

Cylchlythyr | Circular

2025/26 and 2026/27 Fee and Access Plan application guidance

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To: Governing bodies of institutions in Wales seeking to be regulated institutions for the 2025/26-2026/27 academic years
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HEFCW is publishing this guidance to support institutions applying for a two-year Fee and Access Plan. Welsh Government's aim is for Fee and Access Plans to make a significant and lasting contribution to widening access to higher education in Wales, increasing participation, improving retention, reducing attainment gaps and improving employment and further study outcomes for students from under-represented groups.

Institutions are invited to submit a two year plan, 2025/26 to 2026/27, along with relevant supporting documentation by 10 May 2024.

If you require this document in an alternative accessible format, please email info@hefcw.ac.uk.



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Annexes

The Fee and Access Plan application form is provided in two annexes:

- Annex A - Application Form with regulatory information and Fee and Access Plan (a Word template)
- Annex B - Fee income, locations, financial information FE and fee investment, (an Excel template)

Background

1. This guidance is being published to support institutions applying for a two-year Fee and Access Plan. Welsh Government's aim is for Fee and Access Plans to make a significant and lasting contribution to widening access to higher education in Wales, increasing participation, improving retention, and improving employment and further study outcomes for students from under-represented groups.
2. Fee and Access Plan applications can only be made by institutions in Wales that provide higher education and are charities. Institutions must provide sufficient information to evidence that they meet these criteria, as well as submitting information on:
 - the quality of their education
 - financial viability
 - management of financial affairs
 - commitment to student partnership
 - under-represented groups the institution will support through its investment to improve equality of opportunity
 - fee income investment to deliver Fee and Access Plan objectives for institutions applying for the first time, and,
 - institution's objectives to improve equality of opportunity or promote higher education.
3. Approved Fee and Access Plans must either specify the full-time undergraduate and PGCE (QTS) fees that regulated institutions will charge or provide for the determination of a fee. Fees cannot exceed the maximum fee limits set out by Welsh Government¹.
4. Only regulated institutions will be able to add full-time undergraduate courses to the Student Loans Company's (SLC) Course Management System (CMS). Where higher education is provided on behalf of a regulated institution, the regulated institution is responsible for including these courses on the SLC's CMS.
5. This guidance sets out the information an institution must include when submitting a Fee and Access Plan application, plus information on the application process.

Context

6. In September 2022, the [Tertiary Education and Research \(Wales\) Act 2022](#) (the 2022 Act) gained royal assent approving the dissolution of HEFCW and the establishment of the Commission for Tertiary Education and Research (CTER). It is expected that HEFCW will be dissolved on 1 August 2024 and its staff, assets, liability and relevant will transfer to CTER as a new public body responsible for the funding and regulation of tertiary education and research in Wales.
7. The 2022 Act sets out requirements for a new regulatory system for all tertiary education in Wales. The intention is for the new regulatory system to be fully

¹ [Education \(Student Finance\) \(Fee Limit and Loan Amounts\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2024](#)

operational in 2027/28, with applications for a new register of higher education providers expected in spring 2026. All of HEFCW's regulatory functions, and regulatory information held by HEFCW, including in respect of Fee and Access Plans, will transfer to CTER. This will provide time for CTER to take on oversight of existing regulatory arrangements whilst it develops a new regulatory system for tertiary education in Wales. Until its dissolution, HEFCW will retain responsibility for its functions under the Higher Education (Wales) Act 2015 (the 2015 Act).

8. When HEFCW is dissolved, CTER will be empowered to deliver the existing regulatory arrangements under relevant sections of the 2015 Act. At the point of HEFCW's dissolution and CTER's operation of these regulatory powers this guidance will take effect as if published by CTER. Therefore, from this point in time references to HEFCW should be read as CTER.

Timetable

9. We invite Fee and Access Plan applications to be submitted to HEFCW by **Friday 10 May 2024**. This will enable HEFCW to consider applications and potentially approve Fee and Access Plans ahead of the next academic year when institutions may wish to advertise fees for the 2025/26 academic year. Fee and Access Plans submitted after this date may risk decisions being delayed until the autumn term. Institutions that do not provide sufficient information or respond to further requests for information may also risk decisions regarding their applications being delayed until the autumn term.
10. Institutions submitting Fee and Access Plans must complete the application form attached at **Annex A** along with the supporting information requested in **Annex B**.
11. HEFCW will consider all applications in line with this guidance. Applications should be submitted to HEFCW via HEFCW's secure [upload facility](#).
12. Governing bodies of institutions applying for Fee and Access Plans are responsible for the applications submitted to HEFCW and, if approved by HEFCW, for complying with the requirements of the regulatory system in Wales, as set out in the **Appendix**.

First time applicants

13. All institutions considering applying for a Fee and Access Plan for the first time should contact HEFCW before submitting an application, if they have not done so already. The process for this is set out on our website, [Notification of intention to submit a Fee and Access Plan](#).

Legislation and policy documents

14. This guidance is informed by:

- the [Higher Education \(Wales\) Act 2015](#) (the 2015 Act), explanatory notes, and associated Regulations²
 - [Welsh Government Guidance on the preparation for delivery of the new regulatory system](#)
 - [Welsh Government guidance on the preparation for full implementation of the new regulatory system for higher education in Wales](#)
 - [Welsh Government guidance to HEFCW on Fee and Access Plans](#), and
 - the [Tertiary Education and Research \(Wales\) Act 2022](#), which provides for the dissolution of HEFCW and establishes a new Welsh Government sponsored body, the Commission for Tertiary Education and Research.
15. HEFCW's Fee and Access Plan guidance has been developed taking account of:
- the [Equality Act \(2010\)](#)
 - the [Equality Act \(2010\) \(Statutory Duties\) \(Wales\) Regulations \(2011\)](#)
 - the [Environment Act \(2016\)](#)
 - the [Welsh Language Standards Regulations \(2017\)](#)
 - the [Well-being of Future Generations \(Wales\) Act \(2015\)](#)
 - HEFCW's [Corporate Strategy](#) (2021), and
 - HEFCW's [Well-being Statement](#) (2021).
16. Institutions applying for a Fee and Access Plan should take account of the following HEFCW publications when completing their application:
- [Corporate Strategy](#) (2021)
 - [Remit letters](#) to HEFCW from the Welsh Government
 - [Strategic Equality Plan](#)
 - [HEFCW national measures](#)
 - [Statement of Intervention](#)
 - [Quality Assessment Framework for Wales](#)
 - [Well-being and Health in Higher Education Policy Statement](#)
 - [Welsh Language Standards: Implementation Plan](#) (2023)
 - [Financial Management Code](#)
 - [Advance HE review of Fee and Access Plan evaluation frameworks](#)
 - [Reaching Wider Programme Guidance](#), and
 - [Guidance on Partnership Arrangements for Franchise Education Provided on Behalf of Regulated Institutions in Wales](#) (referred to in this guidance as Guidance on Partnership Arrangements).

Corporate Strategy

17. HEFCW's [Corporate Strategy](#) sets out our vision for higher education in Wales and explains HEFCW's purpose in regulating, funding and influencing higher education providers in order to achieve that vision. The Fee and Access Planning processes is a key mechanism in the delivery of HEFCW's Corporate Strategy and evidencing commitment to the Future Generations goals. CTER is expected

² [The Higher Education \(Qualifying Courses Qualifying Persons and Supplementary Provision \(Wales\) \(Amendment\) Regulations 2016](#); [The Higher Education \(Fee and Access Plans\) \(Wales\) Regulations 2015](#); [The Higher Education \(Amounts\) \(Wales\) Regulations 2015](#); [The Higher Education \(Designation of Providers of Higher Education\) \(Wales\) Regulations 2015](#); [The Higher Education \(Fee and Access Plans\) \(Notices and Directions\) \(Wales\) Regulations 2015](#); [The Higher Education \(Fee and Access Plans\) \(Notices, Procedure and Publication\) \(Wales\) Regulations 2016](#).

to submit its first Strategic Plan by December 2024 informed by the [Minister's Statement of Strategic Priorities for Tertiary, Education and Research and Innovation](#). We recognise that it will not be possible for institutions to take CTER's Strategic Plan into account in their Fee and Access Plan submission but providers should pay due regard to the Statement of Priorities.

Prevent

18. Institutions that have a Fee and Access Plan approved by HEFCW will be classified as a relevant higher education body and will immediately need to comply with the Prevent Duty legislation, if they do not already. Institutions that are headquartered in Wales come under HEFCW's monitoring authority. The only exceptions in Wales are further education institutions that are already inspected by Estyn, including in relation to safeguarding and compliance with the Prevent Duty.³ HEFCW's Monitoring Framework circular [W19/25HE](#) sets out how HEFCW monitors providers' implementation of the statutory Prevent Duty. Relevant higher education bodies need to follow this framework to demonstrate due regard to the duty. These monitoring arrangements are expected to be continued by CTER. For more information please contact prevent@hefcw.ac.uk. These contact details will be superseded by those for CTER from 1 August 2024, and further details will be provided once available.

Designation of other courses

19. This guidance relates only to full-time undergraduate and PGCE (QTS) student support. All Welsh-funded⁴ institutions are automatically designated for student support of part-time undergraduate, full-time and part-time postgraduate, and doctoral courses.
20. Higher education providers that either cannot, or choose not to, apply for a Fee and Access Plan can apply for their full-time undergraduate and PGCE (QTS) courses to be specifically designated for Welsh domiciled students on a 'course-by-course' basis. Additionally, providers that are not publicly funded and wish for their part-time or postgraduate courses to be designated for Welsh domiciled students can apply for them to be specifically designated on a 'course-by-course' basis. For further information on the specific designation process contact regulationadvice@hefcw.ac.uk. Institutions should discuss course designation arrangements for students domiciled in other parts of the UK with the relevant UK administrations. These contact details will be superseded by those for CTER from 1 August 2024, and further details will be provided once available.

