

Medr

Y Comisiwn Addysg Drydyddol ac Ymchwil
Commission for Tertiary Education and Research

Medr Specific Course Designation Application Guidance

November 2024

Mae'r ddogfen hon hefyd ar gael yn y Gymraeg |
This document is also available in Welsh



Noddir gan
Lywodraeth Cymru
Sponsored by
Welsh Government

This guidance sets out the process for **higher education providers seeking the specific designation of courses on a case by case basis.**

This guidance provides information on Medr's processes to ensure providers comply with Welsh Government requirements for specific designation.

Introduction

1. This guidance sets out the process for **higher education providers seeking the specific designation of courses on a case by case basis.**
2. This guidance provides information on Medr's processes to ensure providers comply with Welsh Government requirements for specific designation.
3. Specific designation is the process by which higher education providers that are not automatically designated for student support by Welsh Ministers can apply for designation of specific courses for purposes of student support on a course by course basis. **Specific designation in Wales only relates to providers that want students, who are ordinarily resident in Wales, to access student support for specific courses.** Eligible EU domiciled students studying in Wales may be able to access student support, dependent upon their situation, please see [Student finance: higher education: Students from the European Union](#) for more details.
4. Throughout this guidance, sections of the [Welsh Government policy](#) have been replicated in shaded boxes with italics. The text following these boxes sets out how Medr will meet Welsh Government's policy requirements.
5. Currently, the [following types of higher education providers already have courses designated by Welsh Ministers to allow for students](#) who are ordinarily resident in Wales to apply for student support of their higher education courses:
 - institutions in Wales with a fee and access plan approved by HEFCW or Medr;
 - Welsh funded institutions (for part-time undergraduate and postgraduate courses);
 - institutions in England that are registered with the Office for Students in the approved (fee cap) category;
 - Scottish funded institutions;
 - Northern Ireland funded institutions;
 - higher education providers (**only** for those courses listed) included on the list of designated courses on the Student Finance Wales website¹.
6. Higher education providers with courses designated by other UK administrations, or other UK regulators, **should not** assume that they are designated by Welsh Ministers for students ordinarily resident in Wales to apply for student support. Providers should only offer places to Welsh domiciled students once they have received confirmation from Ministers that their specified courses have been designated for student support.
7. Any HE provider that is successful in its application for specific designation will be classified as a relevant higher education body and will immediately need to comply with Prevent Duty legislation². **Those that are headquartered in Wales come under Medr's monitoring authority unless they are already inspected by**

¹ [Student Finance Wales, Designated Courses](#)

² [Counter-Terrorism and Security Act 2015](#)

Estyn.³ Medr is now delegated by the Home Office to monitor compliance with the Prevent duty in accordance with the Counter Terrorism and Security Act 2015. Medr will continue to use HEFCW's Monitoring Framework circular [W19/25HE](#) which sets out how HEFCW previously monitored providers' implementation of the statutory Prevent Duty, which will remain in place until guidance is issued by Medr. Relevant higher education bodies need to follow this framework to demonstrate due regard to the Duty. For more information please contact assurance@medr.cymru.

8. Providers that wish to sponsor international students to come to the UK under a Student Sponsor licence must demonstrate that all of their sites meet acceptable educational standards for quality, financial sustainability, management and governance. They do this via their Educational Oversight body. For those providers in Wales with courses specifically designated for student support that are not subject to educational oversight by Estyn, the relevant Educational Oversight body is Medr.

Further information

9. Guidance for School Centred Initial Teacher Training (SCITT) providers seeking specific designation of courses that lead to a qualification on a case by case basis can be accessed on the [Regulation page](#) of the Medr website.
10. Should the applicant become designated it will have to demonstrate annually, ongoing compliance with the Welsh Government policy.
11. If providers are unclear about their designation status or have any further queries about this guidance they should contact Medr for clarification (regulationadvice@medr.cymru).

³ Providers that are not headquartered in Wales will be monitored by the relevant authority in that country.

Guidance on Medr's application process

13. This guidance applies to providers that either:
- do not currently have courses specifically designated for student support for new entrants or
 - have courses designated for continuing students only.

Welsh Government Specific Designation Policy

Requests should be sent to Medr, which has developed underpinning guidance to support the process. Medr will assess each request on the basis of the information received and will then advise the Welsh Ministers on whether the course should be designated. Designation will be granted by Welsh Ministers. It is the responsibility of applicants to ensure that the information submitted in support of their request is complete. (Paragraph 28)

Specific designation status for individual courses will be granted on a rolling academic year basis. Providers will be required to demonstrate they continue to meet the criteria on an annual basis via Medr's monitoring process. Further information will be provided in Medr's guidance document. (Paragraph 34)

Medr will be responsible for monitoring providers' compliance with the specific course designation criteria following the designation of courses. Medr will also provide advice to the Welsh Ministers on the ongoing compliance of institutions with the criteria for specific designation. (Paragraph 35)

