

HIGHER EDUCATION (WALES) ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS OF THE ACT

Part 3 – Quality of Education

Sections 18 to 20 – Education of inadequate quality

54. [Section 18](#) sets out the meaning of inadequate quality.
55. HEFCW may issue or approve guidance about factors that they may take into account when determining whether quality of education is inadequate (see [section 24](#)).
56. [Section 19](#) provides for HEFCW to give directions to the governing body in the case of inadequate quality.
57. A direction may require a governing body to take steps (or not take steps) to improve the quality of education or of a course, or to prevent the quality of education or a course from becoming inadequate. For example, a direction might include a requirement to:
 - improve aspects of an institution’s quality assurance procedures; or
 - address deficiencies in the academic standards of degrees.
58. A direction might also require improvements to the quality of education provided on behalf of a regulated institution by partner institutions under franchise agreements.
59. The warning notice and review procedures in [sections 41 to 44](#) apply to directions under [section 19](#).
60. [Section 20](#) permits HEFCW, in the case of inadequate quality, to give advice or assistance to the governing body of a regulated institution or to carry out or arrange a review of an institution. This will permit HEFCW to provide support to regulated institutions in a similar way to the support they provide to institutions that they currently fund.
61. Advice and assistance given by HEFCW is to be with a view to improve the quality of education or a course of education; or to prevent the quality of the education or course of education from becoming inadequate.
62. It is anticipated that HEFCW might use this power to arrange for a support team to assist an institution to improve the quality of education; for example a team consisting of peer reviewers or management specialists. Alternatively HEFCW might arrange for a targeted review of a particular institution, for example to identify whether there are wider operational issues contributing to inadequate quality.