Further information and advice

21. Any institution wishing to discuss the process for applying for a Fee and Access Plan, or any other aspect of our regulatory functions, should email queries to regulationadvice@hefcw.ac.uk. These contact details will be superseded by those for CTER from 1 August 2024, and further details will be provided once

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

⁴ A Welsh institution means an institution in the United Kingdom maintained or assisted by recurrent grants out of funds provided by Welsh Ministers.

available. Institutions submitting a Fee and Access Plan for the first time must contact HEFCW before making a submission.

Fee and Access Plan Application Form

22. The institution applying for a Fee and Access Plan must complete the application form attached at **Annex A** and provide supplementary information in an excel spreadsheet attached at **Annex B**. The application form is divided into three parts and each part is sub-divided into different sections.
23. This guidance defines each section of the application form and sets out our expectations for the institution completing the application form.
24. All Fee and Access Plan applications must include the name of the institution and the institution's UK provider registration number (UKPRN).
25. In submitting a Fee and Access Plan application the governing body must name the contacts within the institution that are responsible to the governing body for managing that application. The application form provides for two contacts within the institution. We expect the governing body to nominate a member of the institution's senior management team, such as a Pro-Vice Chancellor or Assistant Principal, to be the lead institutional contact. All correspondence related to the application will be sent to this contact. An additional institutional contact should also be named to ensure that correspondence relating to applications are received and processed in a timely manner. We would expect this to be a senior member of a planning team.

Part One: Regulatory Information

26. The institution applying for a Fee and Access Plan is required to submit information to demonstrate that it is eligible to apply for a Fee and Access Plan.
27. We require evidence that demonstrates that the institution:
 - is an institution
 - is located principally or wholly in Wales
 - provides higher education
 - is a charity
 - is financially viable
 - is financially well managed, and
 - provides quality education.
28. Where HEFCW⁵ holds sufficient, up to date information, it will use it. The institution can also submit new, additional or more recent information to inform the assessment processes. Where HEFCW does not have sufficient, up-to-date information or data, the institution is required to provide this in support of its applications. All data submitted as evidence should be the most current, verifiable data.

⁵ CTER will be enabled to lawfully hold information and data currently held by HEFCW. Information and date held by HEFCW will be transferred to CTER ahead of HEFCW's dissolution.

29. HEFCW reserves the right to visit the institution to better understand eligibility related to the organisation and management of financial affairs and the quality of education provided by, or on behalf of, the institution where information is unclear or insufficient.
30. Information submitted to HFCW in **part one** is for our information only and the institution is not required to publish it.

Section 1: Is the Fee and Access Plan applicant an institution?

31. The 2015 Act does not specifically define the term 'institution'. The following are regarded by Welsh Government as institutions:
 - universities formed by Royal Charter
 - Higher Education Corporations
 - Further Education Corporations, and
 - bodies that train members of the education workforce.
32. The Fee and Access Plan applicant must confirm that it is one of these types of institution. If the institution is one of these types of institutions it should link to the documentation that evidences this or submit this information if it is not publicly available.
33. If the Fee and Access Plan applicant is not of a type listed in paragraph 31, it must apply to Welsh Government to be [designated as an institution for purposes of the Act](#) prior to submitting a Fee and Access Plan.
34. If the Fee and Access Plan applicant is refused designation as an institution for purposes of the Act, HEFCW will not be able to approve the institution's Fee and Access Plan application.

Section 2: Is the institution located wholly or principally in Wales?

35. We will consider the institution as being in Wales by taking account of a range of evidence as set out in the guidance.
36. The institution must list both its principal and legal addresses, where they are different, and any other names under which the institution operates.
37. In addition to this information we require the institution to list the locations of all learning and teaching activities where the institution has an interest, including locations in Wales, the rest of the UK and overseas. This should include arrangements where postgraduate taught or research provision is delivered on behalf of institutions based in Wales. For each location where the institution delivers learning and teaching activities the institution must include the number of students on courses at each location. The institution should provide this information in the 'Locations' Table of **Annex B**.⁶ HEFCW has requested separately information about doctoral partnership arrangements, and therefore this information does not need to be included in Annex B.

⁶ Guidance on completing Annex B can be located in paragraphs 145 to 183.

Section 3: Does the institution provide higher education (HE)?

38. The institution must be able to demonstrate that it provides higher education, as listed in [Schedule 6 to the Education Reform Act 1988](#), regardless of mode of study.
39. Should the institution not subscribe to the Higher Education Statistics Agency (HESA) it must provide a description of the higher education it provides and, separately, the full-time equivalent numbers of students in Wales that are taking the higher education courses at the date of application and for three years previously. Should the institution subscribe to HESA then it does not need to provide this information and should leave the section of the application form requesting this information blank. Where the institution had previously returned student information through the lifelong learning Wales record (LLWR) HEFCW may use historical information from that record.
40. The institution must have control of its qualifying courses i.e. its full-time undergraduate and PGCE (QTS) courses. Factors in assessing control include whether the institution has responsibility for the overall content and delivery of the qualifying course(s), quality assessment arrangements and contractual responsibilities to the student. HEFCW will take account of how both parties define this, but it is ultimately for HEFCW to determine whether the provision is provided by, or on behalf of, the institution.
41. The institution is deemed to be in control of the course if it is:
 - the awarding body and it either delivers the qualifying courses itself or the qualifying courses are delivered on its behalf under sub-contractual arrangements
 - delivering the qualifying courses under a validation arrangement with a university, or
 - delivering the qualifying courses awarded by either Pearson or the Scottish Qualifications Authority.
42. The institution will be deemed not to be in control of the course if it provides that course on behalf of another organisation under a sub-contractual agreement such as a franchise agreement.
43. There will be situations where the institution provides higher education directly and separately provides higher education on behalf of another institution. In these situations, only the courses it provides directly should be included in a Fee and Access Plan. The courses it provides under sub-contractual arrangements are the responsibility of the awarding organisation and come under that organisation's regulatory responsibility.
44. The institution may have full-time undergraduate courses provided on its behalf under sub-contractual arrangements. Sub-contractual partners are not deemed to have responsibility for the overall content and delivery of the qualifying course. As a result, these courses come within scope of the institution's Fee and Access Plan and are designated for student support only when the partner body, delivering the course, is a separate legal entity and a charity. A course delivered by a provider, under sub-contractual arrangements, that is neither a charity nor a

separate legal entity may not fall in scope of a Fee and Access Plan and may not be designated.

45. If the institution applying for a Fee and Access Plan wants higher education courses delivered at its subsidiaries to come within the scope of its Fee and Access Plan, it will need to confirm that agreements are in place for subsidiaries to deliver education on its behalf. These agreements should be between the governing body of the parent organisation and the subsidiary.
46. If the institution applying for a Fee and Access Plan is a subsidiary of a parent organisation and a separate legal entity to that parent organisation it will need to evidence that it is in control of the courses by submitting to HEFCW agreements with the relevant awarding organisation. The subsidiary will have to demonstrate it demonstrates the requirements of is an institution in its own right.
47. In order to assess whether the institution is in control of the course HEFCW requires the institution to either:
 - confirm that the qualifying courses in scope of the Fee and Access Plan lead to qualifications that the institution awards itself, or
 - name the organisation that awards the qualifications for the courses it is delivering along with the relevant documentation from the awarding organisation to prove that. We expect all documentation to evidence the nature of the relationship i.e. validation or franchise,
48. Qualifying courses must be validated by an appropriate awarding body:
 - a university that is on the [Welsh Minister's recognised bodies order](#)
 - Pearson, and
 - the Scottish Qualifications Authority.

Section 4: Is the institution a charity?

49. The institution applying for a Fee and Access Plan must be a charity and this must be confirmed in the application along with the institution's charity registration number (where relevant) and the name and address of its charity regulator.
50. All Chartered Universities in Wales and all Higher Education Corporations in Wales are registered charities. All Further Education Corporations are exempt charities.
51. If the institution is not registered with a charity regulator, it must provide reasons for this, together with a copy of its governing document.
52. Where qualifying courses within scope of the Fee and Access Plan are being delivered on behalf of the institution, then the institution must confirm that each provider delivering the qualifying courses on its behalf is a charity. This will be captured in the 'Locations' table of **Annex B**⁷. If that organisation is not a charity then those courses will not be designated for student support.

⁷ Guidance on completing Annex B can be found in paragraphs 145 to 183

Section 5: Is the institution financially viable?

53. The institution must provide information to HEFCW about its financial viability, including evidence that it is sustainable over the medium-term. The evidence should be sufficient to give HEFCW reasonable confidence that students will not be at risk of being unable to complete its course as a result of financial failure.
54. HEFCW's assessment of the institution's financial performance and sustainability will be an overall judgement that also takes into account the context of the institution's financial position and its strategic plan.
55. The institution should provide full details in its application of its corporate group structure, including details of all group companies or organisations, including subsidiaries, parent/holding companies and associate or joint ventures.
56. 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 demonstrate the financial viability of the whole group.
57. A financial strategy that reflects the overall strategic plan must be made available at the point of submitting a Fee and Access Plan, setting out appropriate benchmarks and performance indicators, showing how resources are to be used, and how activities and infrastructure will be financed. This should include how the institution assesses and reviews its sustainability, including the use of sustainability assessments.
58. The remaining information required depends on HEFCW's relationship with the institution applying for a Fee and Access Plan.

HEFCW higher education regulated institutions

59. As part of their regulatory duties the institution is required to submit forecast information annually. The forecast financial template and supporting student numbers template cover the current year estimated financial position together with three years of forecasts. The submission is accompanied by supporting narrative and monthly cash flow movements until the end of the following academic year. At the time of publication of this document, the most recent request for forecasts, which includes the blank templates, is [HEFCW Request for Forecasts 2023 circular](#) (W23/11HE).

Non HEFCW regulated higher education institutions

60. The institution must provide information, which illustrates:
 - **Historical performance** - a track record of financial performance evidenced by annual reports and externally-audited financial statements for the three years prior to the application. The accounts must be audited each year by a registered auditor. This must not be the same firm and/or individual that prepared the accounts, to ensure that there can be full confidence in the audit. 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.

