

Medr

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

Learner Engagement Code

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Learner Engagement Code

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Introduction

Statutory and regulatory basis

1. Section 129 of the Tertiary Education and Research (Wales) Act 2022 (the Act) requires Medr to prepare and publish the Learner Engagement Code about the involvement of learners in their providers' decision-making.
2. Learner engagement in decision-making includes opportunities for learners to:
 - participate in the making of relevant decisions by their provider
 - have their voices effectively represented in provider decision-making
 - give their views on the education they are receiving and matters of concern or interest to them
3. Learners must have these opportunities to be part of their provider's decisions that are of concern or interest to them.
4. The Act requires Medr to ensure compliance with the requirements of The Code on an ongoing basis for all registered providers, set out in the associated Condition of Registration. This requirement for compliance is echoed in the associated Condition of Funding for providers funded by Medr. Section 101 of the Act sets out a requirement for the governing body of a maintained school sixth form to comply with the requirements contained in the Learner Engagement Code.
5. Therefore, the Learner Engagement Code applies to all parts of the tertiary education sector funded or regulated by Medr:
 - further education
 - higher education
 - apprenticeships
 - adult community learning
 - local authority maintained school sixth forms.
6. Medr shall carry out its functions with regard to the importance of protecting the freedom within the law of education providers in Wales to conduct their day-to-day management in an effective and competent way. Nothing in the regulatory documents is to be interpreted as requiring the governing body of a tertiary education provider to do anything that is incompatible with any legal obligation or legal restriction that applies to the governing body by virtue of the provider being a charity, or with the governing documents of the provider.

Regulatory Framework

7. The Code forms part of Medr's regulatory framework, underpinned by our Regulatory Approach. As a regulator, we aim to take a balanced approach which is proportionate and risk-based but also expects high standards across tertiary education in Wales.
8. The Code requires learners to have opportunities for engagement across decision-making within all tertiary sector providers and therefore spans the regulatory framework with expectations across regulatory conditions. Medr will not monitor any

one condition in isolation and will therefore take a holistic view of learner engagement, drawing on evidence across the framework.

Quality Framework

9. Medr's Quality Framework sets out policy and practice in relation to the quality of tertiary education. It is a key element in helping Medr to achieve its strategic aim of ensuring learners receive the highest quality provision in a tertiary education sector that strives for continuous improvement. Like The Code, the Quality Framework applies to all parts of the tertiary education sector funded or regulated by Medr.
10. The Quality Framework has a set of pillars, which set out ways in which providers can demonstrate good quality, and which we expect to drive good learner outcomes. The learner engagement pillar of the Quality Framework focuses on the engagement of learners in their provider's processes and actions to assure and improve the quality of their learning experience, the expectation on providers is that they implement the Learner Engagement Code as part of this. As part of this pillar, Medr commits to supporting learner engagement in the sector through investing in resources and support, including training and guidance tailored to the needs of different parts of the tertiary sector. Medr also commits to working with learners, providers and stakeholders to identify and share good practice in learner engagement. Organisations responsible for inspection and review are expected to engage with learners and take their views into account.

Requirements of the Learner Engagement Code

The governing body (or equivalent) of a provider **must**:

- comply with the requirements of the Learner Engagement Code (or any subsequent revisions)
- provide evidence to demonstrate compliance with the Learner Engagement Code and its impact

Providers **must** publish a commitment to embed and support impactful learner engagement in decision-making in line with the principles of The Code.

11. The Code requires all tertiary education providers in Wales to publish a commitment to embed and support impactful learner engagement in decision-making in line with the principles of The Code.
 - The commitment must be developed and published within the first full academic year in which The Code applies to the provider
 - Learners must be engaged in the development of the commitment
 - Learners must be engaged in the annual review of the commitment
 - Confirmation that the commitment has been reviewed must be provided by the governing body (or equivalent) to Medr on an annual basis, as part of annual assurance returns
 - Examples of impact arising from the review of the commitment and evaluation of learner engagement must be shared with Medr on an annual basis, as part of annual assurance returns. This requirement begins following the first review of the commitment
 - The commitment must be promoted in accessible ways to learners by the provider
12. Wherever a learner representative body exists the provider **must** work in partnership with them to:
 - co-produce the commitment
 - annually review the commitment
 - promote it in accessible ways to learners through provider and learner representative body channels
13. Wherever a learner representative body exists they **must** sign the commitment to provide confirmation of the above requirements in relation to partnership working.
14. The term 'commitment' is being used to articulate the purpose of the document, this does not have to be the name used by the provider and its learners. Some may have existing publications that this commitment could be added to, or providers and learners may opt to develop a bespoke commitment for learner engagement in decision-making. Annex A provides an exemplar structure for reference.
15. The published commitment should be a high-level document and should include signposting and links to further information including plans, policies and resources

