

Cylchlythyr | Circular

Revised guidance on good practice in funding of effective, democratic student unions, and student representation

Date: 29 January 2014
Reference: W14/06HE
To: Heads of higher education institutions in Wales
Principals of directly-funded further education colleges in Wales
Principals of further education institutions in Wales offering franchise higher education provision
Chairs of governors of higher education institutions and directly-funded further education colleges in Wales
Presidents of Student Unions
Response by: No response required; actions to be implemented by 1 August 2014
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This circular provides revised guidance on the funding of effective, democratic student unions (SUs), and student representation, and replaces and replaces circular W12/09HE. It includes principles which should underpin the funding of SUs, principles which should underpin the relationship agreement between the SU and the institution; and a common set of core functions which all SUs should provide. Revisions were made in response to the work described in [circular W14/04HE](#), and information on the changes is available in that circular.

If you require this document in an alternative accessible format, please telephone us on (029) 2068 2225 or email info@hefcw.ac.uk.



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Introduction

1. This circular provides revised guidance for institutions on funding effective, democratic student unions (SUs), and student representation, in response to a 2011-12 remit letter request from the Welsh Government. Revisions were made in response to the work described in [circular W14/04HE: The impact of the guidance on student charters, and on good practice in funding of effective, democratic student unions, and student representation](#), and information on the changes is available in that circular.
2. We recognise that this is a complex area, because SUs in Wales offer diverse services and are funded in accordance with the range of services offered. This in turn leads to variation in the ways in which each SU achieves its aims. The aim of this guidance is to set minimum expectations underlying the way in which SUs are funded, and the core functions which the SUs carry out, while taking account of this diversity.
3. This guidance provides a common set of principles underpinning the funding of SUs and principles which should underpin a published Relationship Agreement between Higher Education Institutions (HEIs) and SUs in Wales. It also provides a set of minimum expectations for core functions which should be carried out by all SUs, while recognising the diversity of SUs across Wales. SUs should be appropriately funded to enable them to fulfil their core functions.
4. The effectiveness of operation of these arrangements will form part of our ongoing dialogue with institutions and with NUS Wales.

Background

5. HEFCW's [remit letter](#) from the Welsh Government for 2011-12 included an expectation that HEFCW 'Establish best practice in the funding of effective, democratic students' unions, and student representation on decision-making bodies, and to ensure that best practice in respect of student union representation becomes the norm in the Higher Education sector in Wales.'
6. We formed a task and finish group to advise us in undertaking this work. This consisted of the Chair of the Higher Education Wales (HEW) Pro-Vice Chancellor Learning and Teaching Advisory Group, NUS Wales President, HEW officer, NUS Wales staff member, and HEFCW officers. We also consulted our Student Experience, Teaching and Quality Committee in the development of this guidance.
7. In 2009 a cross-sector group was formed to engage students as active participants in the leadership, management, development and delivery of their own educational experience in Wales. It consisted of HEW, NUS Wales, HEFCW, the Quality Assurance Agency and the Higher Education Academy. The group developed the Wales Initiative for Student Engagement (now known as Wise Wales), which was launched by the Minister for Education in October

2009. In 2011 it was refreshed and Colleges Wales/Colegau Cymru became partners, to expand Wise Wales across the whole of further and higher education in Wales. It was subsequently re-launched by the Minister for Education and Skills in February 2012. Wise Wales has developed a student partnership statement for higher education, setting out what it believes student partnership to be, and what it will do to achieve this (**Annex A**).