- **Forecasts – the institution must provide forecasts that include income and expenditure account, balance sheet and cash flow statement.**

Forecasts must cover the estimated current year together with at least three year forecasts, with the support of a parent company guarantee if necessary, that demonstrate they have:

- adequate cash flow to remain solvent, that is, sufficient liquidity to pay debts as they fall due, and
- an adequate balance sheet that maintains a net total assets position such that they would not incur deficits if these would result in a net total liabilities position. Full financial forecasts should cover the current year (2023/24) and the following three years i.e. up to and including 2026/27. The evidence should include a commentary on the assumptions being made and how any financial risks are being managed.

61. Where the institution is a college then it can submit the forecast information it provides to Welsh Government.

Section 6: Are the institution's financial affairs well-managed?

62. The institution will need to provide evidence that it is well-managed with sound management practice in place and the capacity to develop in line with its strategic plan and the financial strategy that supports its Fee and Access Plan. Where the institution has already submitted this evidence to HEFCW please refer to this where relevant in the application form, in relation to the name of the file provided.

63. The institution must provide information to illustrate that it:

- has financial management processes that are well-governed and controlled adequately and effectively
- plans and manages activities to remain viable
- has robust and comprehensive systems of risk management and internal control
- has effective arrangements for the management and quality assurance of data used for internal decision making
- has regular, reliable, timely and adequate information to monitor operational and financial performance
- reports information regularly, comprehensively and correctly to appropriate senior management and those charged with governance
- manages its estate in a sustainable way in line with an estates strategy
- is able to meet all the necessary data capture and reporting requirements for HEFCW including those administered by HESA and other bodies as required by HEFCW. Examples include:
 - the report of the latest internal audit of data systems and processes
 - the annual HESES survey
 - data provided to the LLWR
 - student, student destination, staff, estates, finance and business and community interaction data provided to HESA, and
 - the annual assurance return.

64. In assessing the data management capabilities consideration will be given, where applicable, to the institution's track record in submitting data to HEFCW or other bodies including HESA, the Welsh Government and the Student Loans Company and its compliance with the code of practice for [higher education data collections](#) in preparing data for submission.
65. The institution must provide evidence that it can comply with the principles of the Higher Education Code of Governance⁸ and align with the recommendations in the Review of Governance of the Universities in Wales⁹. Alternatively adherence to alternative, equally robust governance principles such as Colleges Wales' Code of Good Governance for Colleges in Wales¹⁰, where relevant, could be evidenced. HEFCW recognises that the Code is voluntary and the institution may be able to apply alternative governance practices to achieve similar outcomes. However, HEFCW considers that the principles and intended outcomes (referred to as 'the Elements') of the Code are sound. Where it is not possible to evidence compliance with the Code, HEFCW will require an explanation that describes equally robust alternative arrangements that are in place or demonstrates that there are appropriate and reasonable grounds for non-adherence. This explanation must be given within the institution's annual report. The explanation must describe the alternative governance procedures adopted in lieu of those recommended by the codes.
66. If the institution does not already comply with the Higher Education Code of Governance, it should discuss with HEFCW, before applying for a Fee and Access Plan, how it might provide evidence of equally robust alternative arrangements.
67. The institution will need to take account of all relevant guidance on the responsibilities of trustees and effective trusteeship. This [guidance](#) is available on the [Charity Commission website](#).
68. The institution must provide evidence that it:
- complies with the statutory requirements relating to external audit, and
 - is owned, managed and run by 'fit and proper persons' by providing:
 - evidence of its organisation's identity and that of key individuals (for example, the Governing Body, Vice Chancellor, Principal, directors, shareholders, trustees), along with their skills and experience, and
 - confirmation that directors / trustees (as relevant) are eligible to act as either directors or trustees and have not been disqualified from acting as directors or trustees.

Section 7: Is the education provided by and on behalf of the institution adequate to meet the needs of students?

69. HEFCW is responsible for assessing or making arrangements for the assessment of the quality of all education provided by and on behalf of regulated institutions. Education provided outside Wales is considered to be provided in

⁸ [Higher Education Code of Governance \(Committee of University Chairs\) September 2020](#)

⁹ [Review of Governance of the Universities in Wales \(Gillian Camm\) December 2019](#)

¹⁰ [Code of Good Governance for Colleges in Wales \(Colleges Wales\) 2016](#)

Wales if it is provided as part of a course that is provided principally in Wales. The institution applying for a Fee and Access Plan will need to evidence that the quality of all the education it provides (not just the quality of its qualifying higher education courses) is adequate to meet the reasonable needs of those receiving the education or undertaking the course.

70. Currently, the reasonable needs for the quality of higher education are considered to be met if the institution has obtained satisfactory judgements in an external quality assurance review which meets standards set out by HEFCW.¹¹ These judgements ensure quality assurance is rigorous. In every case, an institution that does not obtain judgements of 'meets' or equivalent, will be deemed to have, or to be at risk of having, inadequate quality. The reasonable needs for non-higher education provision are considered to be met if the institution has a successful review/inspection by the appropriate body responsible for the quality standards of that provision (e.g. [Estyn](#), [Pearson](#), etc.). External review evidence will also need to be supplemented by additional information that provides ongoing assurances that the quality of education remains adequate.
71. For Fee and Access Plan applications, the institution must provide **all** of the following:
- Confirmation that it has internal quality assessment procedures in place for **all** of its education provision – whether provided by or on behalf of institutions. This includes all higher education provision (including qualifying courses and non-qualifying courses such as part-time study and apprenticeships), **and** non-higher education provision, e.g. school, further or professional education. It covers education provided by the institution or on its behalf via other providers under sub-contractual agreements.
 - Confirmation and evidence that all of its higher education provision, including higher education provided on its behalf (e.g. franchise provision), has obtained satisfactory judgements in a relevant external quality assurance review. If the institution is looking to become regulated for the first time, it must demonstrate that it has successfully undergone two reviews by the Quality Assurance Agency for Higher Education (QAA) at four yearly intervals, with the most recent being a [Gateway Quality Review – Wales](#). If the institution is currently regulated, it must demonstrate that it has successfully undergone a *Higher Education Review: Wales*, [Quality Enhancement Review](#) or equivalent external quality assessment review process, normally within the past six years. In the year immediately following a review, if existing regulated institutions are in the process of working through a review outcome to address issues resulting from a less than fully satisfactory outcome, we expect them to set out in detail how they are addressing those outcomes. We would expect these actions to be completed within 12 months.
 - We also expect the institution to list any other reviews or inspections that the institution is required to undertake for other higher education provision such as apprenticeships or to meet PSRB requirements. Where these are actions following the review, we expect these actions to be completed within 12 months.

¹¹ See information provided on HEFCW's [quality webpages](#).

- Confirmation and evidence that all of its non-higher education provision, and any non-higher education provided on its behalf, has successfully undergone a review/inspection by the appropriate body responsible for the quality standards of that provision. In the year immediately following a review/inspection, if existing regulated institutions are in the process of working through a review/inspection outcome to address issues resulting from a less than fully satisfactory outcome, we expect them to set out in detail how they are addressing or planning to address those outcomes. We would expect these actions to be completed within 12 months.
- Confirmation that the governing body has been able to sign off the annual quality assurance statements requested:
 - i) The governing body has received a report taking account of the external quality assurance review, and an action plan has been put in place and implemented as appropriate, in partnership with the student body.
 - ii) The methodologies used as a basis to improve the student academic experience and student outcomes are, to the best of our knowledge, robust and appropriate.
 - iii) a) For providers with degree awarding powers: The standards of awards for which we are responsible have been appropriately set and maintained.
b) For providers without degree awarding powers: The standards of awards for which we are responsible have been appropriately maintained.
 - iv) The governing body has considered a report on the annual dialogue between the institution and the student union or equivalent, scrutinised student survey outcomes and confirmed that action plans had been put in place and implemented, in partnership with the student body.
 - v) The governing body has received a copy of the relationship agreement between the institution and the student union or equivalent, and a copy of the student charter, both of which have been reviewed within the past year.
 - vi) The governing body has effective oversight of degree outcomes and academic integrity.
- Confirmation that there are appropriate partnership arrangements in place with all other bodies that either deliver education on its behalf or (where relevant) deliver qualifications that lead to one of its awards. The institution is required to list all bodies that either deliver education on its behalf or (where relevant) deliver qualifications that lead to one of its awards in the 'Locations' Table of **Annex B**, confirming that an agreement is in place for each partnership. As per paragraphs 41-44, this should include validation or franchise arrangements for postgraduate taught and research provision, but does not need to include doctoral partnerships. We expect all agreements to have been signed after 1 September 2015 (or have an addendum added

after 1 September 2015) to confirm the arrangements fall under the 2015 Act.¹² CTER may request submission of partnership agreements.

- Where there are validation arrangements in place, confirmation of the duration of the validation of courses. The institution will have to provide the period of validation (to and from dates) in the 'Locations' Table of **Annex B**. We expect those validation arrangements to be effective in enabling the provider to satisfy itself as to the quality of the education leading to the award of a qualification under the arrangements.

Part Two: Fee and Access Plans

72. This section provides guidance to the institution completing the Fee and Access Plan application form attached at **Annex A**.
73. The Fee and Access Plan sets out the institution's commitment to widening access to, through and beyond HE through supporting equality of opportunity and promoting higher education in Wales.
74. The Higher Education (Wales) Act 2015 (the 2015 Act) sets out the general requirements of a Fee and Access Plan. The general requirements are to:
 - take, or to secure the taking of, measures to attract applications from prospective students who are members of under-represented groups
 - take, or to secure the taking of, measures to retain students who are members of under-represented groups
 - provide, or to secure the provision of, financial assistance to students,
 - make available to students or prospective students information about financial assistance available to students from any source, or to secure that such information is made available
 - inform any prospective student, before the student commits to undertaking a course, of the aggregate amount of fees that the institution will charge for the completion of the course, or to secure that any prospective student is so informed
 - monitor compliance with the provisions of the plan, and
 - monitor progress in achieving the objectives set out in the plan.
75. Guidance will need to be developed in order to deliver the new legislative requirements as per the TER (Wales) Act 2022, with guidance relating to the following legislative priorities to be published during the Fee and Access Plan term:
 - Student Complaints
 - a Learner Protection Plan
 - a Learner Engagement Code,
 - Staff and Student Welfare, and
 - Equality of Opportunity.