where relevant, which we anticipate will be tailored to the provider's structures, local context and the needs of its learners.

16. The commitment **must** include:

- Articulation of how the provider **will** embed and support learner engagement in decision-making in line with the principles of the Learner Engagement Code. It is not a requirement to individually list how the provider intends to meet each principle
- Articulation of how the provider has engaged learners in the development and review of the commitment and how the views of diverse learner cohorts, including those with protected characteristics and Welsh language preferences, **will** be taken into account
- Detail on which learners are covered by the commitment, including those undertaking learning via sub-contractual or franchise arrangements

17. Wherever a learner representative body (as described in paragraph 30) exists, the commitment **must** also include:

- Articulation of how the provider and learner representative body work in partnership to embed and support learner engagement in decision-making. Providers and learner representative bodies may have a separate and more detailed agreement which articulates their relationship and ways of working, where that exists it **must** be signposted within the commitment to avoid duplication
- Articulation of how the provider works in partnership with the learner representative body on the development and review of the commitment

18. Learner engagement in the development, review and promotion of the commitment:

- Providers **must** demonstrate within the commitment how the views of their diverse learner cohorts, including those with protected characteristics, additional learning needs and those with Welsh language preferences are taken into account in the development and review of the commitment
- Wherever a learner representative body exists, they **must** be supported by the provider to represent the views of their diverse learner cohorts, when co-producing and reviewing the commitment

19. Review of the commitment:

- The commitment **must** be reviewed on an annual basis; this will be confirmed to Medr by the providers' governing body (or equivalent) via the provider's Annual Assurance Return after the first full academic year in which The Code applies to the provider
- Review of the commitment **must** include evaluation of the effectiveness and impact of the associated learner engagement in decision-making; outcomes of the review will be provided to Medr via the providers' Annual Assurance Return following the first review

20. Learner engagement is most effective when led by the needs of learners, therefore there isn't a single "right" approach to learner engagement, particularly in the tertiary education sector which encompasses a diverse range of learners and settings.

Medr encourages innovation in learner engagement to meet the needs of learners and providers, and to drive continuous improvement. To enable this, The Code is deliberately not prescriptive about practices to engage learners in their provider's decision-making, or the specific mechanisms providers **must** use. Instead, we take a principles-based approach, primarily focusing on the **impact** of learner engagement. Impact will be explored through learner voice, examples of practice and the effect they have on learners and the learner experience.

21. Approaches to learner engagement will be shaped by each provider's size, mission, learner demographics and types of provision, as well as their unique history and experience in engaging learners in decision-making – all while being guided by learners' needs. We understand that the nature of engagement will be shaped by the context in which learning takes place; for example, apprentices' experiences are determined primarily by their employer's expectations and workplace responsibilities, and the appropriate structures for their representation and feedback may look very different to those that are suitable for campus or centre-based learners.
22. Medr recognises that providers are starting from different points on their journey of effectively engaging learners in their decision-making and we will regulate proportionately in that context. All providers **will** be expected to evaluate their learner engagement to support its continuous improvement. We understand that effective learner engagement is a culture rather than a linear process, that it will identify things that aren't working, and that in some cases true impact will only be apparent over time. We want transparent dialogue with providers to understand the successes and the challenges they encounter in meeting their commitments. The evidence provided to support compliance with The Code may, therefore, include examples where work is still underway, or where the impact of learner engagement has not been as expected.
23. Medr aims to support this at provider level and across the sector, through The Code, by publishing examples of effective practice and guidance, and by funding projects led by organisations with relevant experience and expertise. These activities will support Medr and the sector to meet the principles for learner engagement which have been developed with learners and written from their perspective, reflecting Medr's strategic aim to focus the tertiary education sector around the needs of the learner.

