinct parliaments and governments have been created in each of the devolved nations: the Northern Ireland Assembly and Northern Ireland Executive; Scottish parliament and Scottish government; and Senedd Cymru (Welsh parliament, formerly National Assembly for Wales) and Welsh government.

The legislative frameworks which brought about the devolution of power in Northern Ireland, Scotland and Wales were first set out in the following legislation:

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- Northern Ireland Act 1998
<https://www.legislation.gov.uk/ukpga/1998/47/enacted/data.pdf>
- Scotland Act 1998
<https://www.legislation.gov.uk/ukpga/1998/46/enacted/data.pdf>
- Government of Wales Act 1998
<https://www.legislation.gov.uk/ukpga/1998/38/enacted/data.pdf>

Not all powers are devolved, however; the table below summarises the policy areas which have been devolved and those which have been reserved (i.e. are still managed by the UK government) for each of the administrations.

Policy Area	Scotland	Wales	Northern Ireland
Health and social care	D	D	D
Education and training	D	D	D
Local Government	D	D	D
Agriculture, forestry and fisheries	D	D	D
Transport	D	D	D
Some taxation	D	D	D
Justice and Policing	D	R	D
Some social security elements	D	R	D
Sports and the arts	D	D	D
Defence			
Foreign Affairs			
Immigration		R	
Trade Policy			
Constitution			
Broadcasting (NI may legislate with SoS consent)			

Source:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/770709/DevolutionFactsheet.pdf

2.2 Educational policy in the four UK jurisdictions

Education and training have been devolved in Scotland, Wales and Northern Ireland since 1998, however, educational policy has been handled separately, to differing degrees, since before devolution. To give a very brief overview, in Scotland, education has been managed separately from the rest of the UK since 1707 (see the following Acts: [Union with Scotland Act 1707](#); [Union with England Act 1707](#)). Education in Northern Ireland developed separately from England and Wales in this period. In 1920, the [Government of Ireland Act \(1920\)](#) established two self-governing territories of Southern Ireland and Northern Ireland. Northern Ireland's Ministry of Education was set up the following year, in 1921, and took control of all forms of public education except universities. Since devolution, education has been a matter of the Northern Ireland Assembly. Welsh education has been almost exclusively organised by the Welsh Government since devolution in 1998. In the period covered by the repository (1918-now), Wales has slowly taken increasing control over parts of its education system. A Welsh Department to the Board of Education (now the UK government's Department for Education) was created in 1907 and over time gained increasing autonomy over the Welsh education system until devolution.

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2.3 Types of legislation

The following list is restricted to the types of legislation found in the repository. More information about legislation types and a fuller list of types can be found [here](#). In the repository, legislation is listed by its full title and the 'author' is listed as the legislation type.

2.3.1 Primary legislation

Primary legislation describes the main laws passed by UK legislative bodies. The following forms of primary legislation are found in the repository:

- UK Public General Acts
- Acts of the National Assembly for Wales (until May 2020)
- Acts of Senedd Cymru (May 2020-present)
- Acts of the Scottish Parliament
- Acts of the Northern Ireland Assembly
- Acts of the Northern Ireland Parliament (1921-1972)
- Measures of the National Assembly for Wales – Welsh primary legislation which is one step down from an Act. Only 22 such measures are listed on the legislation.gov website.
- Northern Ireland Orders in Council (1972-present) – a form of Statutory Instrument which is usually secondary legislation, but can be primary.

2.3.2 Secondary legislation

- UK Statutory Instruments
- Wales Statutory Instruments
- Scottish Statutory Instruments
- Northern Ireland Statutory Rules – the main form of secondary legislation in NI. The equivalent to statutory instruments in rest of UK.

Welsh legislation is usually produced in English and in Welsh. On the main body of the repository, the English-language version of legislation has been uploaded; Welsh-language versions, where available, can be found in a PDF list on the Language Policy Wales page of the repository.

2.4 Citation of legislation

2.4.1 Primary legislation

Acts of parliament are split into three types: public general acts, local acts (acts of local of limited application) and personal acts (acts which apply to individuals). There are no personal acts in the repository. Every Act is given a chapter number and is numbered sequentially, restarting from Chapter 1 each calendar year.

Acts passed in the devolved nation are numbered in the same way but are not called Chapters:

Acts of the Scottish Parliament (since 1999) – 'asp *n*'

Measures of the National Assembly for Wales (2003-2011) – 'nawm *n*'

Acts of the National Assembly for Wales (2012-2020) – 'anaw *n*'

Acts of the Senedd Cymru (2020-) – 'asc *n*'

In Northern Ireland (1921-1972), acts passed by the Parliament of Northern Ireland were known as Acts of Parliament and numbered as follows: 'Chapter *n* (N.I)'. Since 1999, Acts of the Northern Ireland Assembly are numbered by chapter number.

2.4.2 Secondary legislation

In the UK, secondary legislation is numbered as Statutory Instruments (SI). The numbering is sequential and restarts at 1 each calendar year.