¹² As noted above in the section relating to criteria on being an institution in Wales providing higher education, HEFCW reserves the right to require copies of the relevant agreements. HEFCW will keep requirements regarding quality under review, and so may update these in future years.

Given the alignment of these legislative priorities with Fee and Access Plan priorities, should this guidance be issued prior to the end of the 2026/27 academic year then HEFCW will expect all regulated institutions to take them into account as part of delivering on their Fee and Access Plan objectives.

76. We have highlighted in different sections of the Fee and Access Plan application form where we expect the general requirements to be evidenced.
77. Fee and Access Plans must be published and must be made accessible to students in any format should this be requested.
78. The application form must clearly indicate the name of the institution applying for the Fee and Access Plan.
79. The institution can apply its own branding to the template from the outset but must not change the application form in any way once it has been approved by us.

Duration of the Fee and Access Plan

80. A Fee and Access Plan will be considered to be 'in force' from the date it is approved and it has 'effect' from the academic year to which the Fee and Access Plan relates. For example, a plan covering the period 2025/26 plan will be in force from the date of HEFCW's approval, which in this example would be July 2024, and in effect in the academic year 2025/26.
81. Fee and Access Plans must specify the period when they will be in effect.
82. HEFCW works to an academic and planning year for many purposes, including Fee and Access Planning, which is 1 August until 31 July. Aligning Fee and Access Planning with our annual planning cycle enables institutions to be agile in responding to Welsh Government and HEFCW policies and students' needs and to publish fee levels at around the same time as other UK higher education institutions.
83. For regulated institutions, this plan will cover two academic years, i.e. 2025/26 and 2026/27.

Contents page

84. We expect all Fee and Access Plans to include a contents page to assist readers to navigate the plan.

Section 1 - Fee levels

Section 1.1 – Fee levels or the determination of a fee level at each location

85. Fee and Access Plans must either:
 - specify each fee level that the institution will charge or
 - provide for the determination of a fee limit.

Guidance for these two methods of presenting fees are set out below.

86. Institutions must take account of commitments made in previous Fee and Access Plans and in other communications with students e.g. marketing materials and offer letters when specifying or determining a fee level.

Specifying fee levels

87. Where the institution specifies full-time undergraduate and PGCE (QTS) fee levels in a plan they should be clearly set out in the table provided for each year that the plan relates too. For each fee level, the institution should separately list each location where that fee will be charged and the qualification that the student being charged that fee in 2025/26 and 2026/27 is studying towards. The qualifications that must be listed should be:
- first degree
 - integrated masters' degree
 - a PGCE leading to QTS
 - a PGCE not leading to QTS
 - Foundation Degree
 - HND
 - HNC
 - diploma of higher education, or
 - certificate of higher education.
88. Where a fee level is not agreed for a particular type of qualification at a location, the institution will not be able to charge that level of fee. For example, should an approved plan include fee levels charged at £7,500 for HNCs and HNDs at a location of another partner which is a charity providing a qualifying course on its behalf, the institution will not be able to charge a fee for any other qualification, such as a foundation degree, at that location, unless it first varies its plan, through HEFCW's variation process.
89. The institution must consider as separate locations:
- each of its own campuses, and
 - campuses of the charities providing full-time undergraduate courses on the institution's behalf.
90. When listing fee levels the institution cannot exceed the maximum fee limits in regulations. These are currently:
- £4,625 for the final academic years of courses where that academic year is normally required to be completed after less than 15 weeks attendance and a course of initial training of teachers including an academic year during which any periods of full time study are in aggregate less than 10 weeks
 - £1,850 for sandwich courses
 - £1,385 for study and work placements overseas, and
 - £9,250 for all other courses.
91. Where the institution commits to specifying fee levels in plans, the institution must take into account the potential impact of changes to the maximum fee, following Fee and Access Plan approvals. Any changes to maximum fee limits will require a [variation to a Fee and Access Plan](#). When considering variations to Fee and Access Plans, we will have regard for the fundamental principle that

must students know, before committing to a course, the aggregate amount of fees that the institution will charge for the duration of the course.

92. When completing the application form, the institution can delete the box provided for determining fee levels if it is specifying fee levels.

Determining a fee level

93. Where an institution determines a fee level, the institution must provide a clear explanation of how the fee will be calculated. The institution could make reference and link to the maximum fee amount as prescribed in 2015 Act regulations, for example, and state when the actual fee levels will be set and where this information will be found on its website, as well as confirming that the fee will not exceed the maximum amount permitted. The institution must ensure that when it sets a fee level, it is set in a way that is consistent with how the fee level has been determined in an approved Fee and Access Plan.
94. Institutions should ensure, where possible, that the Fee and Access Plan should be clear and easy for students and other stakeholders to understand. Where fee levels are determined, interested parties should be able to interpret the plan at any point during the two year period.
95. Where an institution does determine a fee level then it must set out which locations of study those determined fee levels will relate to. This includes the name of each campus where the applicant institution delivers full-time undergraduate and PGCE courses and the name of any provider delivering courses on its behalf and relevant campuses names where that provider operates over multiple campuses.
96. If the institution is determining a fee level, the table for specifying fee levels can be deleted from the application form.
97. Where the institution determines how a fee will be calculated, it will need to provide more information of how it will determine a fee do this in part three of the application form. This information will be used only by HEFCW to understand investment to improve equality of opportunity and the promotion of higher education. Further information is included below in the section on fee income investment.

Section 1.2 – Aggregate fee levels

98. It is a general requirement of the 2015 Act that all regulated institutions must either:
- provide clear information to potential and current students about their aggregate fees for the completion of the course and the basis for any potential fee increases for the duration of their course, or
 - confirm that there will be no fee increases for the duration of their course.
99. This section of the Fee and Access Plan application form must also set out how the institution will communicate fee information to its students and link to where the information can be found on its website.

100. This section must relate to all fee levels being charged, not just those charged at the maximum fee rate.
101. In approving the Fee and Access Plan application for submission to HEFCW, the institution's governing body is confirming its processes for determining or specifying fee levels comply with these guidelines.

Section 2 – Student partnership

102. The student voice should be evident throughout the plan. The institution should explain in the application form how the institution involves students as partners in decision-making and strategic planning. This will demonstrate the institution's commitment to aligning with its Student Charter, student partnership, and provision of information to prospective students in line with CMA guidance.
103. The institution must clearly explain how the institution has identified the priorities of its diverse student populations (including those studying courses provided on its behalf by another charity) and explain how these students' views inform the institution's objectives, the activities and services to be delivered through the plan and the under-represented groups it is supporting.
104. The Fee and Access Plan should detail how the institution provides feedback to its students and how it has taken account of their priorities. Examples of services and activities set out in the plan that are delivered in collaboration with students would be helpful.
105. Information regarding how the plan was informed by surveys of current and/or prospective widening access students, and as a result of Reaching Wider Partnerships' involvement, will strengthen the plan and evidence how under-represented students' voices involved in planning.

Section 3 – Identifying under-represented groups

106. The institution must set out clearly the groups under-represented in higher education that it will support with Fee and Access Plan investment to improve equality of opportunity in Wales. **Only groups identified as under-represented in HE should be supported by equality of opportunity investment.**
107. The following groups are considered by HEFCW to be under-represented in higher education. We identify some of these in our national measures, through the Reaching Wider Programme and in our Strategic Equality Plan. We expect the institution to support all under-represented groups listed in HEFCW's national measures. These are listed as follows:
 - Students of all ages from the bottom two quintiles of the Welsh Index of Multiple Deprivation (WIMD) 2019
 - Students of all ages from the bottom quintile of the WIMD 2019
 - People of all ages from UK low participation in HE areas
 - Students of all ages that would benefit from studying part-time Higher Education
 - Students of all ages studying through the medium of Welsh.

108. We expect institutions to support all students from identified under-represented groups across the institution regardless of the mode or level of study.
109. Universities should take account of [Reaching Wider-Programme guidance](#) and the funding they committed to Reaching Wider. The RW Programme continues to comprise of two pillars: universities and regional RW Partnerships. The two pillar approach supports collaboration between higher education institutions and RW Partnerships, whilst increasing the resources of the RW Programme.
110. With RW Partnerships working with priority groups to HE level 4, including adults without level 4 qualifications, as set out in the Reaching Wider Guidance, we expect regulated institutions to work closely with their regional Partnerships to support people living in the bottom two quintiles of the Welsh Index of Multiple Deprivation (WIMD) on supporting governance and planning, shared delivery, avoiding nugatory competition, and ensuring effective support and transition of RW priority groups to and through higher education. We expect that regulated institutions will increase their focus on recruitment and retention of people from ethnic minority communities that are under-represented in higher education and people with disabilities.
111. These priority groups will align with institutions' action planning to support anti-racism in higher education and equality of opportunity and contribute to institutions' strategic equality plans. Institutions will also be expected to align Reaching Wider activities with broader Welsh Government policies on the Welsh language, including the cultures of Wales. Institutions are able to support under-represented groups living outside their Partnership region including people who live in the bottom two quintiles of WIMD in other parts of Wales, care experienced people and carers, people with minority ethnic backgrounds, people studying through the medium of Welsh, as well as other groups through their Fee and Access Plan funding that is not ring-fenced for regional RW Programme support.
112. We require the institution to use the Fee and Access Plan to fund its institutional contribution to the Reaching Wider Programme at the same rate as in previous years:
Only these Reaching Wider groups should be supported through the institutional contribution to the Reaching Wider Programme and listed separately in this section. We expect institutions to set out clearly the Reaching Wider institutional groups supported separately from any wider Fee and Access Plan support for similar groups
113. Separately from Reaching Wider institutional Fee and Access Plan investment, the institution can also prioritise Fee and Access Plan investment to support some of the under-represented groups listed below. Inclusion of any of these groups must be supported by evidence that they are under-represented in the institution, in Wales or in UK HE. We do not expect the institution to support all of these under-represented groups through its Fee and Access Plan investment, though some groups have protected characteristics where institutions have legislative duties. Some groups are large in number and will require support.
- Students with protected characteristics
 - Young males from WIMD lower quintile and low participation areas
 - People living in workless households
 - People experiencing 'in work poverty'

- Refugees and asylum seekers
 - Learners who are in receipt of an Educational Maintenance Allowance (EMA)
 - Learners who are eligible for free school meals
 - Applicants and students who are the first in family to enter higher education
 - Service and ex-service personnel and their families
 - Ex-offenders.
114. The 2022 Act defines under-represented groups as being negatively impacted as a result of social, cultural, economic or organisational factor. We encourage institutions to use this lens to define under-representation.
115. An institution may include other groups it has identified as being under-represented in higher education. Where this is the case, they should be listed separately in this section.
116. The institution should consider how to use Fee and Access Plan investment to support anti-racism, as set out in the Welsh Government's [Anti-racist Wales Action Plan](#) and to contribute to making Wales anti-racist.