How to use The Code

24. The Code has been developed to support tertiary education learners in Wales to have impactful engagement in their providers' decision-making, shaping and continuously improving the learner experience and learning environment. The Code sits within Medr's regulatory and quality frameworks with regulatory requirements for all providers of tertiary education and research in Wales. It is intended to be a resource used by providers, with their learners and learner representative bodies (where they exist), to develop, evaluate and improve learner engagement in their provider's decision-making. The Code sets out the elements of learner engagement in decision-making in the form of principles. The principles are expressed from the learner perspective, focusing learner engagement on their needs.
25. The Code is integrated into the regulatory framework through a Condition of Registration and Condition of Funding; there is a statutory duty¹ for maintained school sixth forms to comply with the requirements of The Code. The Code applies to all tertiary provision of registered and/or funded tertiary education providers, including that provided on their behalf, for example via sub-contractual or franchise arrangements wherever they are delivered. Where a registered or funded provider enters into a validation arrangement (in line with the Condition: Validation Arrangements) it **must** have assurances that its partner has arrangements aligned to the requirements of The Code, wherever possible. All learner engagement is considered within the providers' context and regulated proportionately.
26. All tertiary education providers funded or regulated by Medr must publish a **commitment to embedding and supporting impactful learner engagement in decision-making** in line with the principles of The Code. For ease, the principles are highlighted in purple throughout The Code. Each principle has accompanying text to help providers consider the key elements needed to align their practice with them, this information is provided as guidance and all providers **should** pay regard to it – for ease, guidance is highlighted in yellow throughout The Code. Additional briefings will accompany The Code, providing contextual good practice guidance specific to each part of the sector.
27. The examples and reflective questions provide further support for providers and learners to align with the principles for learner engagement and to evaluate and improve current practice. This information is not prescriptive and does not form part of the requirements or statutory guidance of The Code. Reflective questions help learners, learner representative bodies (where they exist) and providers to collaboratively evaluate the extent to which they align with the principles. Examples of practice help to articulate the principles in action; it is helpful to consider these in the provider's particular context. Some practice may be specific to different parts of the sector and may be accompanied by additional guidance and expectations beyond The Code. The support and guidance will build over time, expanding on examples of practice to include case studies from the sector, building on resources in response to sector needs and through projects funded by Medr that facilitate support and collaboration in learner engagement.

¹ Tertiary Education and Research (Wales) Act 2022, Section 101 (3)

Language used in the Learner Engagement Code

28. For the purposes of Medr's remit and the scope of its activities, in line with the Tertiary Education and Research (Wales) Act 2022, 'learner engagement' is defined as encompassing opportunities for learners to participate in the making of relevant decisions by their provider, ensuring learners are effectively represented in provider decision-making and ensuring learners have opportunities to give their views to their provider on the education they are receiving and matters of concern or interest to them. The definition of learner engagement, for the purposes of the Learner Engagement Code (The Code), does not refer to an individual's attendance, motivation or commitment to their own learning.
29. **'Learner'** is the collective term used for individuals undertaking learning in the tertiary education sector in a wide range of settings including classrooms, workplaces and communities. Within different parts of the tertiary education sector more specific terms are often used, such as 'student', 'pupil', 'apprentice' or 'doctoral researcher'. Where appropriate (for example, in case studies, briefings or resources relating to one part of the sector) we have used the term common to a particular part of the sector.
30. **'Learner representative body'** is the term used to describe the primary formal structures for the collective representation of learners by their peers. This includes independent students' unions, students' unions supported by provider staff and learner/school councils.
- **Independent students' unions.** The Education Act 1994 defines students' unions as associations of students whose principal purpose includes promoting the interests of and representing its members, students. All universities in Wales have an independent students' union, which is democratically led by students and operates separately from the university. A students' union represents and supports students, led by elected student officers. Under the Education Act 1994, the union **must** have an approved constitution, be run democratically, be financially accountable and provide a clear complaints process, while students have the right not to join. The independent students' unions in Wales are charities, which means their trustees **must** follow charity rules and act in the union's best interests. Independent students' unions provide the main formal mechanism for universities to engage with the student body and **must** be central to the university's implementation of The Code.
 - **Students' unions supported by provider staff.** Smaller providers of higher education and some further education institutions in Wales have students' unions as defined in the Education Act 1994. Unlike those seen at universities, these are not independent organisations and rather than operating separately from the education provider, elected learner representatives are supported by provider staff. Student officers/learner representatives are often undertaking roles alongside their studies and not as a full-time position. Whilst these are not independent bodies, they **should** be recognised as the main mechanism for collective learner voice and **should** be supported to be representative of their diverse learner membership, including those with protected characteristics.
 - **Learner councils.** Learner councils are established in a range of tertiary education settings. They may be known by other names such as a Senedd, society or learner executive. They provide a space for the collective

