

VIOLENCE AGAINST WOMEN, DOMESTIC ABUSE AND SEXUAL VIOLENCE (WALES) ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 10 – Guidance to further and higher education institutions

18. This section enables the Welsh Ministers to issue guidance to the governing bodies of institutions in Wales within the further education sector on how they may contribute to the purpose of the Act. An institution is within the further education sector if it is conducted by a further education corporation, is an institution designated under section 28 of the Further and Higher Education Act 1992 (“the 1992 Act”) or is a sixth form college.
19. The section also enables the Higher Education Funding Council for Wales (“HEFCW”) to issue guidance to the governing bodies of institutions in Wales within the higher education sector on how the bodies may contribute to the pursuit of the purpose of the Act. An institution is within the higher education sector if it is a university receiving financial support under section 65 of the 1992 Act, an institution conducted by a higher education corporation or is an institution in relation to which a designation made, or having effect as if made, under section 129 of the Education Reform Act 1988 has effect (as defined in section 72(3) of the 1992 Act).
20. The governing bodies of institutions in Wales within the further and higher education sector in Wales must have regard to guidance issued to them under this section. An institution is “in Wales” if its activities are carried on wholly or principally in Wales. The section would not be applicable, for example, to an institution delivering a particular course of education in Wales if the activities of the institution were principally carried out in England.
21. Subsection (3) imposes limits relevant to the content of the guidance that may be issued by the Welsh Ministers and HEFCW under this section. The guidance may not be directed at a particular institution or relate to the matters listed in (b) to (d).