



Tertiary Education and Research (Wales) Act 2022

2022 asc 1

PART 3

SECURING AND FUNDING TERTIARY EDUCATION AND RESEARCH

PROSPECTIVE

Terms and conditions: quality, governance etc., welfare and equal opportunities

108 Financial support under sections 89, 97 and 104: further provision about terms and conditions

- (1) When determining the terms and conditions to be imposed in relation to financial resources provided under section 89(3), 97(1)(a) or (b) or 104(1)(a) to a provider who is not a registered provider, the Commission must consider whether to impose terms and conditions relating to—
- (a) the quality of the relevant education provided by or on behalf of the provider;
 - (b) the effectiveness of the governance and management of the provider (including its financial management);
 - (c) the financial sustainability of the provider;
 - (d) the effectiveness of the provider's arrangements for supporting and promoting the welfare of its students and staff;
 - (e) the delivery of measurable outcomes to further each of the aims in subsection (2).
- (2) The aims are—
- (a) increasing participation in relevant education provided by or on behalf of the provider by persons who are members of under-represented groups;

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Tertiary Education and Research (Wales) Act 2022, Cross Heading: Terms and conditions: quality, governance etc., welfare and equal opportunities. (See end of Document for details)

- (b) retention of students who are members of under-represented groups to the end of courses of relevant education provided by or on behalf of the provider;
- (c) reduction of any gaps of attainment in relevant education provided by or on behalf of the provider between different groups of students specified in the terms and conditions where the differences arise from social, cultural, economic or organisational factors;
- (d) provision of support for students finishing courses of relevant education provided by or on behalf of the provider who are members of under-represented groups to continue their tertiary education, find employment or start a business.

(3) In this section—

“relevant education” (“*addysg berthnasol*”) means—

- (a) where financial resources are provided under section 89(3)(a) or (b), the eligible course (within the meaning given by section 89(1)) in respect of which the resources are provided;
- (b) where financial resources are provided under section 97(1)(a) or (b), the further education or training in respect of which the resources are provided;
- (c) where financial resources are provided under section 104(1)(a), the approved Welsh apprenticeship (within the meaning given by section 111) in respect of which the resources are provided;

“under-represented groups” (“*grwpiau sydd heb gynrychiolaeth ddigonol*”) are groups specified in the terms and conditions that are under-represented in relevant education as a result of social, cultural, economic or organisational factors.

Commencement Information

II S. 108 not in force at Royal Assent, see [s. 148\(2\)](#)

Status:

This version of this cross heading contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Tertiary Education and Research (Wales) Act 2022, Cross Heading: Terms and conditions: quality, governance etc., welfare and equal opportunities.