representation of learners. Learner councils **should** be recognised as the main mechanism for collective learner voice and **should** be supported to be representative of the diverse learner population at the provider, including those with protected characteristics.

- **School Councils.** Under the School Councils (Wales) Regulations 2005, ‘the governing body of a school **must** establish a school council, the purpose of which is to enable pupils to discuss matters relating to their school. Their education and any other matters of concern or interest and to make representations on these to the governing body and head teacher.’ Sixth form pupils are members of the whole school council; there may also be a separate sixth form council or executive.

31. **‘Provider’** is the term we use to encompass the range of organisations responsible for the delivery of tertiary education and research, these are universities, higher education institutions, further education institutions, apprenticeship providers, local authorities responsible for adult community learning and maintained school sixth forms.

32. **‘Provider decision-making’** is a broad term covering all decisions made by a provider that are of concern or interest to learners. This **should** include those decisions related to the quality of tertiary education, learners’ teaching and learning experiences, strategic decisions made by the provider which impact on learners, and any decisions about the wider learner experience. Learners are engaged in different ways and at different points across the range of decisions made by their provider. This will range from consultation and use of learner feedback to partnership approaches. There are decisions where it is not always appropriate to engage learners (other than the individual as necessary), this can include where decisions relate to an individual learner, their wellbeing, behaviour or academic performance, similarly where decisions are made about personal issues relating to a member of staff.

33. The types of decisions made by providers may relate to large strategic changes, or to practical matters affecting learners’ day-to-day experiences. Examples of the decision-making areas learners **should** be engaged in could include:

- Assurance and improvement of the quality of the learning experience
- Development and evaluation of opportunities for learner engagement in decision-making
- Development and evaluation of strategies and policies that affect learners, such as those relating to attendance, discipline, wellbeing and equality
- Improvements to the learning environment and resources
- Development and evaluation of learner support services
- Engagement with external quality assessment and regulation
- Learner protection plans

Benefits of learner engagement

34. Effective learner engagement in decision-making provides benefits for current and future learners, for providers and for the tertiary education sector in Wales.
35. **Learners**, individually, those learners who engage in decision-making processes and in roles as representatives, governors or leaders, have opportunities to:
 - develop additional skills and competencies
 - improve their own learning experience
 - build social connections
 - deepen their sense of belonging within their provider
36. **Learners**, collectively benefit from:
 - a learning experience that is centred around and responsive to their needs
 - coordinated opportunities to amplify their voices with reduced individual burden
 - improvements that benefit future cohorts of learners
37. **Providers and the tertiary education sector**, have opportunities to benefit through:
 - enhanced understanding of learner needs to guide continuous improvement of quality and the learner experience
 - positive impacts on learner satisfaction, retention and success
 - learners identifying barriers and challenges to support providers' strategic decisions and operational actions
 - learner feedback as valuable evidence to inform self-evaluation and quality processes

Principles for learner engagement²

Learner engagement is:

1. **Embedded:** Opportunities for me to engage in decision-making with my provider are woven throughout every aspect of my educational journey and through all decisions that impact me, my peers and future learners.
2. **Valued:** I am listened to and empowered to shape my whole learning experience through engagement in my provider's decision-making.
3. **Understood:** I know where and how to raise ideas and share thoughts on topics that are important to me and topics raised by my education provider.
4. **Inclusive:** The opportunities for me and other learners to engage in decision-making reflect our diverse needs, interests and abilities to engage.
5. **Bilingual:** I can engage in decision-making through the medium of Welsh, and I have opportunities to be involved in my education provider's approach to Welsh-medium provision and how it promotes the Welsh language and culture.
6. **Individual and Collective:** In addition to the opportunities for me to engage in my providers decision-making, as learners we are supported to share our voices with each other to collectively engage in decision-making to shape the learning experience.
7. **Impactful:** My engagement is part of ongoing dialogue where outcomes and changes are discussed and reviewed, and we are all able to see the impact of this on the learning experience now and for future learners.
8. **Resourced:** Resources are allocated by my education provider to ensure all learners have opportunities to engage in decision-making.
9. **Evaluated:** My education provider regularly evaluates how they engage with us as learners and whether this meets our expectations. They work with us to identify what's working well, what could be done better and to develop changes for improvement.

² Sections highlighted in purple indicate the principles of The Code which providers **must** align their commitment to embedding and supporting impactful learner engagement to.

Considerations for practice

38. The following section of The Code provides information to support providers to align their learner engagement practice and commitment with the principles of The Code. This section aims to provide further clarity on the principles for learner engagement, to bring them to life through illustrative examples of practice and to aid evaluation through reflective questions.
39. The Code applies to all tertiary providers and the information in this section aims to reflect the diverse nature of learners, learning and providers of tertiary education. The illustrative examples reflect the breadth of mechanisms for effective learner engagement in different settings but are not requirements of The Code or expected practice for all providers. Further contextual information and links to resources will be included in the individual briefing documents for each part of the sector.
40. The principles do not work in isolation and complement each other with points of convergence. They are therefore intended to be approached holistically to guide providers' approach to learner engagement. We do not require evidence of alignment or reference to the individual principles in providers' commitments to embedding and supporting impactful learner engagement in decision-making.
41. This section can be used by providers, learners and learner representative bodies (where they exist) to develop, evaluate and continuously improve learner engagement in their provider's decision-making. This section and accompanying briefing documents will be built over time responding to evolving sector needs and practice, this will include the addition of further examples and case studies and signposting to guidance and resources funded by Medr and available to the sector.
42. Medr will regularly review The Code and its associated Condition to ensure they align with evolving sector needs, policy changes, and feedback from stakeholders.

Principle 1: Embedded

Opportunities for me to engage in decision-making with my provider are woven throughout every aspect of my educational journey and through all decisions that impact me, my peers and future learners

Learners have opportunities to engage in their provider's processes for making decisions that affect their learning experience and that of future learners. This includes decisions about the learning, teaching and quality of their course, the environment they learn in, and relevant strategic decisions made by their provider. Some types of decision-making, including that which focuses on an individual learner's wellbeing, academic progress or behaviour, will not always be relevant for other learners to engage in. Where the provider deems types of decisions not relevant for learner engagement, the rationale **should** be made available to learners and learner representative bodies (where they exist), with an opportunity to appeal that rationale.

Learners **should** have opportunities to engage in their provider's decision-making at all levels including those decisions related to their course, to a subject area or group of courses, to the environment, facilities (including digital resources) and support they can access, and to strategic decisions affecting learners across the provider or provision. Learners **should** be engaged in decisions that cover the whole learner journey including transitions into, through and out of the provider.

Whilst the principles of The Code set out that a provider **should** offer a broad range of opportunities for all learners to engage or be represented in their decision-making, learners are not required to engage and may choose not to.

Example(s) of practice:

Example 1: Provider Learner Engagement Strategy

This example is applicable across tertiary education and ought to be considered in a provider's particular context. Where names of strategies and committees are used these can be replaced with relevant alternatives.

A provider develops, reviews and maintains a Learner Engagement Strategy with input from learners and staff.

The strategy considers all learners, irrespective of their mode, level and location of study with consideration of learner characteristics (for example, additional learning needs) and equality of opportunity. The strategy sets out the responsibilities for learners and all levels of staff to provide effective opportunities for learners to engage in the provider's decision-making and to have their views listened to and acted upon wherever possible. Staff have access to guidance to help ensure they understand what is expected of them.

The strategy sets out clear and accessible methods for learner voice and engagement and how learners feed into the provider's governance structure and decision-making processes. It provides examples of the types of decisions learners would not normally be engaged in, for example decisions about individual learner progress, with rationale for

these decisions. The strategy outlines the provider's governance structure, showing the routes for decision-making and where learners are members of committees and boards.