There are a number of additional numbering systems which relate to the scope of the SI or a specific sub-series. Listed below are those which can be found in the repository:

- (S *n*): Scottish series: instruments made in Westminster which apply to Scotland only. These are not the same as Scottish statutory instruments which are made by the devolved Scottish Government.
- (NI *n*): Northern Ireland series: Orders in Council made by the United Kingdom Government under its "direct rule" powers (delegated legislation made by Northern Ireland Departments is made by Statutory Rules).
- (W *n*): National Assembly for Wales series: statutory instruments made by the National Assembly for Wales and applying to Wales only. Welsh language versions are numbered (Cy *n*).

In these instances, the SIs are numbered twice. Firstly with a UK SI number and secondly with one of the above additional numbering systems, e.g. The National Health Service (General medical services contracts) (Wales) Regulations 2004 is numbered as follows: No. 478 W. 48.

Secondary legislation made by devolved governments is labelled and numbered as follows:

- Northern Ireland – Statutory Rules of Northern Ireland (previously ‘Statutory Rules and Orders (Northern Ireland)’) are numbered sequentially, restarting at 1 each calendar year.
- Scotland – Scottish Statutory Instrument (SSI). SSIs are numbered sequentially and the numbering restarts at 1 each year. SSIs includes Acts of Sederunt and Acts of Adjournal.
- Wales – Wales Statutory Instrument. These are numbered twice: as part of the UK SIs and in a separate Welsh series (‘W. *n*’ in English; ‘Cy.*n*’ in Welsh).

3. Limits on what is included in the repository

3.1 Chronological scope of the repository

The repository contains language policy documents from 1918 to the present. The date of 1918 was selected as the starting point because of its significance to the educational system in England and Wales (the systems in Scotland and Ireland were already distinct, to differing degrees, at this time – see Section 2.2).

Following a series of education Acts that made school attendance compulsory between the ages of five and ten (1880), then up to the ages of eleven (1893) and twelve (1899), the [1918 Education Act](#) raised the school leaving age to fourteen, and abolished elementary school fees, thus creating a school system which is broadly recognisable as the modern system in England and Wales. The year 1918 is also significant as the year of the publication of the Leathes Report, a government commissioned report into the position of modern languages in the British educational system.

The collection of the policy documents for the repository was completed in July 2021 and, whilst the repository will be updated from time to time with new documents, coverage post July 2021 may not be comprehensive at the time of consultation.

3.2 Geographical scope

3.2.1 Europe

The repository does not hold an exhaustive list of European language policy. The scope of European documents is limited to the key framework documents within which UK language policy sits. For those interested in locating additional European language policy documents, we recommend the following:

Council of Europe: <https://edoc.coe.int/en/>

European Commission: https://ec.europa.eu/info/index_en

European Parliament: <https://www.europarl.europa.eu/portal/en>

Publications Office of the European Union: <https://op.europa.eu/en/home>

3.2.2 Regional policy

Language policy documents and legislation whose remit is limited to one local area or region has not been included in the repository, e.g. The Greater London Authority Elections (Amendment) Rules 2004 (https://www.legislation.gov.uk/ukxi/2004/227/pdfs/ukxi_20040227_en.pdf?text=language). A small amount of legislation that concerns Guernsey and the Isle of Man exclusively has been categorised in the UK section of the repository. Whilst these self-governing islands are not part of the UK, the legislation originates from the UK parliament and, as such, has been categorised in that part of the repository. There are just four examples of such legislation on the main repository (further examples can be found in the themed list section): The Community Radio (Guernsey) Order 2012; The Community Radio (Guernsey) Order 2013; The Registered Designs and Trade Marks (Isle of Man) (Amendment) (EU Exit) Order 2019; and The Immigration (Isle of Man) Order 2008.

3.3 Non-legislative language policy

Whilst we have aimed to be as comprehensive as possible in our inclusion of legislation relating to language, in the case of reports we have only included those which make clear recommendations to policy makers. In cases where (non-legislative) reports exist in multiple forms (e.g. full report, executive summary, abridged versions), only the fullest version of the document has been included. Similarly excluded are annual reports, updates on the progress of projects or implementation of policy decisions and technical documents which set out the methodological approach taken. Two sets of annual surveys, however, have been included (with every year of the survey included even if the space devoted to languages in certain years is minimal). These are the Language Trends surveys (for England, Northern Ireland and Wales; one Language Trends survey for Scotland has been published and is included) and the CBI Education and Skills surveys (CBI has collaborated with different partners over the years, Birkbeck (2021), Pearson (2012-2019), EDI (2010-2011), Nord Anglia Education Ltd (2009), and Edexcel (2008)).

4. Organisation of the repository

Language policy documents are first split by the nation(s) to which the policy applies (UK, England, Northern Ireland, Scotland, Wales). Documents are then split by domain(s) and, where relevant, by the type(s) of language discussed (see table below). The domains broadly correspond to UK government departments and their remits, although these of course change over time. Language

policy documents which concern more than one of the devolved administrations and/or relate to more than one domain or language type (e.g. discuss both indigenous languages and modern languages) are included in each of the relevant areas. The result of this categorisation is that certain documents are listed for multiple nations, multiple domains and multiple language types, so that anyone searching a particular category will find a comprehensive list there.