Section 4 – Objectives, targets and under-represented groups as they relate to supporting equality of opportunity and the promotion of HE

117. The institution must set out its Fee and Access Plan objectives to improve equality of opportunity and promote higher education. The institution should set these out separately for equality of opportunity (in section 4.1 of the form) and the promotion of higher education (in section 4.2 of the form).
118. All objectives and corresponding investment relating to equality of opportunity must relate to the delivery of the promotion and support for persons who are members of under-represented groups.
119. Institutions seeking regulation for the first time must set out investment against each objective and are required to set a proposed level of spend for each objective.

Objectives

120. When setting objectives the institution must be clear that objectives to improve equality of opportunity can only directly support students and applicants from the under-represented groups it has identified. Only objectives to promote higher education can have a focus on supporting all students.
121. The institution must take account of the following general requirements of Fee and Access Plans when setting objectives to improve equality of opportunity. When setting or maintaining objectives, the institution should consider how they will address:
- attracting applications from students who are members of under-represented groups
 - retaining students who are members of under-represented groups.

In the context of the anticipated changes to regulatory arrangements, we strongly encourage institutions to consider setting objectives to:

- increase the proportion of students studying through the medium of Welsh
- promote lifelong learning
- reduce any gaps in attainment between different groups of students, where the differences arise from social, cultural, economic or organisational factors, and
- provide support for students finishing courses who are members of under-represented groups to continue their education to find employment or start a business.

122. Where objectives are set to increase the proportion of students studying through the medium of Welsh, these objectives should be aligned to institutional objectives agreed with the [Coleg Cymraeg Cenedlaethol](#). We also expect colleges that are seeking to become regulated for 2025/26 to 2026/27 to consider how their Welsh medium objectives reflect an ambition to improve pathways from subjects at lower levels of study. This should be aligned with funding they are receiving from the Welsh Government and the Coleg Cymraeg Cenedlaethol.
123. The promotion of higher education expectation can include activities and services that involve all students, not just those from under-represented groups. Such activities and services might include those that improve the experience and employability outcomes of all students, as well as demonstrate how the institution engages with schools and colleges, employers, other partners and the local and national communities in Wales.
124. HEFCW published its [national measures for higher education performance](#)¹³ in November 2018. We expect the institution to consider how its Fee and Access Plan objectives will contribute to making progress against the measures relevant to the Fee and Access Plan.

Targets

125. We do not require institutions to set targets, however through our annual monitoring process, we will expect to understand how the institution is measuring progress towards the achievement of its objectives and ambitions to improve.
126. Institutions applying to be regulated **for the first time** are required to set out how they intend to measure progress against their objectives as part of their submission. We would require a statement to outline what data they will use to monitor this progress. This statement should provide details of alignment to the national measures for higher education.

¹³ HEFCW 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. It should be noted that the participation and retention national measures are currently under development given that the HESA UKPIs previously used in these measures are no longer being produced.

Fee income investment

127. The institution must invest a reasonable proportion of fee income received from full-time undergraduate and PGCE (QTS) courses to achieve its Fee and Access Plan objectives. Institutions submitting a Fee and Access Plan for the first time must set out the proportion of fee income being invested to deliver each of its objectives to improve equality of opportunity and to promote higher education in section 4.1 (equality of opportunity) and 4.2 (promotion of higher education) of the application form. The total fee income being invested in equality of opportunity and the promotion of higher education should be set out in the 'Fee Investment' table of **Annex B**.
128. **Regulated institutions** are required to maintain the same proportion of total full-time undergraduate and PGCE (QTS) fee income as previously in the following areas:
- the proportion of money invested in improving equality of opportunity
 - [Reaching Wider programme](#), and
 - student support i.e. hardship funds and bursaries.
129. If the institution **has not previously been regulated**, we expect it to invest between 14% and 17% of its total undergraduate full-time income in the Fee and Access Plan. The level of investment must be agreed with us. This range of percentage investment has been established with all existing regulated institutions.
130. Where institutions are applying for a Fee and Access Plan for the first time, investment should be presented against each Fee and Access Plan objective.
131. Given that evaluating a Fee and Access Plan provides the institution with an opportunity to identify how it can be more effective in its delivery of Fee and Access Plan objectives, we would expect the institution to allocate a reasonable proportion of its fee income to evaluating its plan. If it does so, we require any institutions applying to be regulated **for the first time** to set out how this investment will be used and the level of investment in the 'Fee Investment' Table of **Annex B**.

Delivery against objectives

132. We will meet with newly regulated institutions to discuss how they intend to deliver against their objectives to promote equality of opportunity and to promote higher education to groups identified in paragraphs.
133. We recognise that some activities and services may contribute to delivering multiple objectives and meet the needs of different under-represented groups. Where this is the case, we will want to understand how that activity or service will contribute to the different objectives. The institution will need to be clear, for its own auditing purposes, how investment has been apportioned between the different objectives being delivered.
134. There is a general requirement that each Fee and Access Plan must make financial assistance and information about financial support available to students. We expect institutions to set out how they have achieved this from fee income

assessment when submitting monitoring information, including the types of financial assistance available for both under-represented groups (and supported by equality of opportunity investment) and assistance for all students supported by promotion of HE investment. We expect financial commitments to students made in a plan to be honoured.

135. We expect all activities and services to be monitored regularly and evaluated periodically to ensure that the institution is confident that delivery remains on target to meet the needs of students and potential students. We will ask for evidence through our monitoring process to understand how institutions have reviewed and evaluated delivery, including taking account of equality impact assessments.

Part Three: Evidence to HEFCW in support of the Fee and Access Plan application

136. To support the institution's Fee and Access Plan we require it to submit supporting evidence and data to HEFCW, as set out below. Information provided in Part Three of the application form does not need to be published, allowing the institution to be more succinct in its presentation and to refer to documents and data that HEFCW is already aware of.

Evidence and data to support the plan's objectives

137. We require institutions submitting a Fee and Access Plan for the first time to provide evidence to us to explain in more detail its Fee and Access Plan application including the current context and priorities. In making its case, we require the institution to explain with reference to data, and examples. Where reference is made to institutional documentation, we want to understand clearly the extent and focus of alignment, rather than simply providing us with a list or link. Evidence and data should include:
- how the plan aligns and contributes to its mission and purpose and priorities as set out in key strategic documents including: its institutional strategy and underpinning strategies and plans, its strategic equality plan and particularly its widening access strategy and widening access delivery plan which will be broader than Fee and Access Plan priorities, and its retention strategy
 - how the institution engages with its regional Reaching Wider Partnership
 - how equality of opportunity activities and services will support identified under-represented groups to and through higher education and how the institution will ensure a continuum of student /potential student engagement to support transitions, retention, success
 - how the outcomes of previous performance, monitoring and evaluation exercises have informed the current plan
 - how ongoing impact assessment outcomes have informed the current plan, including equality impact assessments
 - a risk assessment that sets out where the institution sees risks to achieving their objectives and what they will do to mitigate the risks.
138. Where an institution is determining a fee then it will need to explain the basis on which they have done this. This will help us understand the commitment to support the plan's objectives, targets and activities.

Evidence and data to support the plan's focus on under-represented groups

139. Institutions applying **for the first time** must also provide evidence and data in this section of the application form, to justify why the groups identified as under-represented and listed in section three of the plan should be supported by the proportion of tuition fee income accounted for in the Fee and Access Plan.
140. It is for the institution to evidence why they have identified the groups set out in the plan as under-represented recognising the guidance set out in paragraphs 106-116 above.
141. When providing evidence and data, the institution should consider that the aim of widening access in Wales is to secure equality of opportunity, transition, progression, retention and success to through and beyond higher education. Widening access enables learners of all ages, from priority backgrounds, who face the highest social, cultural, economic and organisational barriers, to fulfil their potential as students, lifelong learners, citizens and employees.
142. When assessing this section of the application we expect to understand how the under-represented groups, identified in section 3 of the application form, align with the institution's mission, priorities and strategic equality plan commitments, as appropriate.
143. When identifying under-represented groups, the institution should balance the scale of investment with the number of groups it proposes to engage with. Investment spread across too many groups may not enable the institution to make sufficient impact on improving access to and through HE. We expect to be able to understand, from the information provided, including with reference to equality impact assessments, how under-represented groups have been identified.
144. Not every individual within groups under-represented in higher education will face barriers in accessing, progressing and succeeding in higher education. Institutions should take this into account and focus on engaging those students and potential students with furthest to travel from the point of entry to higher education.

Annex B – information to support Fee and Access Plan application form

145. This section of the guidance relates to **Annex B** of the Fee and Access Plan application. In completing the tables, institutions should take account of guidance in section three of part one of the template.
146. **Annex B** is a spreadsheet containing four worksheets. Each worksheet collects the following data:
 - **Fee income:** Fee income from home¹⁴ domiciled full-time undergraduate (FTUG) and post graduate certificate in education (Qualified Teacher Status) (PGCE) (QTS) students under the current fee regime

¹⁴ This includes any other students eligible to pay fees in accordance with home domiciled students under the current fee regime.