Providers are expected to comply in a timely manner with the reasonable request for information by Medr in relation to designated courses. Medr will report to the Welsh Ministers if information requested is not forthcoming from providers or is delayed. (Paragraph 36)

The Student Support Regulations allow the Welsh Ministers to suspend or revoke the specific designation of courses. In doing so, the Welsh Ministers will take account of all relevant factors. (Paragraph 39)

For example, the Welsh Ministers may suspend or revoke a designation where ongoing compliance with the criteria is not met or where information requested by Medr is not provided or where there is a delay in providing that information. (Paragraph 40)

A provider's designation may be suspended should no students be enrolled on a course for a period of two consecutive academic years. (Paragraph 42)

14. Providers are invited to submit their application form (available at **Annex B**), along with the supporting course list attached at **Annex C**. All submissions should be uploaded to a secure upload facility defined by Medr. Providers interested in applying for courses to be specifically designated for student support should notify Medr of their intention at the earliest possible date by emailing regulationadvice@medr.cymru.
15. Providers submitting an application are advised that their designation may be suspended should no Welsh domiciled students be enrolled on a course for two consecutive academic years.
16. Please note that the application process will ordinarily take up to three months from the submission of a complete application to a final decision. However, decisions by other regulatory bodies and the quality of submissions may prohibit us from meeting these timescales (for example, incomplete or inadequate provision of that information).
17. Providers should be aware that we do not have access to information that has been submitted to other regulatory or public bodies, and therefore providers are required to submit all relevant information that may impact or influence the application process.
18. Welsh Government's specific designation policy includes a diagram detailing the process of a request for designation. The diagram is also included as **Annex A** to this guidance.
19. The governing body, board or equivalent of the higher education provider is responsible, and must approve, the application to Medr. This will be confirmed through the signing of the application form. The application form must include named contacts for Medr to liaise with, as well as the details of the senior person in the organisation with oversight of specific designation if different.
20. Medr will consider the information submitted and will expect the provider to have staff available to discuss the application. If Medr requires further information, providers may be asked to submit further evidence to supplement the original submission. This may result in delays to receiving a decision. Medr officers will support providers through this process.
21. Once the provider has submitted to Medr all the information required for assessment, and following due consideration, Medr will provide Welsh Ministers with advice in relation to designation requests.
22. Informed by Medr, the Welsh Government will write to the provider to notify it of Welsh Ministers' decision. If Welsh Ministers are not minded to designate the courses submitted in the application, the Welsh Government will provide reasons for the decision. Providers will be offered an opportunity to provide additional information to Welsh Government which may or may not affect Ministers' decision. The process for this will be signalled by Welsh Government at the relevant time on a case-by-case basis.

23. It is the responsibility of providers to ensure that no information is published to indicate that student support would be available for new students who are ordinarily resident in Wales until the provider has received confirmation that the course has been designated. This could include recruitment documents and website pages.
24. Once Welsh Government has informed providers of Ministers' decision, the list of specifically designated courses will be updated and published by Student Finance Wales.
25. Should a provider have its course designated it will then be required, annually, to demonstrate that it meets the Welsh Government criteria for specific course designation. Medr will contact the provider each year to detail the criteria for this monitoring process and publish guidance on its website.
26. Once designated, providers are required to notify Welsh Government and Medr of changes to their position during their period of designation, including governance issues and serious incidents (i.e. incidents relating to quality, finance and governance) that have been raised with their primary regulator, the authorities or their awarding organisation. For example, a provider should let us know if it has had to report a serious incident to the Office for Students, the Charity Commission, UKVI, the Police or HMRC.

Guidance to completing the application form

27. This section of the document sets out Medr's requirements for providers looking to evidence they meet each criteria of the Welsh Government's specific designation policy. This information must be provided in the form attached at **Annex B**, as guided by the text in the form unless stated otherwise.

A. Full details of the higher education provider

28. Medr requires the full details of the higher education provider for purposes of maintaining an accurate and up-to-date list of specifically designated courses. This list will be maintained and shared with the Student Loans Company.

Welsh Government Specific Designation Policy

A request for designation will not normally be approved whilst an investigation of the provider is being undertaken:

- *By the Welsh, UK, Scottish or Northern Ireland governments or by the regulator in these countries,*
- *by the body responsible for validating its awards,*

- *by the Student Loans Company in connection with a matter relating to the provider's provision of higher education,*
- *by an organisation or agency responsible for the quality of higher education provided,*
- *by its charity regulator; or*
- *in connection with an alleged criminal offence. (Paragraph 37)*

The outcome of an investigation may be taken into account by the Welsh Ministers when making a decision as to whether to designate a course. (Paragraph 38)

The Welsh Ministers may suspend student support payments to providers to protect public funds and students. Such action may be taken in cases where fraud, misrepresentation, or other wrongdoing by providers and/or students are under investigation or proven. (Paragraph 41)

29. Medr will also require confirmation from the provider that it is not currently under investigation from any government or government agency or types of organisation listed above. Medr may raise issues as part of its working relationship with any or all of the following organisations as necessary: The Office of the Independent Adjudicator (OIA), Quality Assurance Agency for Higher Education (QAA), the Charity Commission and Estyn. Close working between Medr and these organisations will contribute to highlighting issues of concern. We will also liaise with the Office for Students where necessary.
30. Information Medr requires about the provider includes:
- the provider's name;
 - the provider's principal address, and legal address where they are different;
 - the provider's UK provider registration number (UKPRN);
 - Charity commission number (where relevant);
 - Charity type (where relevant);
 - any other names under which the provider operates;
 - confirmation that the provider is not under investigation; or
 - details of any ongoing investigations including the organisation undertaking the investigation and the reasons for the investigation.

