

# HIGHER EDUCATION (WALES) ACT 2015

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS OF THE ACT

#### **Part 3 – Quality of Education**

##### *Section 17 – Assessment of quality of education*

48. This section requires HEFCW to assess or make arrangements to assess the quality of education in Wales provided by and on behalf of regulated institutions. (For this purpose, education in Wales includes education provided outside Wales, if the education forms part of a course that is provided principally in Wales.)
49. Currently HEFCW may arrange for other bodies to undertake assessments of institutions it funds on matters relating to the quality of education. This includes arrangements that HEFCW makes with the Quality Assurance Agency for Higher Education (QAA) and Estyn (in respect of teacher training). This section will permit HEFCW to make similar arrangements with the QAA, Estyn or other bodies to assess the quality of education provided by and on behalf of regulated institutions.
50. This section also defines “external provider” for the purpose of the Act. It also enables the Welsh Ministers to prescribe by way of regulations the circumstances in which a person is or is not to be treated as being responsible for providing a course of education on behalf of a regulated institution. It also provides that a course is not to be classified as being provided on behalf of a regulated institution if the arrangements under which it is provided were made before the section comes into force.
51. An “external provider” is likely to be another institution or provider which delivers all or part of a course on behalf of a regulated institution under franchise arrangements.
52. It is likely that regulations will provide that individual lecturers or tutors will not be treated as being responsible for providing a course of education on behalf of a regulated institution.
53. Guidance issued or approved by HEFCW under section 24 may include criteria to be applied by a person assessing the quality of education.