The strategy is reviewed annually, with learners and staff, and owned by the provider's Learner Experience Committee. The strategy contains objectives and actions to continuously improve learner voice and engagement and to address gaps identified through the review of its effectiveness. It also includes Key Performance Indicators that will allow the provider to evaluate the effectiveness of its strategy.

Example 2: Learner Representative Structures

This example is drawn from higher education. Course or class representatives are seen throughout tertiary education in different forms and scales. In higher education the election, support and administration of representative structures normally lies with the students' union working in partnership with their university.

At the start of each academic year, every class elects at least one class representative. This process is facilitated by the course team who share information on the role, as provided by the Students' Union, and offer space during taught sessions for students to self-nominate for an election. The names of each rep are shared with the Students' Union who disseminate Class Rep Handbooks and invite all reps to training sessions which are held on campus and online. Class reps are invited to their courses termly meeting to share learner feedback, comment on items raised by the provider and engage in any decisions made. The minutes of these meetings are made available on the virtual learning environment and feed up to departmental committees. From the pool of class reps, the Students' Unions runs a further election for departmental reps who sit on the departmental committees and work with the class reps to gather and share department wide feedback. The SU also appoints school reps, who represent students across a whole school, attending termly Student Staff Liaison Committees that feed into the University's Student Experience Committee where the SU Vice President for Education is a member. This layered approach to representation supports student voice and engagement at all levels of provider decision-making from operational and in-class decisions up to strategic, whole university decisions that affect all students.

Self-reflective questions for providers:

Where is our decision-making taking place? How do we involve learners in those spaces?

(Where they exist) How do we involve learner representatives and/or learner representative bodies in those spaces?

At what points in the learner journey do we actively invite learners to shape their experiences? Are there any gaps?

How do we invite learners to provide feedback and engage in decisions beyond their immediate learning experience such as estates matters, learning support and resources?

How do we engage learners in strategic decision-making as well as operational, day-to-day matters? Are there any gaps?

At what point in the planning of an initiative, programme or strategy do we consider when and how to engage learners?

Principle 2: Valued

I am listened to and empowered to shape my whole learning experience through engagement in my provider's decision-making.

Learners see evidence that their feedback has been considered and action taken where possible. The learning environment is designed to enable open, transparent dialogue to welcome feedback and allow learners to effectively contribute to decision-making that drives continuous improvement. Information, guidance and support is offered to learners and learner representatives to facilitate effective engagement and representation. Where learners are members of provider committees and boards, they receive training and support to fulfil their roles and are offered support to prepare for meetings, which could include opportunities to discuss papers and raise questions. Training for learner representatives is accessible in formats that fit the learners' experience, for example utilising digital platforms and asynchronous activities where appropriate. As well as including practical information to fulfil their roles, training supports the development of communication skills and confidence for learners to use as representatives and beyond.

Learners are recognised and rewarded for their engagement. This could, for example, be through recognition schemes and celebration events; offering bursaries, financial incentives or reimbursements to mitigate barriers to engagement; or by accrediting engagement as part of a course, credit or digital badge or a certificate to recognise their efforts.

The learning environment enables learners to feel confident that their feedback will be considered sensitively and confidentially, in line with data protection laws and provider policies. It is made clear to learners that honest feedback, whether positive or critical, is welcomed to improve the quality of their learning experience and that providing feedback will have no impact on their grades, assessment, or academic standing.

Example(s) of practice:

Example 1: Learner Voice Conference

This example is drawn from practice seen in higher and further education institutions. Elements of this practice may be considered across tertiary education and research with a view to scalability and applicability for different types of learners; it may for example be more practical to run online sessions and asynchronous opportunities for some learners.

An annual conference is held in the autumn term to welcome new and returning learner representatives. Learner representatives are provided with refreshments throughout the day and are supported to attend by being released from timetabled sessions. Funding is available for those who wouldn't normally attend on this day to cover additional expenses incurred.