- **Locations:** the location, type, level, partnership information and forecast student numbers for all activity controlled by the applicant
 - **Financial information:** the financial forecasts
 - **Fee investment:** the Fee and Access Plan income forecast expenditure, and are described in more detail in paragraphs 174-179 below.
147. The spreadsheet published in **Annex B** of this circular includes sample worksheets only and reflect the spreadsheet that institutions applying for a Fee and Access Plan for the first time will have to complete. Institutions currently regulated will have to submit information in just the locations worksheet if they are universities, given they return financial information through other processes, and just the locations and financial information worksheet if they are colleges.
148. A prepopulated individualised worksheet, in Excel format containing the tables to complete, will be sent to institutions separately.
149. Institutions not currently regulated by HEFCW should contact regulationadvice@hefcw.ac.uk in line with the process set out on our [website](#) in order to receive the relevant tables. These contact details will be superseded by those for CTER from 1 August 2024, and further details will be provided once available.
150. **Information should only be entered in the cells shaded in yellow.** All other cells in each worksheet should not be amended in any way. This is to maintain formulae such as those used to calculate totals and to ensure validation checks and comparisons can be carried out. Therefore, all non-yellow cells are locked to prevent accidental alteration of the spreadsheet. To view the formulae in any of these cells it is possible to unlock each sheet by going to the **'Review'** ribbon and selecting **'Unprotect sheet'** and entering the password **FAP24** **The structure and layout of the spreadsheet should not be amended in any way either.**
151. Simple validations have been added to each worksheet and are intended as an aid to completing the table, for instance, where student numbers are returned fees would also be expected to be returned. The validations are not intended to imply any expectations from HEFCW. If data entered trigger a validation, a message will appear in red at the right of the table. A message 'Please review the messages in red to the right of the table' will appear in the grey bar at the top of each worksheet to alert the applicant to the presence of these messages.
152. There are four worksheets in **Annex B**, those listed in paragraph 146 above, and another worksheet labelled **'Lists'** which contains lookup information. This worksheet aids the functioning of other worksheets, contains no formulae and is for reference only. As no information should be entered in this worksheet or deleted from it, all cells are locked.
153. If you have any questions about the workbook or have any technical difficulties with it, please contact regulationadvice@hefcw.ac.uk. These contact details will be superseded by those for CTER from 1 August 2024, and further details will be provided once available.

Audit of data returned on Annex B

154. An external audit of higher education data by HEFCW may include in its scope the processes and data used in the completion of the tables in **Annex B**. Systems and processes used to complete the tables are also included in the scope of the annual internal audits of higher education data systems and processes.

Fee income from home and EU domiciled full-time undergraduate and PGCE (QTS) students under the current fee regime (new applicants only)

155. The table in the '**Fee income**' worksheet collects information about fee income and student numbers relating to provision for home and eligible EU domiciled full-time undergraduate and PGCE (QTS) students under the current fee regime which the applicant controls.

Include information about courses that:

- the applicant provides, controls and validates themselves
- the applicant provides and controls which is validated by another body but are not part of a franchise¹⁵ arrangement
- the applicant provides and controls, that is validated by themselves, their parent or another body, where they are a subsidiary of that parent and the parent is not including the courses in their Fee and Access Plan
- the applicant franchises out to other charitable providers in the UK that are charities or are parents of charitable subsidiaries that are not submitting their own Fee and Access Plan and the students are based in the UK, and
- are delivered by a charitable subsidiary in the UK, where the applicant is the parent of that subsidiary, and the subsidiary is not submitting their own Fee and Access Plan.

Do not include information about courses that:

- that the applicant provides on behalf of another provider via a franchise agreement
- that the applicant does not provide and that the applicant validates only
- that are delivered by a subsidiary, where the applicant is the parent of that subsidiary, and the subsidiary is submitting their own Fee and Access Plan
- that the applicant franchises out to a non-charitable provider, and
- that are delivered by a non-charitable subsidiary, where the applicant is the parent of that subsidiary.

156. The data to be returned in the table are split into franchised out / subcontracted, and not franchised out / subcontracted. For each type of student listed in the table the forecast number of students should be entered in **column C** and the total forecast fee income that relates to them in **column D**. Data entered in **column C** and **column D** should be consistent with the data collected in the '**Financial information**' worksheet.

¹⁵ HEFCW uses the term 'Franchise' when referring to provision delivered via partnership arrangements which includes sub-contractual/collaborative arrangements – refer to circular [W16/13HE](#).

Location, type, level, partnership information and forecast student numbers for all activity controlled by the applicant (all applicants)

157. The table in the ‘**Locations**’ worksheet collects information about all the activity forecast to take place for the duration of your plan that the applicant controls. This includes both full-time and part-time provision at postgraduate and undergraduate levels and further education and below. It collects information about the organisation providing the provision, the location, type and level of provision, forecast student numbers and the applicant’s partnerships. Activity both in and outside the UK should be recorded here. Information about doctoral partnerships has been collected separately by HEFCW, and information about research and innovation activity which does not include learning and teaching provision is not required.
158. Where partnerships are expected to be in place for the 2025/26 academic year but will not be finalised at the time of submitting the Fee and Access Plan application to HEFCW in May 2024, institutions should exclude them from the submission. If a new partnership is finalised in either 2025/26 and/or 2026/27 and relates to a full-time undergraduate and PGCE (QTS) course requiring student support then a [variation to the plan will be required](#).
159. Data to be returned in the ‘**Locations**’ worksheet includes all activity that the applicant controls. This includes all modes and levels including further education and below, based in the UK or overseas including the EU that:
- the applicant provides, controls and validates themselves
 - the applicant provides and controls which is validated by another body,
 - the applicant provides and controls, that is validated by themselves, their parent or another body, where they are a subsidiary of that parent and the parent is not including the provision in their Fee and Access Plan
 - a subsidiary of the applicant delivers, where the applicant is the parent of the subsidiary and the subsidiary is not submitting their own Fee and Access Plan
 - the applicant franchises out
 - is the applicant delivers in collaboration with a partner, and
 - the applicant does not provide and validates only.
160. One row of data should be provided for each combination of providing organisation, location address, type and level of activity and type of partnership. This table is designed to obtain an overview of all activity the applicant is engaged in. Therefore, partnership information will not be relevant to every row, as indicated in paragraph 157 above.
161. The name of the organisation providing the activity should be entered in **column B** and its UKPRN in **column C**. If the activity is provided by the applicant then the applicant’s name and UKPRN should be entered. If the activity is provided by another organisation via a partnership such as a franchise arrangement, a subsidiary, a validation arrangement or other sub-contractual or collaborative arrangement then the name and UKPRN of that other organisation should be entered.

162. The address of the campus where the provision is taking place, or of the organisation itself if there is only one main campus should be entered in **column D**.
163. In **column E**, the level of study should be selected from the drop down list. If the qualification being studied does not fall into the levels available in the drop down list, (postgraduate, undergraduate, further education) then the level should be typed in **column E**.
164. In **column F**, the total forecast number of students undertaking the activity should be entered.
165. If the activity is or is not being delivered by a partner, this should be indicated in **column G**. If the activity is not being delivered by a partner then **columns H, I, J and K** do not need to be completed. If the partner is or is not a charity should be indicated in **column H** using the Y/Y-Exempt¹⁶/N drop down list. The type of partnership should be entered in **column I** using the drop down list, and the start and end date of the partnership agreement should be entered in **column J and K** respectively.

Financial forecasts (new applicants and colleges currently regulated)

166. Only colleges that are currently regulated and institutions applying for a Fee and Access Plan for the first time will be required to complete this template.
167. The '**Financial information**' worksheet collects information which reconciles forecast income in 2024/25 from home and EU full-time undergraduate and PGCE (QTS) fees under the current fee regime entered in the '**Fee income**' worksheet with forecasts provided to or Welsh Government (FEIs), or subsequent updates to those forecasts.
168. The table to complete is indicated when entering Y or N to the first question, which asks if the Fee and Access Plan has been prepared on the basis of forecasts already submitted to Welsh Government (FEIs). Y or N **must** be entered here to indicate which table to complete and for the validations in this worksheet to work correctly. If completing this worksheet on the basis of a **submitted** forecast, then **table 1** must be completed. If completing this worksheet on the basis of a **new** forecast then **table 2** must be completed.
169. The reconciliations have provisionally been populated with text indicating adjustments that (where applicable) were required to reconcile previous Fee and Access Plans to forecasts. These should not be regarded as exhaustive and should be overwritten where applicable.
170. Forecasts are completed following the guidance issued by Welsh Government (FEIs only). Where a provider is neither a HEI regulated by HEFCW or an FEI it must discuss with HEFCW how this guidance applies to them.
171. The '**Income Validation**' section (included in both table 1 and 2) in this worksheet compares the Fee and Access Plan forecast total home and EU full-

¹⁶ [Exempt charities \(CC23\)](#) / [Principal regulator of exempt charities: memorandum of understanding](#)

time undergraduate and PGCE (QTS) fees under the current fee regime from the 'Fee income' worksheet with the forecast submitted to HEFCW/Welsh Government (table 1) or the new forecast (table 2) and calculates the difference which is displayed as the variance. Applicants are requested to list reconciling items which explain the variance. Once reconciling items and the associated forecast income have been completed the final figure of the table should equal zero. If it does not then a message will appear in red to the right of the table, however a tolerance of +/- £5k is allowed in the validations. Fee income is collected in £ in the 'Fee income' worksheet and in £'000s in the 'Financial Information' worksheet. Data from the 'Financial Information' worksheet and the 'Fee income' worksheet are both rounded to the nearest £1,000 before any validation is applied.

172. If the applicant is providing new forecast data and is therefore completing table 2, then information relating to income, expenditure, surplus and consolidated statement of cash flow should be provided in the yellow cells for all years indicated. The guidance for completion of these items can be found in the guidance issued by Welsh Government.
173. If you have any questions about financial forecast definitions used in this worksheet, please contact the Sustainability and Assurance Team at assurance@hefcw.ac.uk. These contact details will be superseded by those for CTER from 1 August 2024, and further details will be provided once available.

