

# **HIGHER EDUCATION (WALES) ACT 2015**

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## **EXPLANATORY NOTES**

### **SUMMARY OF THE ACT**

9. The Act has eight Parts comprising 60 sections and one Schedule.
- It allows an institution in Wales which provides higher education and which is a charity to apply to HEFCW for approval of a fee and access plan. The Act deals with the contents of a fee and access plan including a fee limit for courses which are to be prescribed in regulations.
  - It requires HEFCW to monitor institutions' compliance with their fee and access plans and to monitor the effectiveness of plans. The Act also confers functions upon HEFCW which they may exercise where they are satisfied that a regulated institution has failed to comply with a fee limit in its fee and access plan or has failed to comply with a general requirement in its plan.
  - It confers functions upon HEFCW relating to the assessment of the quality of education provided in Wales by or on behalf of a regulated institution and in relation to the steps that HEFCW may take if they are satisfied that the quality of education is inadequate or likely to become inadequate.
  - It requires HEFCW to prepare and publish a financial management Code which will apply to regulated institutions. The Act requires HEFCW to monitor, or make arrangements for the monitoring of, institutions' compliance with the requirements of the Code. The Act also confers functions upon HEFCW which they may exercise where they are satisfied that a regulated institution has failed, or is likely to fail, to comply with a requirement of the Code.
  - It makes provision for the circumstances in which HEFCW may refuse to approve a new fee and access plan for an institution and the circumstances in which HEFCW must, or may, withdraw their approval of a fee and access plan.
  - It makes provision for the procedures to be followed by HEFCW in relation to the steps that they may take in respect of regulated institutions, including the giving of warning notices and the ability of institutions to apply for reviews.
  - It confers functions on HEFCW in relation to the provision of reports to the Welsh Ministers and the provision of information and advice by HEFCW.
  - It makes consequential amendments to other Acts, including the Further and Higher Education Act 1992 and the Higher Education Act 2004.