8. The Charity Commission sets out [operational guidance for SUs](#), as most SUs are charities and have to comply with certain legal requirements. This includes the conduct of financial affairs.
9. The [Education Act 1994](#) Part II sets out requirements to be observed in relation to SUs. This includes the conduct of financial affairs, and that the SU should have a written constitution which is reviewed at least quinquennially.
10. NUS is a confederation of democratic SUs made up of around 700 self governing members across the UK. NUS Wales is an autonomous, but integral part of NUS. Individual SUs may affiliate to NUS but have their own democratic processes and are responsible for their own governance. NUS Wales aims to support and develop strong and sustainable SUs, as well as represent and champion the interests and needs of students and SUs across Wales.
11. NUS carried out a two year '[Good Governance](#)' project with SUs in England, funded by HEFCE, which resulted in the publication of good practice guidance and an associated toolkit for SUs early in 2011. The project was supported by Universities UK, the Leadership Foundation for Higher Education, the Committee of University Chairs, and the Association of Heads of University Administration.
12. HEFCW have shared [excellent practice in Welsh Institutions](#) detailing how the student voice feeds into the governing body and the [impact these practices have on institutions](#).

Funding student unions

13. We expect that you will address these guidelines in conjunction with the development and review of your Student Charter, in order to demonstrate engagement with the WISE principles.

Principles underpinning the funding of SUs

14. Although the services, activities and functions undertaken by different SUs vary, the funding of SUs should be underpinned by a series of common principles. From 2012/13 we expect the funding of all SUs in Wales to be underpinned by the following principles:

1. Each SU will have a mission and a constitution, which sets out its role, responsibilities and aims.
2. The SU will be an independent, autonomous, transparent, professionally run and democratically led organisation.
3. The SU will act with integrity, and in accordance with the [Nolan principles](#), to assure its stakeholders that the SU and its officers adhere to high standards of conduct and work in the interests of its members.
4. The SU will represent the full and diverse range of its student members, including part-time, full-time, international, European, UK, postgraduate, undergraduate, franchise, mature and non-traditional students, students with protected characteristics¹, and students undertaking higher education through the medium of Welsh, or who may wish to receive Welsh language services and communications.
5. The SU should be sufficiently resourced to undertake its core functions effectively, fulfil its mission and support students in being full partners in their learning.
6. The SU will be financially transparent and will undertake effective and ongoing evaluation in order to be able to account for the funding it receives to a range of stakeholders.
7. The SU will play its full part in delivering the objectives of WISE through its funded activities.
8. The partnership between the institution and the SU will be supported through a Relationship Agreement.

15. In some cases, students at partner colleges may be best represented by a local SU. In this case there should be a formal agreement between the HE SU and the local SU clarifying the roles and responsibilities of each SU in relation to these students.

The Relationship Agreement

16. In accordance with the principles above, from 2012/13 we expect the relationship between the institution and the SU to be supported through a Relationship Agreement, which should be published on both the institution's and the SU's website. The Agreement will take account of the context of the institution and its partnership arrangements.
17. The NUS Good Governance project identified [principles that underpin excellent working relationships between HEIs and SUs](#). These are detailed below, and

¹ ie irrespective of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation

have been endorsed by NUS, the Committee of University Chairs, Universities UK and GuildHE.

1. Strategic partnership: Spirit of partnership between HEI and SU informing the strategic direction of both parties and informing service agreements. Informed engagement of SU representatives in key institutional decision-making bodies.
2. Student-centred: Shared commitment to developing and improving students' experience of academia and extra-curricular aspects of their lives.
3. Respect and understanding: Clarity about, and mutual understanding of, the distinct roles of the HEI and the SU and the value that each party brings to the relationship.
4. Openness and Trust: Full, open, regular communication on relevant issues, in particular issues likely to have an impact on the other party, the student population and/or other joint stakeholders.
5. Mutual support and commitment: Constructive interactions, and demonstrable commitment to making the relationship work through investment of time and resources.
6. Independence: Recognition of the value of a strong, student-led SU empowered to determine and manage its own affairs. Recognition of the need for the HEI to balance the interests of a range of stakeholders within an increasingly challenging external context.
7. Accountability: Accountability of SU to HEI as supervisor (under the 1994 Education Act) and principal funder, within a mutually agreed framework which is robust, effective, efficient and compatible with the reporting requirements of other regulators (where relevant), such as The Charity Commission, the Office of the Scottish Charity Regulator and/or Companies House. Acknowledgement by HEI that the SU is a major stakeholder and primary body representing the student voice.
8. Diversity and equality: A shared commitment to equality and diversity and the fair treatment of all staff and students.