Fee and Access Plan income forecast investment (new applicants only)

174. The table in the 'Fee investment' worksheet sets out investment committed to achieve each objective, to evaluate Fee and Access Plans, for reaching wider and for financial support.
175. In sections a) and b) of this table, the institution must include its forecasted investment to achieve each objective as set out in Annex A of the Fee and Access Plan application.
176. **Investment to deliver objectives to improve equality of opportunity must relate only to groups under-represented in higher education.**
177. Forecast investment on evaluation of the effectiveness of Fee and Access Plans is collected in section (c) and income being spent on Reaching Wider in section (e).
178. Student financial support activities will be a part of total investment in objectives to support equality of opportunity and/or the promotion of higher education (as set out in (a) and (b)). Section (f) asks the applicant to separately identify forecast investment in student financial support activities **already included** in (a) and (b) and the anticipated numbers of students supported.
179. You must income forecast to be invested in objectives relating to equality of opportunity must exceed that invested in objectives to promote higher education.

Reasons for collecting data in Annex B

180. Data returned on the '**Fee income**' worksheet provides the total fee income available for investment and also enables HEFCW to assess the average fee levels home and EU domiciled FTUG and PGCE (QTS) students under the current fee regime are being charged.
181. Data returned on the '**Locations**' worksheet will be used to provide data to be considered in HEFCW's assessment of quality; to monitor the partnership arrangements in place in the UK, and to monitor partnership and campus arrangements in place abroad.
182. Data returned on the '**Financial information**' worksheet will be used in the assessment of financial sustainability.
183. Data returned on the '**Fee investment**' worksheet enable HEFCW to assess the level of fee income from home and EU domiciled FTUG and PGCE (QTS) students under the current fee regime that will be invested in equality of opportunity, promotion of higher education, Reaching Wider Partnerships, evaluation of the effectiveness of Fee and Access Plans and student financial support.

How HEFCW will manage the Fee and Access Plan process

184. The following information sets out the processes for an institution submitting a Fee and Access Plan and the approval process by HEFCW.
185. The institution must include the following information:
 - Regulatory information that demonstrates that the institution is eligible to enter the regulated sector in Wales.
 - Its detailed commitment to improving equality of opportunity and promotion of higher education.
 - Where relevant, supplementary evidence to support the Fee and Access Plan.
 - Evidence of governing body approval.
186. The institution will receive two templates:
 - A Fee and Access Plan application form, including a governing body approval form.
 - An excel document to supplement information provided in both the regulatory information and the Fee and Access Plan

For institutions applying for a Fee and Access Plan for the first time, HEFCW will provide a standard application form, on request from regulationadvice@hefcw.ac.uk. These contact details will be superseded by those for CTER from 1 August 2024, and further details will be provided once available.

Submission

187. The governing body of the institution is responsible for a Fee and Access Plan and must approve both the initial application to HEFCW and the final re-submission of a plan, where the plan has been revised following discussions with HEFCW. We expect student representatives to be part of that development and approval process. The institution may wish to secure delegated authority from its governing body, at an early stage, and if appropriate.
188. All files submitted to HEFCW should have file names that are clearly labelled with the institution's name, a description of the file and the date of submission. Please submit:
- **Annex A** in Word format
 - **Annex B** in Excel format
 - The governing body approval in PDF format.

HEFCW's assessment of Fee and Access Plans

189. Fee and Access Plan applications and HEFCW's initial analysis of them will be considered by HEFCW's Regulation Committee and Council.¹⁷ HEFCW will provide initial feedback to institutions, taking account of the Regulation Committee's advice.
190. HEFCW will assess the Fee and Access Plan applications against the following criteria:

The robustness of evidence as it relates to:

Regulatory information

- being an institution in Wales
- providing higher education
- being a charity
- financial viability
- effective organisation and management of financial affairs, and
- the quality of the education provided or provided on its behalf.

The robustness and quality of evidence as it relates to:

Fee and Access Plans

- providing clear information about fee levels, ensuring fees do not exceed that permitted to be charged
- explaining fully how student partnership has informed the development of the Fee and Access Plan
- identifying and supporting under-represented groups to improve equality of opportunity in higher education
- setting ambitious, achievable objectives which demonstrate the institution's intentions to improve equality of opportunity and the promotion of higher education

¹⁷ www.hefcw.ac.uk/en/about-us/governance/committees/

- where relevant, committing a reasonable proportion of fee income to improve equality of opportunity and the promotion of higher education
- detailing governance arrangements and student engagement, including how the institution will monitor and evaluate the Fee and Access Plan.

HEFCW's Fee and Access Plan approval and rejection process

191. Once the Fee and Access Plan analysis and iteration processes with the institutions has been completed, HEFCW will approve or move to reject plans.
192. HEFCW will not approve Fee and Access Plans until it is satisfied that the institution has both provided appropriate regulatory information and demonstrated satisfactorily its commitment to improving equality of opportunity and promoting higher education.

Approval and publication

193. HEFCW will confirm Fee and Access Plan approval by writing to the institution's governing body.
194. Where the institution is successful in its application, it must publish the required elements of its approved plan on its website, including the date of HEFCW approval and the date of publication.¹⁸ We expect the Fee and Access Plan (part 2 of the application form) to be published on the same web page that tuition fees are set out. The approved Fee and Access Plan can be linked to other webpages as necessary. It would be good practice to include a summary of the plan on the webpage with the link. The link to the published Fee and Access Plan must be shared with HEFCW within 14 days of approval. Any changes to the link must be communicated to HEFCW within seven days of the change being made.
195. Fee and Access Plan applications can be submitted to HEFCW in the institution's corporate style, recognising that the approved version will be published and forms part of the institution's corporate documentation. However, the published text **must** not vary in any way from the text in the plan approved by HEFCW.
196. There is no requirement to publish any HEFCW guidance notes, including those which form part of the application form as this may cause confusion for the general reader. The Fee and Access Plan should be written so that it can be understood as a standalone document.
197. HEFCW will notify the Student Loans Company (SLC) of approved Fee and Access Plans and full-time undergraduate fee limits for the duration of the agreed Fee and Access Plan. Additionally, HEFCW will confirm which charities are delivering full-time undergraduate courses on behalf of regulated institutions with the SLC.

¹⁸ This guidance indicates that the regulatory information (section one) of the Fee and Access Plan is for HEFCW/CTER and not for publication.

Rejection

198. If the institution does not have a Fee and Access Plan approved following the process set out above, it may continue its dialogue with HEFCW and/or be subject to the processes set out below.
199. If HEFCW is not satisfied that the institution meets its criteria for approving a plan after a reasonable iteration period is complete, it will write to the governing body (to the Chair and Clerk of the governing body and copied to the Accountable Officer) setting out the reasons for its proposed intention to reject plans.
200. HEFCW will not approve a Fee and Access Plan where:
- regulatory information provided by the institution is considered to be inadequate¹⁹
 - the institution's fee limits exceed the maximum applicable fee limit specified in the legislation²⁰, or
 - an institution's governing body has not confirmed its approval of the plan.
201. HEFCW will not approve a Fee and Access Plan where it considers that all of the criteria for the assessment of the Fee and Access Plans are not fully and satisfactorily met.
202. If HEFCW intends to reject a Fee and Access Plan it must provide the institution's governing body with a warning notice. A diagram setting out the stages of the notice process can be found on our [website](#).

Exit from the regulatory system

203. There are three ways in which a regulated institution can exit the regulatory system including:
- not applying for a Fee and Access Plan to be approved
 - not having an application for a plan approved, or
 - having an approved plan withdrawn.
204. HEFCW will have a statutory duty to withdraw approval of a Fee and Access Plan where it is no longer satisfied that the institution meets the definition of a regulated institution. HEFCW will have powers to withdraw its approval of a Fee and Access Plan in other circumstances.²¹
205. Where a regulated institution exits the system:
- HEFCW's powers in relation to the quality of education provided by, or on behalf of, the institution continue to apply in relation to the institution's designated courses.
 - HEFCW may give the governing body of the institution a direction to take (or not take) specific steps for the purpose of dealing with, or preventing a failure to comply with, a general requirement of an approved Fee and

¹⁹ Information regarding being an institution in Wales, providing higher education and being a charity that is financially viable with sound arrangements for the organisation and management of its financial affairs and quality of all the education provided by, or on behalf of, it.

²⁰ [The Higher Education \(Amounts\) \(Wales\) Regulations 2015](#)

²¹ Powers for intervention are set out in a [Statement of Intervention](#).

Access Plan if, at the time of the failure, the Fee and Access Plan was in force.

- the institution's governing body will be required to ensure that fees, for academic years starting within the period to which its fee plan related, continue to comply with the applicable fee limit.
- the institution's governing body will be required to ensure that students do not lose fee protection and that fees, for academic years starting within the period of its most recent Fee and Access Plan, continue to comply with the relevant fee limit for the duration of students' courses.

Variation of a Fee and Access Plan

206. While Fee and Access Plans are in force²², regulated institutions are required to inform HEFCW immediately of any changes to their charitable status, principal location or activities that may impact on their ability to satisfy the criteria under Section 2(3) of the 2015 Act.
207. Where there are any changes to approved Fee and Access Plans and their commitments, regulated institutions should discuss the implications of these changes with HEFCW and their student representatives at the earliest opportunity and in advance of any changes being made. Such changes may include, but are not limited to:
- changes to tuition fees
 - provision at new locations
 - new or revised arrangements for higher education provided on behalf of institutions, or
 - where a body providing learning and teaching on behalf of institutions ceases to be a charity while the Fee and Access Plan is in force.
208. Variations to Fee and Access Plans will require HEFCW agreement.
209. Any financial commitments to students made in plans approved by HEFCW must be honoured and are not subject to a variation.
210. Where a published plan is varied with HEFCW approval, the institution must publish its revised plan and include the revised date of HEFCW's approval and the revised date of publication. A version of the original plan should always be made available when requested. Where a variation to a plan is not approved by HEFCW the existing published plan will stand.
211. Detailed guidance on varying a Fee and Access Plan is provided on our [website](#).
212. Variations that include changes to fee levels should be made before students are accepted on to a course. Where the institution is seeking a variation with a view to expanding the qualifying courses offered, students must not be accepted on to the courses until the variation is approved by HEFCW and the agreed courses

²² The period in which a plan is "in force" is the period beginning with the day on which it is approved and ending: either the day on which the period to which the plan relates expires (i.e. the end of the academic year in respect of which the plan has effect); or the date of a withdrawal notice under section 38 or 39, whichever of those occurrences is the earlier.

and fees are confirmed. Institutions must ensure that commitments to students about their fees are honoured and comply with CMA guidelines.

