

# HIGHER EDUCATION (WALES) ACT 2015

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS OF THE ACT

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

##### ***Section 21 – Quality assessment etc: duty to co-operate***

63. This section requires governing bodies of regulated institutions and external providers (see section 17 for the definition of “external provider”) to co-operate with persons exercising functions under section 17 (assessment of quality of education) and section 20 (advice, assistance and reviews in cases of inadequate quality).
64. The duty to co-operate requires governing bodies to ensure the provision of information, assistance and access to facilities required by a person for the purposes of those functions.
65. HEFCW may give a direction to a governing body if HEFCW are satisfied that a governing body has failed to comply with its duty to co-operate. The direction may require a governing body to take, or not take, steps to secure the provision of information, assistance or access to facilities. A direction given under this section is not subject to the warning notice and review procedures set out in sections 41 to 44.