

HIGHER EDUCATION (WALES) ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS OF THE ACT

Part 3 – Quality of Education

Section 22 – Quality assessment etc: powers of entry and inspection

66. **Section 22** provides for a right of entry and inspection for the purpose of exercising functions under sections 17 (assessment of quality of education) or 20(2) (review of matters relating to the quality of education).
67. A person authorised in writing by HEFCW may enter the premises of a regulated institution or external provider and may inspect, copy or take away documents found on the premises.
68. The power of entry and inspection may only be exercised after giving the governing body reasonable notice except in cases of urgency or where giving notice would defeat the object of exercising the power of entry or inspection. Entry without notice might be appropriate where HEFCW consider that relevant documents are likely to be removed from the institution's premises or destroyed if notice is given.
69. The power of entry and inspection may only be exercised at reasonable times and does not include a power to enter a dwelling (such as student or staff accommodation) without the agreement of the occupier.
70. Before exercising a power under this section a person must produce a copy of their authorisation from HEFCW if required to do so.