B. A list of courses to be designated for student support including relevant information

31. Medr will require the completion of a course list attached at **Annex C**, setting out all of the courses that the higher education provider wishes to be designated.
32. The course list will include the following headings:
- Category of funding (i.e. Undergraduate, Postgraduate, Postgraduate DSA only);
 - Course title;
 - Qualification aim;
 - Length of study (years);

- Mode of study;
 - Address of course delivery;
 - Awarding body;
 - Confirmation of control of the course;
 - Dates of validation (start date to end date);
 - All / continuing students;
 - Annual course fees;
 - Estimated total⁴ number of students;
 - Estimated total number of Welsh students;
 - Date of course commencement;
 - Additional comments (if required).
33. Medr requires a copy of the appropriate partnership agreement(s) as evidence to support the application and covering each course listed for designation. We expect this agreement to evidence the information requirements as set out in the paragraphs which follow. In particular, the agreement should clearly evidence where the control of the course⁵ sits and the length of validation. The awarding organisation must be a recognised body (as set out in paras 44 and 45 below). The validation period must cover the course for the duration of the academic year and allow for students to complete their studies.
34. Where the provider is a degree awarding body in its own right then it will need to confirm the period for those degree awarding powers. Should the provider be in the process of renewing its degree awarding powers then it must provide an update on its progress.
35. Where a course is being sub-contracted by a provider that is delivering a course awarded by either Pearson or the Scottish Qualifications Agency, we expect that provider to evidence that it has an appropriate agreement in place with both the awarding organisation and the delivery provider. There should also be a clear line of sight between the delivery provider and the awarding organisation reflected through an agreement or a memorandum of understanding.

Welsh Government Specific Designation Policy

Courses eligible for designation

Undergraduate courses

An undergraduate course may be designated if it is:

- *A first degree course.*
- *A course for the Diploma of Higher Education. A Higher National Diploma (HND) or Higher National Certificate (HNC) awarded by either Pearson (previously the Business and Technology Education Council (BTEC)) or the Scottish Qualification Authority (SQA).*

⁴ Total for all cohorts studying that course not just the cohort that is due to start in the academic year.

⁵ Ideally the roles and responsibilities of each provider will be clearly set out.

- A course for the certificate of Higher Education.
- A course for the initial training of teachers.
- A course for the further training of youth and community workers.
- A course in preparation for a professional examination of a standard higher than that of:
 - an examination at advanced level for the General Certificate of Education or at a higher level for the Scottish Certificate of Education
 - an examination for the National Certificate or the National Diploma awarded by Pearson (previously BTEC) or SQA
 so long as a first degree (or equivalent qualification) is not normally required for entry to the course
- A course providing education (whether or not in preparation for an examination) the standard of which is higher than that of a course mentioned above but not higher than that of a first degree course, and for entry to which a first degree (or equivalent qualification) is not normally required.
- The course is either a full-time course, a sandwich course, or a part-time course.
- The duration of the course is at least one academic year.
- At least half of the teaching and supervision which comprise the course is provided in the United Kingdom.
- The course leads to an award granted or to be granted by a body falling within section 214(2)(a) or (b) of the [Education Reform Act 1988](#)⁶ unless the course is a Higher National Diploma or Higher National Certificate awarded by Pearson (previously BTEC)/SQA, or is an initial teacher training course. **(Paragraph 7)**

Postgraduate courses

A Postgraduate Master's course may be designated if it satisfies the following conditions:

- The course leads to an award granted or to be granted by a body falling within section 214(2)(a) or (b) of the Education Reform Act 1988 and the teaching and supervision which comprise the course have been approved by that body.
- The course is one of the following:
 - a full-time course of one or two academic years' duration
 - a part-time course which it is ordinarily possible to complete in up to four academic years
- At least half of the teaching and supervision which comprise the course is provided in the United Kingdom. **(Paragraph 8)**

A Postgraduate Doctoral course may be designated if it satisfies the following conditions:

- The duration of the ordinary period of registration for the course is not less than three academic years and not more than eight academic years
- The course is substantially provided in the United Kingdom
- The course leads to a doctoral degree granted or to be granted by a body falling within section 214(2)(a) or (b) of the Education Reform Act 1988, and the

⁶ <https://www.legislation.gov.uk/ukpga/1988/40/contents>

teaching and supervision which comprise the course has been approved by that body (Paragraph 9)

Additionally, courses leading to a postgraduate award are capable of being designated solely for the purpose of providing eligible students with Disabled Students' Allowances. (Paragraph 10)

36. The course list needs to set out the qualification aim, the length of course and mode of study to ensure that the course can be designated. The list of courses in the shaded box above set out those types of courses that can be designated for student support.
37. Different types of courses are eligible for different types of student support and the courses must be listed in the course list under either undergraduate, postgraduate (only Masters and Doctoral courses) and postgraduate DSA only (e.g. postgraduate certificates and diplomas).