18. We expect Relationship Agreements in Wales to include these principles. In addition, the following two principles should also underpin the relationship agreement:

9. Student voice: The partners will work collaboratively to recognise the student voice through a range of methods, to ensure that students are partners at every level of the institution.
10. Funding: The partners will consider the core and additional functions of the SU and agree appropriate funding.

19. Both partners will need to ensure they make appropriate and timely information available to each other to support the relationship agreement.
20. Both partners are expected to promote awareness of this document among all their stakeholders.
21. The Relationship Agreement should be reviewed annually in conjunction with the annual review of the Student Charter, and quinquennially in conjunction with the review of the SU constitution. Both the incoming and outgoing officers should be involved in reviewing the relationship agreement, with responsibility for sign off resting with the incoming officers. It should be endorsed by the institution's governing body.
22. We expect institutions and their student unions to continue to monitor the impact of the guidance annually, as part of the process of reviewing the relationship agreement.

Minimum expectations of student unions

23. All SUs are required to comply with Part II of the [Education Act 1994](#) in their conduct and operations.
24. In addition, NUS provides its member institutions with access to a model constitution, which includes objects and powers of the SU. These objects are:
 - Promoting the interests and welfare of students during their course of study and representing, supporting and advising students;
 - Being the recognised representative channel between students and their HEI and any other external bodies;
 - Providing social, cultural, sporting and recreational activities and forums for discussions and debate for the personal development of its students.
25. We expect all SUs to provide a common core set of functions by 2012/13. These address the objects above, and should be provided regardless of whether or not the SU is a member of the NUS.
26. The minimum expectations are that the SU will be empowered to:

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| <ol style="list-style-type: none">1. Ensure the democratic election of officers to deliver the mission of the SU in line with its constitution.2. Support, represent and advise students.3. Promote and protect the interests and welfare of students at the institution during their course of study, in partnership with the institution.4. Provide and support an effective system of student representation in order to achieve its object of being the recognised representative channel between students and the institution, and any other external |
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bodies.

5. Write and review the Student Charter jointly with the institution.
6. Produce an annual student statement, to form the basis of dialogue with the institution, report to students, and inform the development of the student submission for the institutional review.
7. Provide trained advisors to give independent advice on academic and welfare issues, which link effectively with the services of the institution, and is underpinned by an agreement between the SU and the institution.
8. Promote student participation in surveys and other forms of feedback, including the National Student Survey, as appropriate.
9. Provide or support social, cultural, sporting and recreational activities and fora for discussions and debate for the personal development of its students.
10. Ensure its advice and services, and access to these, meet the needs of the diverse student body.
11. Identify an appropriate range of commercial activities and other streams of funding to support SU activities.

27. In addition to the core functions, the partners may agree funding for additional activities or services, which may vary with local needs and circumstances. These additional activities or services must align with the powers of the SU, which are helpfully defined in the model constitution.
28. The SU, and the institution as funders, need to consider the core functions and any additional activities or services to be provided by the SU, and agree a mechanism for allocating appropriate funding.

Impact assessment

29. We have carried out an equality impact assessment (EIA) screening to help safeguard against discrimination and promote equality. We also considered the impact of policies on the Welsh language, and Welsh language provision within the HE sector in Wales. Contact equality@hefcw.ac.uk for more information about EIAs.

Further information

30. If you would like further information on this circular please contact Dr Cliona O'Neill (tel 029 2068 2283; email cliona.oneill@hefcw.ac.uk).



Partnership for Higher Education in Wales

Higher education in Wales is committed to, and believes in, partnership between universities and students, which is mutually beneficial to our universities, our students and to Wales. Wise Wales was established by a group of sector agencies to secure Wales' position at the forefront of student engagement. The group now looks towards embedding partnership.

