



Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015

2015 anaw 3

Education

10 Guidance to further and higher education institutions

- (1) The Welsh Ministers may issue guidance to the governing bodies of institutions in Wales within the further education sector on how the bodies may contribute to the pursuit of the purpose of this Act.
- (2) The Higher Education Funding Council for Wales (“HEFCW”) may 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 this Act.
- (3) But the Welsh Ministers and HEFCW may not issue guidance under this section—
 - (a) which is directed at a particular institution,
 - (b) in respect of courses or programmes of research (including the contents of such courses or programmes or the manner in which they are taught, supervised or assessed),
 - (c) in respect of the criteria for admission of students, or
 - (d) in respect of the criteria for the selection and appointment of academic staff.
- (4) A governing body to which guidance is issued under this section must have regard to it.
- (5) Before issuing guidance under this section the Welsh Ministers and HEFCW must consult such persons as they consider appropriate.
- (6) Guidance issued under this section must be published.
- (7) For the purposes of this section, an institution—
 - (a) is in Wales if its activities are carried on wholly or principally in Wales,
 - (b) is within the further education sector if it falls within section 91(3) of the [Further and Higher Education Act 1992 \(c.13\)](#) (“the 1992 Act”), and

- (c) is within the higher education sector if it falls within section 91(5) of the 1992 Act.
- (8) Until 31 August 2017, “institution within the higher education sector” also includes a university which is treated as being a regulated institution for the purpose of the transitional provision made by Part 2 of the Schedule to the [Higher Education \(Wales\) Act 2015 \(anaw 1\)](#).
- (9) In this section “governing body” has the meaning given by section 90 of the 1992 Act.