Welsh Government Specific Designation Policy

Specific course designation is required for each location at which a course is offered. If providers have received designation for specified locations and subsequently wish to add additional locations, then they will need to make a request for those locations separately. If providers wish to remove or change a location, then they should contact Medr for information about the process to follow for change of circumstances. (Paragraph 29)

38. We will require all providers to confirm the address of delivery of all courses that providers wish to be designated for the academic year. Where relevant this should include new locations of delivery for courses already designated. Student support regulations state that at least half of the teaching and supervision of a course must take place in the UK.

Welsh Government Specific Designation Policy

A request for specific course designation must be made by the organisation that is responsible for the content and delivery of the course to students. In all cases, the request for designation must relate to and contain supporting information in respect of all institutions involved in the awarding of qualifications and the design, supervision, and delivery of those courses. Where a course is being provided on behalf of another institution, this will mean providing detailed supporting information from both institutions where appropriate. (Paragraph 27)

39. Medr must be satisfied that the higher education provider delivering a specifically designated course has 'control' of the course. Providers that have degree

awarding powers in their own right or providers that are delivering courses under validation arrangements will be deemed by Medr as being in control of the course.

40. Higher education providers delivering courses under sub-contractual arrangements, also known as franchise arrangements, will not be deemed to be in control of the course and will not be able to have courses specifically designated in their own right. In this scenario, the awarding body will be deemed to be in control of the course and will then be required to apply for course designation regardless of the designation status of the awarding body. Medr will still require information about the delivering organisation.
41. Medr uses the following definition for validation arrangements:
“Courses made available and taught by one institution that lead, on successful completion, to a qualification awarded usually by another institution with degree awarding powers (DAPs). Normally the course will have been designed by the teaching and not the awarding body. There will be a validation agreement in place, in which the awarding body seeks assurances about the quality and delivery of the course but grants autonomy to the teaching institution as to how it teaches the course. The institution with DAPs is the validating and awarding body for the course, while the institution which teaches the course has control of the provision, and maintains full contractual responsibility to the student for the provision of education.”⁷
42. Current partnership agreements and memorandums of understanding are accepted as evidence but should clearly detail the validation of individual, or a suite of, awards to be designated. Where such agreements do not include this information, appropriate course validation evidence should also be provided.
43. Medr uses the following definition for sub-contractual arrangements:
“Courses made available by one institution, where some or all of the teaching is provided by another body under a sub-contractual arrangement. The course will usually have been designed by the first institution, which will normally impose its own requirements as to teaching and assessment. That first institution has full contractual responsibility to the student for the provision of education, even though its staff are not teaching (all of) the course. Usually, that institution will also be the awarding body for the course qualification, but exceptionally this may be a third party.”⁸
44. Where providers are intending to deliver courses across multiple locations they will need to submit information or evidence as to how they have ensured that the any new locations are suitable, meet the needs of students, and offer a comparable experience with their main locations.

⁷ [W16/13HE: Guidance on partnership arrangements for franchise education on behalf of regulated institutions in Wales](#)

⁸ Ibid.

Welsh Government Specific Designation Policy

Undergraduate courses

Providers must provide validation documents which specify the mode, length and delivery location for each course included in the request. They must demonstrate that the course is validated by an appropriate awarding body:

- *The course leads to an award granted or to be granted by a body falling within section 214(2)(a) or (b) of the Education Reform Act 1988 (i.e. a recognised body as prescribed in the Education (Recognised Bodies) (Wales) Order 2016); or*
- *the award of Higher National Diploma or Higher National Certificate awarded by Business & Technology Education Council, the Scottish Qualifications Agency, or a recognised body as prescribed in the Education (Recognised Bodies) (Wales) Order 2016. **(Paragraph 14)***

Postgraduate courses

*A course must lead to an award granted or to be granted by a body falling within section 214(2) (a) or (b) of the Education Reform Act 1988. Courses leading to a postgraduate award are also capable of being designated solely for the purpose of providing eligible students with Disabled Students' Allowances. Such courses must be validated by a recognised body as prescribed in the Education (Recognised Bodies)(Wales) Order 2016. **(Paragraph 15)***

45. The awarding body must be a recognised body as set out in the Education (Recognised Bodies) (Wales) Order 2016⁹ or one which offers provision being delivered through arrangements with Pearson or the Scottish Qualifications Authority. Only courses that lead to an award from these organisations can be designated. This needs to be considered when providing information required in this section of the guidance.
46. If a provider is an awarding body, it must be a recognised body in its own right. Where an awarding body is submitting information about a course provided on its behalf it must submit a copy of a relevant, signed, up to date franchise agreement with its application.
47. Agreements with the awarding body will also need to set out the length of the agreement.