This statement aims to help explain partnership and can be used by universities and students' unions as a basis for discussion, ensuring partnership becomes tangible and results in genuine enhancement. This statement recognises that one size does not fit all, and that partnership will be a unique experience for each university, students' union and student.

Why Partnership?

One of the key reasons for developing a partnership approach is a belief that students should be active participants in the learning process, rather than passive recipients of knowledge; partnership is key to developing that participation. Partnership is much more than just 'listening' to the student voice and enabling students to have input in decisions that affect them. Partnership frames an environment where the priorities, content and direction of the learning experience are all set by students and staff together. The student is involved from the outset of this journey.

The ultimate aim is to ensure partnership becomes a natural part of staff and students' experiences.

Partnership also presents an opportunity to articulate to all students a broader picture of the learning experience, and introduce opportunities they may have to effect positive, beneficial and lasting change in the higher education experience. Some students' identities are more closely aligned with other areas of their higher education experience; for example, through their participation in sports and societies or their experiences as a volunteer. It is important that a partnership approach takes into account these diverse areas.

Higher education in Wales is embracing partnership working - already noting accomplishments and examples of excellent practice. These activities should feed into, and form sustainable, enduring and longstanding partnerships between students, staff and universities. The ultimate aim is to ensure partnership becomes a natural part of staff and students' experiences.

Partnership is an ethos, not an activity. We must be clear that a collection of activities with students does not necessarily signify an arrival at partnership; we should take care to avoid applying the language or idea of partnership to new or existing processes, or one-off schemes and projects. For example, a course representative system does not in and of itself signal partnership. Partnership is a goal of student engagement practice.

In Wales, we believe that:

It is impossible to define partnership in one way for the entire sector due to the unique nature of each university, students' union and student. The look and feel of a partnership approach will differ according to those involved. True embedding will be achieved when partnership becomes a natural part of all students' experiences.

For the greater goal of supporting and facilitating the engagement of all students, partnership must exist between independent entities, such as a university and the collective student body (the students' union).

Partnership is more meaningful if it also happens at the level of each individual student and staff member's experience. Typically, this takes its form in the learning and teaching process – at course or module level. Partnership, however, must also extend beyond learning and teaching into other activities of the university, for example, widening access, volunteering, community engagement, and employability.

A partnership culture includes students, academics and professional staff engaging in debates about the way forward with the different voices being heard, and listened to. We should not underestimate staff and students' openness to being challenged.

The diversity of the student body has a richness that should be embraced. Students' different areas of expertise can be valuable to partnership. We accept the challenge presented by engaging with the width and breadth of our student body to achieve true and meaningful partnership.

Universities and students' unions should work in partnership to develop opportunities for students to engage in quality enhancement processes.

In practice, we as students, staff and universities will:

- 1** Engage in debates around partnership. Universities, staff and students should commit to hearing what each other have to say in an open forum so that they can share ideas and grow practice around issues they care about. The very process of debating partnership is a healthy and necessary step on the road to adopting and embedding a true partnership approach.
- 2** Recognise that in some cases implementing a partnership ethos can take time.
- 3** Jointly map out what currently happens and what they believe partnership should look like, fully involving and capturing the views of the diverse student body. Universities and students' unions should commit, where possible, resources to making it happen.
- 4** Expect some individuals and some discipline areas to find this way of working a particular challenge, and put support in place for when they do.
- 5** Agree joint priorities between the universities and students' unions for partnership. A developmental approach will help ensure that change is lasting.
- 6** Continue to identify and agree upon the processes through which student representatives will be engaged in decision-making throughout the universities, and how the efficacy of these processes will be reviewed.
- 7** Keep partnership under review. One of the strengths of a whole-system approach is that when new student representatives are elected they will have their own ideas about what needs to grow or change. During this process, continuity is important, maintaining the core principles of partnership.
- 8** Continue to produce an annual charter that outlines the expectations of mutual roles and responsibilities of universities and of their students.

**Partnership is an ethos, embedded in action.
Together we are stronger.**