Monitoring compliance with and evaluating the effectiveness of a Fee and Access Plan

213. Once regulated, institutions must monitor compliance with both the general requirements and fee levels of a Fee and Access Plan, as well as monitor performance against the objectives set out in the plan.
214. Governing bodies should make appropriate arrangements to monitor compliance and performance of the Fee and Access Plan. In doing so, where aspects of performance are delegated, there will need to be clear processes by which assurance is provided to the governing body, to enable it to make informed decisions and discharge its duty in a timely fashion. We recognise that the governing body may not engage in the operational detail and that this level of detail may be delegated to another committee. However, there will need to be clear processes by which assurance is provided to the governing body to enable it to make informed decisions and discharge its duty in a timely fashion.

Ongoing compliance

215. We have integrated the compliance element of the Fee and Access Plan process with the Annual Assurance Statement process, therefore ensuring a consistent approach to our regulatory processes. In signing the Annual Assurance Statement, we require governing bodies to confirm that:
- no regulated course fees have exceeded the applicable fee limit as set out in the Fee and Access Plan.
 - the institution has taken all reasonable steps to comply with the general requirements of the Fee and Access Plan.
 - the institution has taken all reasonable steps to maintain levels of investment, including maintaining the splits between investment to support equality of opportunity and promoting higher education as well as that in student support.
216. Alongside the statement, institutions are required to submit to HEFCW the documentation that it shared with its Governing Body to enable it to confirm the commitments in the Annual Assurance Statement. These returns will inform HEFCW's institutional engagement.
217. When assessing this, we will expect to understand in some detail:
- the groups or committee structures that monitor the plan in the year to which the plan relates and how they assess the institution's compliance with the plan
 - the extent of governing body engagement, and
 - the involvement of students in processes, including students where education is provided on behalf of the institution.

Evaluating effectiveness of Fee and Access Plans

218. HEFCW has a duty to evaluate the effectiveness of Fee and Access Plans. To inform this duty institutions will be required to evaluate the effectiveness of investment to deliver on Fee and Access Plan objectives. In doing so we expect institutions to have:
- a framework to evaluate the effectiveness of investment to deliver on Fee and Access Plan objectives. We expect this evaluation to be considered as part of an institutional wide approach to evaluation,
 - clarity for groups and committees in the institution in evaluating of the plan,
 - processes for implementing change following evaluation including reflections of lessons learnt and identifying good practice,
 - a clear rationale for why any specific approaches to evaluation in any particular academic year.
219. In 2019, HEFCW commissioned Advance HE to review evaluation frameworks being used by institutions in Wales and to provide guidance on effective ways to evaluate Fee and Access Plans in the future. The Advance HE review can be found on HEFCW's [website](#). We expect all **regulated institutions** to familiarise themselves with the review outcomes. In particular, we expect all institutions to develop evaluation frameworks that take in account of the recommendations and align with the principles in the report.
220. Alongside the annual assurance process, **regulated institutions** are required to submit documentation produced internally and discussed with relevant internal groups regarding the evaluation of the effectiveness of investment to deliver on the Fee and Access Plan objectives, including the evaluation of the effectiveness of the relevant student support. Guidance is provided to institutions with expectations on returns closer to the time but HEFCW's Regulation Committee has advised that HEFCW pay particular attention to the following areas as part of its duty to evaluate Fee and Access Plans:
- Retention of students from under-represented groups
 - Increasing the proportion of students studying through the medium of Welsh
 - Improving the employability and career outcomes of students in Wales
 - Identifying effective practice in the delivery of Fee and Access Plan objectives.
221. We also expect to understand clearly in returns how the university is meeting and building on its Reaching Wider Statement of Intention, aligning with and supporting transition from Reaching Wider Partnership activity and supporting Reaching Wider priority groups to and through higher education.
222. Institutional performance against [HEFCW's national measures](#) will inform our engagement and our institutional risk review.
223. Institutions applying for a Fee and Access Plan for the first time will be asked to provide evidence to assure HEFCW that it has arrangements for monitoring compliance with and evaluating the effectiveness of Fee and Access Plans should it become regulated. This will be informed through a dialogue with the institution ahead of its application.

224. We expect all evaluations to include an equality impact assessment that will inform future planning. HEFCW may require institutions to submit their equality impact assessments to enable it to understand how the institution has taken account of equality and diversity issues in delivering on its objectives.

Assessing the impact of our policies

225. We have carried out an integrated impact assessment 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 and potential impacts towards the sustainability principle, goals and ways of working as set out in the Well-Being of Future Generations (Wales) Act 2015. Contact equality@hefcw.ac.uk for more information about impact assessments. These contact details will be superseded by those for CTER from 1 August 2024, and further details will be published once available.
226. The Tertiary Education and Research (Wales) Act 2022 (section 3, 2 (a)), defines under-represented groups in relation to tertiary education as groups of students that are under-represented in relevant tertiary education in Wales²³ as a result of social, cultural, economic or organisational factors and in relation to research and innovation²⁴, groups that are under-represented in the carrying out of research and innovation in Wales as a result of social, cultural, economic or organisational factors.
227. We included specific equality and diversity-related questions in our [consultation on the 2017/18 Fee and Access Plan guidance](#), on which this guidance is based. HEFCW encouraged consultation responses to identify any potentially negative impacts on equality and diversity, the Welsh language and the well-being goals, as set out in the Future Generations Act. HEFCW annually monitors data and evidence on individuals with protected characteristics and the Welsh language to inform its policy implementation and practice. HEFCW continues to welcome additional evidence and/or advice to inform its Fee and Access Plan policy development and implementation. Please email any additional evidence and/or advice to regulationadvice@hefcw.ac.uk. These contact details will be superseded by those for CTER from 1 August 2024, and further details will be provided once available.
228. Following consultation, we published our Strategic Equality Plan 2020-2024 (SEP) in March 2020. Our SEP sets out our priorities for HEFCW and higher education in Wales and how we will collaborate with providers and other partners to achieve them. Institutions should consider these priorities and those priorities set out in their own SEPs when setting their objectives to support under-represented groups in higher education. HEFCW revised its [SEP in May 2022](#), to take account the impact of Covid-19 in line with advice from the Equality and Human Rights Commission and the establishment of the CTER and the move of higher education functions into the new Commission. We recognise that all regulated institutions will be doing so as well.

²³ Relevant tertiary education is defined as “tertiary education courses provided wholly or mainly in Wales”.

²⁴ TER (Wales) Act 2022 Part 1, subsection 3 Promoting equality of opportunity, 2(b)

229. From 31 March 2021, named public bodies in Wales must pay due regard to the socio-economic duty, as set out in the Equality Act 2010. While neither HEFCW, nor higher education providers, are currently named public bodies, HEFCW has committed to 'act within the spirit of' the duty, as expected by Welsh Government and we expect regulated institutions to do the same.
230. HEFCW is committed to providing a high and equal standard of service to the public in both Welsh and English to meet the 2017 [Welsh language standards](#). Our 2023 [implementation plan](#) sets out how we comply with these standards. Further information is available on HEFCW's [website](#).
231. HEFCW is not the regulator of institutions' compliance with the Welsh Language Standards. However, we support the development of Welsh medium higher education and expect higher education providers to increase applications to and enrolments on, Welsh medium courses.
232. Opportunities to study in Welsh are a distinctive and important part of higher education in Wales and in developing Fee and Access Plans, institutions should take account of Welsh medium provision. Our impact assessment process takes into account our duties in this regard.
233. The following have been identified as having positive impacts in our impact assessment process:
- steps taken to align to new regulatory requirements
 - the emphasis on investment to support under-represented groups
 - the focus on prioritising pathways in Welsh medium study
 - encouraging institutions to set long-term objectives, and
 - encouraging institutions to consider supporting under-represented groups into postgraduate study.
234. We had identified the legislative focus of the Fee and Access Plan on inputs as a neutral impact which we fed into our evidence during the passage of the then Tertiary Education and Research (Wales) Bill through the Senedd.

Appendix: Regulated institutions' obligations

In successfully applying for a fee and access plan all governing bodies of regulated institutions are obligated to:

- ensure that regulated course fees do not exceed the applicable fee limit;
- comply with any direction lawfully given by HEFCW;
- take into account any HEFCW guidance when complying with a direction issued by HEFCW in relation to compliance with fee limits;
- comply with the general requirements of an approved fee and access plan;
- co-operate with HEFCW in exercising its duties to monitor and evaluate the compliance and effectiveness of a plan;
- take into account HEFCW guidance on quality;
- take into account advice in relation to provision which is, or is likely to become, inadequate in terms of quality;
- co-operate with HEFCW's duty to assess the quality of its education and education provided by an external provider on its behalf;
- comply with any requirement imposed by the financial management code;
- comply with a direction in respect of failure to comply with the code;
- take into account any guidance contained in the financial management code;
- co-operate with HEFCW's functions in respect of failure to comply with the code;
- co-operate with HEFCW's duties to monitor compliance with the code;
- take into account the promotion of equality of opportunity;
- take into account the promotion of higher education through the medium of Welsh;
- give due consideration to any guidance published by the Commission for Tertiary Education and Research as it discharges its duties in relation to the Tertiary Education and Research (Wales) Act 2022, particularly in relation to learner protection, learner engagement, equality of opportunity, and the support and promotion of the welfare of its students and staff.