⁹ www.legislation.gov.uk/wsi/2016/396/pdfs/wsi_20160396_mi.pdf

C. The provision offered by the provider is of an adequate quality

Welsh Government Specific Designation Policy

The course to be designated must be of an adequate quality. Providers will be required to provide evidence of this from the organisation or agency responsible for assuring the quality of the course. The position in Wales, and other parts of the UK, is that quality should be assessed by cyclical external quality reviews. In those parts of the UK where providers are not required to have their quality assessed by cyclical external quality reviews, Medr will provide further guidance on the information required to enable it to provide assurances to Welsh Ministers regarding the quality of provision. (Paragraph 16)

48. All higher education providers applying to have their courses specifically designated for student support in Wales must submit documentation evidencing that they deliver quality education that meets the needs of their students. Medr is currently developing a Quality Framework¹⁰, but until the new Framework is published, applicants should refer to the existing guidance published on the Medr website¹¹. The guidance outlines the baseline regulatory requirements for Wales in relation to quality.
49. In order for Medr to have assurance that the requirements of the current Quality Assessment Framework are met, we require all providers in Wales to have undertaken an external quality assurance review. The preferred method for this is a review by the Quality Assurance Agency for Higher Education (QAA). Higher education providers applying for their courses to become specifically designated, should have had at least one successful external quality assurance review by the QAA in the last four years; our expectation is that this would be the [Gateway Quality Review: Wales](#) method.
50. Currently, the reasonable needs for higher education quality are considered to be met if a provider obtains satisfactory judgements in its external quality assurance review (or previous QAA review). This ensures quality assessment is rigorous. In every case, a provider receiving a 'Meets requirements with conditions/Requires Improvement' or 'Does not Meet Requirements/UK expectations' outcome will be deemed to have, or to be at risk of having, inadequate quality.
51. Where it is not possible to evidence a review, providers should discuss with Medr how to demonstrate the quality of the course (evidence of other QAA reviews may be accepted, for example). For example, for English providers, this could include meeting the ongoing conditions of registration with the Office for Students, providing relevant student data, submitting external examiner reports, or reports from awarding bodies.

¹⁰ [Quality](#)

¹¹ [Quality Assessment Framework for Wales](#)

52. Where providers have been subject to an external quality assurance review, they must be able to provide evidence that its review or any related monitoring visits have taken place whilst it has operated at all locations where the provider is requesting course designation.
53. This should include consideration of the assessments undertaken to assess the suitability of facilities and support for students studying at those locations, how the student voice has been considered for those undertaking courses at those new locations, and what specific support locations will be available on-site at each of those locations.
54. Where a provider is applying for a course to be designated and that course is to be delivered on behalf of that provider under sub-contractual arrangements then we will also expect evidence of a successful external quality assurance review that includes its delivery partner. Where a provider has not been subject to an external quality assurance review then it should discuss this further with Medr to enable Medr to get appropriate assurances.
55. Providers that have an external quality assurance review scheduled should not apply until the outcomes of that review are known.
56. Additionally Medr will require the provider to submit the following to demonstrate that it has maintained a successful track record of higher education since its last review:
 - confirmation that the provider has internal quality assessment procedures;
 - confirmation that the governing body, or equivalent, has received a report taking account of any external quality assurance review, and assurances that an action plan has been put in place and implemented as appropriate, in partnership with the student body;
 - where a provider has not had any external quality reviews, confirmation that the governing body, or equivalent, has received a report taking account of any recommendations from other regulatory bodies, external examiners and awarding bodies and assurances that appropriate actions have been taken to respond to those recommendations;
 - confirmation that, the provider has published a high level statement (with a link) on how the students' interests are protected and the arrangements in place to achieve this, for example in cases where a provider ceases to exist, a course is withdrawn or changed substantially or if a course's validation changes or is withdrawn;
 - links to relevant inspectorate or external quality assurance monitoring reports for example QAA monitoring reports, and;
 - links to Professional Statutory and Regulatory Body accreditation reports as they relate to specific courses.