The conference involves training sessions to support learner representatives to effectively undertake their roles. Returning representatives can share their experiences and, alongside staff, provide examples of the impact of learner voice and engagement. Representatives are invited to join workshops on key matters and decisions arising from previous learner voice and engagement, these sessions involve sharing of learner voice

and solution development in partnership with learners and staff. Arising actions and ideas from the workshops feed into the providers learner voice action plan that is discussed at Learner Council which feeds into the provider's Learner Experience Committee.³

Example 2: Engagement between Student Governors and Chair of Governing Body

This example is drawn from practice in a further education institution; it has applicability across tertiary education and research where support for learner representatives and learner governors improves the effectiveness of learner engagement.

The Principal of the institution has established a trusted and open relationship between themselves and the student governors. A similar relationship is being established between the Chair of the Board and the two student governors. Once appointed, student governors receive training and an induction from the Clerk to the Board; as part of this process they have an informal meeting with the Chair to begin establishing their relationship. The Chair plans to join a discussion with the student governors and the staff supporting them to explore the unique role and associated challenges for a student governor. A subsequent agreement is made setting out how the Chair and student governors will work together throughout the year including the support the Chair can offer.

Self-reflective questions for providers:

How do we support learners to develop the capacity and confidence needed for meaningful engagement in decision-making? How do we tailor this to reflect the needs of learners, including those with additional learning needs?

If the provider has learner governors, how are they supported to effectively contribute to decision-making?

(Where they exist) How do we support learner governors to effectively contribute to decision-making?

How do we recognise learner representatives for their contributions?

How do learners know their feedback has been listened to and acted upon? Do we involve learners in the decisions and actions resulting from their feedback wherever possible?

Does everyone on a committee/board understand the role of the learner(s) in the room and the role of learner engagement in decision-making?

³ Further information on collective learner voice mechanisms is included in Principle 6.

Principle 3: Understood

I know where and how to raise ideas and share thoughts on topics that are important to me and topics raised by my education provider.

Routes and opportunities for learner engagement are clear. Opportunities are communicated to all learners. Learners are supported to engage in discussion around topics and decisions proposed by their provider and have opportunities to propose topics and decisions of importance to them. Staff are aware of their role in learner engagement and can signpost learners to opportunities for engagement.

These opportunities are delivered through a range of mechanisms, some open to all learners such as surveys and town hall meetings, and some where learner representatives, or learner representative bodies (where they exist), can raise and share collective views by engaging in committee discussion or agenda setting. Providers make it clear which committees and groups have learner representation and how these fit into their wider governance structures, showing the routes for learner voice and support for representatives. Opportunities for learners, or learner representative bodies (where they exist), to work with the provider to determine their involvement in the governance structure show a mature approach to learner engagement.

Learner voice from surveys or other feedback activities is also used to identify key themes of importance or concern to learners. These themes are explored further with learners and learner representative bodies (where they exist) and can help to form agendas for discussion with learners and inform discussion and decision-making throughout the provider's governance structure.

Example(s) of practice:

Example 1: Learner Involvement Strategy

This example is drawn from practice in further education, adult community learning and apprenticeship provision where guidance previously published by the Welsh Government required the development of such strategies. This example can be considered across tertiary education and research where taking a strategic approach to learner engagement helps to embed it across a provider.

The provider's Learner Involvement Strategy outlines the mechanisms for learner voice and engagement to feed into the provider's decision-making and for learners to share feedback on matters of concern or importance to them.

The strategy is available on the provider's website and virtual learning environment. A diagrammatic version of the mechanisms for learner voice and engagement has been produced. This shows the range of opportunities for learners and how these feed into the provider's governance structure and decision-making processes. Copies of the diagram are seen throughout teaching spaces, on screens, posters and embedded within the Learner Handbook. The strategy is shared with staff as part of induction and training activities to help them understand the importance of learner engagement and their role in supporting it.

Example 2: Learner-led initiatives

This example has been drawn from a maintained school sixth form; it is applicable across tertiary education where learners can have opportunities to raise topics of importance to them to lead as projects or initiatives with their provider.

All pupils within the sixth form can share ideas and feedback with their School Council representatives, they can speak to them directly or anonymously using their online suggestion box. These opportunities are advertised on posters in the sixth form quiet space and on their online portal. School Council representatives from years 12 and 13 meet with the Head of Sixth Form fortnightly to share learner feedback and discuss topics raised by the school.