Domain	Language type
Business, Energy and Industry	Community Languages
Digital and Media	Indigenous Languages
Education and Child Protection (excl. MFL)	Modern (Foreign) Languages Educational Policy
Environment, Food and Rural Affairs	
Finance	
General/Cross Government	
Health and Social Care	
Justice and Crime	
Nationality, Citizenship and Registration	
Transport	
Other Areas	

Policy documents which relate to the teaching of English as an Additional Language (EAL) and English for Speakers of Other Languages (ESOL) are listed in the Education and Child Protection category. This category also contains legislation from Education departments which makes provisions for community and indigenous languages, as well as legislation related to child protection. The Education and Child Protection category does not include legislation or other policy documents which concern the teaching of modern (foreign) languages. These have been placed in a separate Modern (Foreign) Languages Educational Policy section on account of their volume and potential interest to users of this repository.

Language policy documents concerning signed languages (notably British Sign Language and Irish Sign Language) can be found in the Indigenous Languages section of the repository. The UK government recognised BSL as an indigenous language of the UK in 2003, and BSL and ISL were formally recognised as ‘languages in their own right’ in Northern Ireland in 2004. See the British Deaf Association’s [Charter for British Sign Language](#) for more information.

Documents are presented in reverse chronological order (i.e. from the most recent to earliest). For each year, primary legislation is listed first (in reverse chronological order by Chapter number – see section 2.4), followed by secondary legislation (in reverse chronological order by legislation number), and finally by all other documents (in alphabetical order by first author surname).

Not all documents included on the repository are available in PDF or online in any format. Where PDFs are not available, the policy document’s title has been marked with an asterisk. Where online versions of documents are not available, the URL listed will open the Library Hub Discover webpage – a database which shows the availability of publications in over 100 UK and Irish academic, national and special library collections. For users outside of the UK and Ireland, WorldCat (<https://www.worldcat.org/>) shows the availability of publications outside of the UK. Its coverage of libraries in the UK and Ireland is incomplete at times and so has not been used in the repository.

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5. Additional themed legislation lists

The Additional Themed Legislation Lists section of the website can be found under the Language Policy Documents drop down menu. These lists include legislation which refers to linguistic issues, such as communication difficulties or the use of ordinary or offensive language, but which falls outside the scope of the main categories. Other legislation included in the lists relates to international agreements and legislation applying to overseas territories. The themes are as follows:

- **Comprehension and communication difficulties**
This legislation stipulates the conditions under which a person is taken to have comprehension and/or communication difficulties and/or outlines measures to be taken in the case of comprehension and/or communication difficulties.
- **English only stipulation**
Legislation which states that documents and/or information are to be given in English. Whilst the use of other languages is not explicitly ruled out, the use of English is explicitly stipulated and no other language possibilities are mentioned, nor is the possibility of producing a document in translation asserted. There are no other mentions of language(s) in this legislation.
- **International agreements**
This legislation either sets out international agreements between the UK nations and other countries, or it enacts changes which are necessary following an international agreement. The language element of this legislation primarily concerns either the translation of documents or, in the case where conventions, for instance, are produced in multiple languages, establishes the authenticity of each language version, e.g. the French and the English text are equally authentic.
- **Knowledge of English**
This legislation specifies the need for certain people to have a knowledge of English. In some cases, the level needed is explicitly listed, e.g. 'to GCSE level', but not always.
- **Legislation applying to overseas territories**
This legislation applies to former and current British overseas territories. For the most part, this list contains independence and constitution Orders. The language aspect differs across the listed legislation; however, many pieces of legislation stipulate that a person must not be discriminated against based on the language they speak and make provision for people who have been arrested or detained to communicate in a language which they understand.
- **Nomenclature**
The legislation in this list does one of two main things: officially establishes a name in an indigenous language (e.g. of a public body or a police authority) or prescribes a form or a form of words in an indigenous language. A final section in this list contains legislation which makes provision for the use of titles resulting from qualifications completed outside of the UK.
- **Offensive language**
This list contains legislation which specifies that a person must not use language which is

offensive or abusive, in some cases classifying this as an offence.

- Ordinary language
Legislation in this list prescribes that the language used must be easy to understand. This type of language is described in various ways including: ordinary language; non-technical language; plain language; and simple language.
- UK relations with specific nations
This legislation sets out specific relations between the UK and/or the devolved nations and other nations. This legislation primarily concerns financial relations, but is not limited to this area. The language aspect of this legislation is varied.

Within each list, legislation is sorted by nation and then by the topic of the legislation (e.g. Justice or Transport) to allow for ease of browsing. PDFs of the legislation are not available in this section, but all the primary and secondary legislation listed is available via the given URL from [Legislation.gov.uk](https://www.legislation.gov.uk). As in the main section of the repository, all legislation dates from 1918 onwards.

6. Reproduction of material

Primary and secondary legislation, reports published by the governments of the UK, Northern Ireland, Scotland and Wales, and Ofsted reports are licensed under the Open Government Licence v3.0.' <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>. Further information about the Open Government Licence is available here: <http://nationalarchives.gov.uk/documents/information-management/ogl-user-guidance.pdf>

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