D. The provider is financially viable

Welsh Government Specific Designation Policy

The provider seeking course designation must demonstrate that it is financially sustainable and that students can, therefore, be confident that it will remain financially viable for the duration of their studies. Applicants will need to provide information in order to demonstrate that they are operating in a financially viable manner. For example:

- *the last three years of externally audited financial statements, or externally audited financial statements for each year of trading where the provider has not been trading for three years,*
 - *forward business plans,*
 - *financial forecasts for the current and following three years, including a commentary on assumptions made in forecasts and how financial risks are managed,*
 - *an outline of contingency arrangements for students if courses are discontinued for any reason, and*
 - *any other information which may be relevant to the provider's financial viability and management of its financial affairs as an aspect of good governance.*
- (Paragraph 17)**

57. An institution must provide information to Medr about its financial viability, including evidence that it is sustainable over the medium term (at least three years from the date of course commencement). The evidence should be sufficient to give Medr and Welsh Ministers reasonable confidence that students will not be at risk of being unable to complete their course as a result of financial failure.
58. Where the provider has already submitted information we require to another body such as Welsh Government or the Office for Students this information can be submitted to us in the same format.
59. Providers should submit full details of their corporate group structure, where applicable, including details of all group companies or organisations, including subsidiaries, parent/holding companies and associate or joint ventures.
60. As appropriate, the assessment of financial viability may take into account the financial arrangements of any group structure (including subsidiaries, parent/holding companies, or associate and/or joint ventures) where it is considered relevant to financial viability, for example to gain assurance over any group dependencies.
61. Higher education providers must submit information, which illustrates:

- i. **Group structure** - Where applicable, providers should submit full details of their corporate group structure, including details of all group companies or organisations, including subsidiaries, parent/holding companies and associate or joint ventures. Where it is considered relevant, the assessment of financial viability may take into account the financial position of, and arrangements within the wider group structure.
- ii. **Historical performance** - A track record of financial performance evidenced by annual reports and externally audited full financial statements for the three years prior to the submission. The accounts must be audited each year by a registered auditor. The basis of the accounts will be Generally Accepted Accounting Practice in the UK (UK GAAP) (or successor requirements) or International Financial Reporting Standards (IFRS) if appropriate. Where truncated financial statements are submitted to Companies House or the Charities Commission, the full financial statements must be made available to Medr.
- iii) **Forecasts** - Should cover the estimated current year together with at least three-year forecasts. They should comprise a profit and loss / income and expenditure statement, a balance sheet and a cash flow statement and be supported by student number assumptions. Forecasts should also be supported by a commentary on assumptions made in the forecast and how financial risks are managed. In the current circumstances, this should set out clearly the underlying assumptions affecting student numbers, aligning with the current economic situation and a rationale for any growth. Providers must be able to evidence that they have:
 - a) adequate cash flow to remain solvent, that is, sufficient liquidity to pay debts as they fall due;
 - b) an adequate balance sheet that maintains a net total assets position such that the provider would not incur deficits if these would result in a net total liabilities position, and;
 - c) in group scenarios where the provider's financial sustainability is dependent on support of other group members such as the parent company, we would expect supply of a guarantee from that group member.

Full financial forecasts should cover the year currently in progress and the following three years. The evidence should include a commentary on the assumptions being made and how any financial risks are being managed.

Where appropriate consolidated group forecasts are required and where there are indications of financial dependence on other group members, forecasts for the other group members must be supplied.

Where estimates and forecasts have been prepared for other purposes and, for example, the estimated year end has now ended, or the first forecast year is now the current year, we will require the submission of management accounts indicating the updated position. Please ensure that three forecast years remain in

order that we can assess financial sustainability over period in which courses are to be specifically designated.

- iv) **Financial strategy** - financial information such as a forward plan that reflects the overall strategic plan available at the point of monitoring compliance with specific designation criteria, sets appropriate benchmarks and performance indicators, shows how resources are to be used, and how activities and infrastructure will be financed. This should include how providers assess and review their sustainability, including the use of sustainability assessments. This document should align with the financial forecasts, outlining the rationale for any movements from the entity's current audited financial position through the forecast period. In particular, implementation plans for the achievement of uplift in performance. Where the provider is a subsidiary entity, further details will need to be provided to understand the financial sustainability of the interrelation with other group members and the group as a whole.
62. Medr's assessment of providers' financial performance and sustainability will not be used in isolation to determine whether it meets this requirement. The financial sustainability assessment will be an overall judgement that also takes into account the context of the providers' financial position and their strategy.
63. It should be noted that as part of this process Medr is likely to undertake a credit check on the provider.
64. Providers will need to provide evidence that they are well-managed with sound management practice in place and the capacity to develop in line with their strategy and financial forecasts/ forward business plan.
65. A provider must submit information to illustrate that it:
- i. has financial management processes that are well-governed and controlled adequately and effectively;
 - ii. plans and manages activities to remain viable;
 - iii. has robust and comprehensive systems of risk management and internal control;
 - iv. has effective arrangements for the management and quality assurance of data used for internal decision making;
 - v. has regular, reliable, timely and adequate information to monitor operational and financial performance;
 - vi. reports information regularly, comprehensively and correctly to appropriate senior management and those charged with governance;
 - vii. manages its resources (including staff and estate) in a sustainable way.
66. Providers should also be aware that we do not hold information that has been submitted to other regulatory or public bodies and they are therefore required to submit any information that may impact or influence the application process.
67. Providers should separately include a narrative of the processes, meetings and reviews in place to ensure compliance with the requirements in paragraph 64 above.

68. In assessing the data management capabilities consideration will be given, where applicable, to a provider's track record in submitting data to Medr or other bodies including HESA, the Welsh Government and the Student Loans Company and their compliance with the code of practice for [higher education data collections](#) in preparing data for submission.
69. We expect that all institutions that have courses designated for student support will subscribe to HESA. For those applying for course designation that do not already subscribe to HESA, we will separately provide information on the process of becoming a HESA subscriber.
70. Providers must provide evidence to demonstrate good governance. Where relevant, this would take the form of evidence of compliance with the principles of an appropriate code of governance. Examples of these are the Higher Education Code of Governance¹² (Committee of University Chairs, September 2020), the Code of Good Governance for the Association of Colleges¹³ (AoC, 2024) and the Independent HE Code of Governance¹⁴ (September 2021). Those applicants with charitable status could evidence how they take account of all relevant guidance on the responsibilities of trustees and effective trusteeship.

E. Contribution to the Public Good

Welsh Government Specific Designation Policy

The Welsh Government has finite resources at its disposal and must ensure the best value for students and taxpayers. This includes ensuring that, as far as possible, taxpayers' investment in education is reinvested by providers for educational purposes, including activities that support access to, or the promotion of, higher education, contribute to the availability of education or improve the retention of students and employability of graduates. Higher education providers whose courses are designated for student support effectively receive a subsidy from the taxpayer via the support made available by the Welsh Government in the form of tuition fee loans to the student as well as maintenance loans and grants. (Paragraph 19)

Applicants must demonstrate that they make a significant and ongoing contribution to the public good generally in the sphere of education through submission of a written statement. The Welsh Government has identified the following broad areas in which HE providers may be able to demonstrate that they make such a contribution. They are not mutually exclusive. For example, developing Welsh-medium education may contribute to both equality of opportunity and the promotion of higher education. (Paragraph 20)

Equality of opportunity

¹² [Higher Education Code of Governance \(Committee of University Chairs\) September 2020](#)

¹³ [Code of Good Governance](#)

¹⁴ [Independent Higher Education Code of Governance](#)

Examples include:

- *Measures to attract and retain students from under-represented groups;*
- *The provision of academic and welfare support to those from under-represented groups, including those with protected characteristics.*
- *The provision of bursary schemes, fee waivers, scholarships or hardship funding.*
- *The use and development of Welsh medium and/or Welsh language education which supports the objectives of the Welsh Government's language strategy by providers based in Wales. (Paragraph 21)*

Promotion of higher education

Examples include:

- *Working with schools, colleges and other public, private and voluntary bodies to communicate the benefits of higher education and promote a culture of learning and education.*
- *Developing the employability of students, over and above the provision of education, including links to employers, the development of employability, enterprise or personal effectiveness skills, or work placements.*
- *Engagement with the local community by providing access to facilities, providing free or reduced cost access to courses or lectures, or delivering a service as an integral part of the institution's civic duty. This may be to the general public or some specific groups. It may also include programmes in which students are supported to be active in their local community. (Paragraph 22)*

The above lists are not exhaustive. The Welsh Government recognises that providers have a wide range of objectives and may be able to demonstrate a meaningful contribution to the public good in other ways. The written statement should include examples and evidence by reference to some or all of the above areas and any other evidence that an organisation considers relevant. (Paragraph 23)

The information provided by applicants will need to demonstrate that the activity is both significant and ongoing, e.g. by way of reference to the amount of expenditure on such activities, the duration of those activities and numbers of participants. (Paragraph 24)

71. All providers that wish for their course(s) to be specifically designated are required to submit a stand-alone public good statement to Medr. The template provided must be used to provide Medr with a statement setting out how the provider is making a commitment to the public good as it relates to higher education.
72. In providing the statement, the provider should consider the guidance set out below.

Name of provider

73. Public good statements must include as part of the statement the name and address of the provider. The statement must be a stand-alone document that could be published on the provider's website.

Student partnership

74. Medr is committed to securing strong partnership working with students. In line with this position, we expect higher education providers to detail how they collaborate with their students as partners. Our expectations of what should be covered are set out in the template.

Under-represented groups and equality of opportunity

75. To demonstrate that providers are improving equality of opportunity, they should identify, and explain how they are supporting, groups under-represented in higher education.
76. These priority groups should be listed in the statement. We recognise that there are different ways of defining 'groups under-represented in higher education'. Definitions might include under-representation within the institution's student body, including students at partner institutions, as well as under-representation in the higher education system more generally. Individuals with protected characteristics, as defined by the Equality Act 2010, may be under-represented in higher education.¹⁵
77. Medr considers that hard to reach learners would include people of all ages within the under-represented groups listed below:
- living within the bottom two quintiles of the Welsh Index of Multiple Deprivation and UK Polar 4 areas¹⁶,
 - students with particular disabilities, recognising that needs will vary dependent on the type of disability,
 - students from minority ethnic communities,
 - students studying part-time,
 - students studying through the medium of Welsh,
 - living in UK low participation areas,
 - young males from low participation areas,
 - living in workless households,
 - care experienced applicants,¹⁷
 - carers in all age groups across Wales,
 - refugees or asylum seekers,
 - receiving an Educational Maintenance Allowance (EMA),
 - having been eligible for free school meals,
 - being the first in family to enter higher education, and

¹⁵ Protected characteristics are: age; disability; gender reassignment; marriage or civil partnership; pregnancy and maternity; race; religion or belief; and sex.

¹⁶ [About POLAR and Adult HE - Office for Students](#)

¹⁷ Looked after children and care leavers

- ex-offenders.

Explanation for providers focus on under-represented groups

78. Medr will expect the provider to summarise the data and evidence it has used to conclude that the groups being supported are under-represented in education.

Objectives, activities and targets

79. Providers must demonstrate their contribution to the public good, as it relates to higher education, by setting clear objectives, listing activities and services to be delivered to meet the objectives, and setting targets that will demonstrate how activities and services will contribute to meeting the objectives the provider has set itself. Targets should be outcome focused, rather than solely focused on short-term outputs. For example increasing the number of a certain under-represented group by a certain date, rather than delivering a particular number of events. Targets should allow an institution to measure and promote its success and demonstrate the institution's ambition to improve.
80. Providers should list the objectives, underpinning activities and targets to improve equality of opportunity for under-represented groups separately from those to promote higher education. Promotion of Higher Education activities and investment can be provided to support all students. Equality of Opportunity activities should be for only those identified as under-represented in HE.
81. The types of activities that relate to equality of opportunity could include the following:
- attracting students from under-represented groups;
 - retaining students from under-represented groups;
 - raising the educational aspirations and skills of people from under-represented groups to support success in higher education;
 - the provision of academic and welfare support to those from under-represented groups, including those with protected characteristics;
 - the provision of bursary schemes, fee waivers, scholarships or hardship funding;
 - the use and development of Welsh medium and/or Welsh language education which supports the objectives of the Welsh Government's language strategy for providers based in Wales;
 - improving the higher education experience for groups under-represented in higher education;
 - provision of effective information to under-represented groups, before and during their studies; and
 - supporting the progress to employment or further study of groups underrepresented in higher education.
82. The types of activities that relate to the promotion of higher education could include the following:

- working with schools, colleges and other public, private and voluntary bodies to communicate the benefits of higher education and promote a culture of learning and education;
 - engagement with local communities by providing access to facilities, providing free or reduced cost access to courses or lectures, or delivering a service as an integral part of the organisation's civic duty or corporate social responsibility agenda. This provision may be for the general public or specific groups. It may also include programmes in which students are supported to be active in their local communities, including but not limited to volunteering;
 - developing the employability of students, over and above the provision of education, including: links to employers; the development of employability, enterprise or personal effectiveness skills; and/ or work placements;
 - improving the quality of learning and teaching, with reference to the quality of the student experience;
 - delivering sustainable higher education.
83. Activities and services to support equality of opportunity must relate **only** to groups under-represented in HE. Investment to promote higher education can support all students.
84. Providers should set one SMART¹⁸ target for each objective related to both equality of opportunity and promotion of higher education. We expect these targets to be able to demonstrate improvement in supporting equality of opportunity for underrepresented groups. Targets should include figures and percentages to measure progress towards meeting the objectives related to promotion of higher education for all students and equality of opportunity for underrepresented groups. Each target should have a baseline allowing us to understand the provider's rate of progress and ambition to improve. Targets could be in some of the areas that HEFCW had previously identified in its [national measures for higher education performance](#).¹⁹
85. In relation to equality of opportunity, targets could focus on increasing numbers of people with protected characteristics as defined by the Equality Act 2010.²⁰

Investment to support public good

86. The provider should set out the level of total student fee income to deliver the activities to promote equality of opportunity and higher education, noting the investment as a percentage of total student fee income received.

Explanation for the objectives, targets and activities

87. Providers must include a brief explanation of how each objective and target aligns with the organisation's key strategic and corporate documents, including the corporate strategy and underpinning strategies including, where relevant, its

¹⁸ Specific, Measurable, Achievable, Realistic, Time-Bound.

¹⁹ Medr considers relevant National Measures to be: Widening Access, Participation, Retention, Part-time, Diversity of the student population, National Student Survey, Welsh Medium, Student Mobility, Employment and Graduate Employment.

²⁰ www.legislation.gov.uk/ukpga/2010/15/contents

strategic equality plan. Providers must explain how they intend to review their objectives, targets and activities to measure and promote its success and demonstrate the institution's ambition to improve their contribution to the public good.

Medr

Y Comisiwn Addysg Drydyddol ac Ymchwil
Commission for Tertiary Education and Research

www.medr.cymru

2 Cwr y Ddinas
Stryd Tyndall
Caerdydd
CF10 4BZ

2 Capital Quarter
Tyndall Street
Cardiff
CF10 4BZ



Noddir gan
Lywodraeth Cymru
Sponsored by
Welsh Government