During these meetings they flag key areas of importance to sixth formers and their school community including wellbeing and the environment. Working with staff, the learners are supported to lead projects, events and fundraising to raise awareness of their key topics across the school and in their local community. Examples include collection events for local food banks, recycling campaigns which make recycling fun and accessible within the school and a wellbeing week where learners were able to run pop-up stalls and events, staff supported by inviting guest speakers and embedding activities within taught sessions throughout the school, including inviting the sixth form learners to speak to other age groups.

Self-reflective questions for providers:

How clear is our process for gathering, capturing and responding to learner feedback?

How do we ensure that all staff and learners understand learner engagement opportunities?

What spaces and opportunities do we make available for learners to explore and share the topics that are important to them?

When learners are invited to engage in decision-making, how do we enable informed and effective decision-making?

How do we make governors (or equivalent) aware of how learners have raised or contributed to topics and decisions?

Principle 4: Inclusive

The opportunities for me and other learners to engage in decision-making reflect our diverse needs, interests and abilities to engage.

Through a range of opportunities, learner engagement in a provider's decision-making is accessible to all learners including those with protected characteristics and those with additional learning needs. Providers work with their diverse learner cohorts and learner representative bodies (where they exist) to understand the ways learners can, and would like to, engage in decision-making. The mechanisms designed to support this engagement are reflective of those desires and abilities and remove barriers to engagement wherever possible. They are flexible enough to recognise learners' existing commitments and availability.

The diversity of feedback and representation is considered, and the provider is aware of voices that may not routinely be heard. The provider supports learner representative structures to engage and represent all learners, providing access to spaces and opportunities for communication with wide learner audiences wherever possible, recognising and enabling the role of learner representative bodies (where they exist). Where appropriate, engagement opportunities are targeted to groups of learners to ensure their voices are heard. Parents and carers of learners are involved in these processes where required, for example for learners with additional learning needs who may need assistance to advocate for themselves.

Inclusivity of learner engagement is most effectively achieved when providers, and learner representative bodies (where they exist), understand the demographic information of their learners through effective data capture and sharing. Understanding of learner demographics can be used in the design and evaluation of learner engagement activities to identify underrepresented groups, informing further action to increase engagement of all learners.

Example(s) of practice:

Example 1: Learner-led societies and networks

This example is drawn from further education; similar examples are seen in higher education where a students' union offers the support for student clubs and societies and works with student leaders to gather feedback and engage them in provider and students' union decision-making. Similarly, opportunities are seen across tertiary education where learners can come together in groups associated with learner characteristics, identities and interests, with links to learner voice and engagement opportunities.

Learners are supported to lead social groups and campaigns relating to their course or an interest. The learner experience team support learners with access to funding, platforms to communicate with the wider learner community and opportunities to book spaces on campus. Some learner groups choose to meet regularly on campus while others may organise a small number of larger events per year, online meetings and forums are used extensively across the groups. Where groups are associated with a course or subject, academic teams can offer additional support for in-class time and access to resources. Some subject related groups work with academic teams to organise guest speaker events and trips. Through the learner experience team, the provider can

meet learners where they are to gather feedback on their learner experience. Group leaders are invited to represent the views of their groups, and some groups have opted to arrange meetings that include focus group or feedback sharing sessions with the college.

Example 2: Accessible surveys

This example is drawn from an adult community learning setting; similar practice is also seen in further education. Opportunities to adapt learner voice and engagement methods are applicable across tertiary education and research.

As part of its annual cycle of learner surveys, the provider used Learning Disability Wales' Clear and Easy Handbook ⁴ to develop an easy-read survey for learners with learning difficulties. The survey was drafted with learning support workers using symbols and simplified language, designed to align with the themes from the provider's main learner survey.

The provider piloted the survey with a group of learners from its specialist provision for learners with learning difficulties or disabilities, to test whether the format was clear and understandable. The pilot showed that some learners in the target population needed more time to think about the questions, and some needed help from staff to understand what was being asked. This resulted in an extended period of testing which also sought views from parents and carers of learners, to help ensure that the survey was as inclusive as possible.

Self-reflective questions for providers:

How do we ensure that all learners, regardless of level, mode of study, location, ability or additional needs, can engage meaningfully in decision-making? Do some groups of learners face additional barriers to meaningful engagement?

What systems have we put in place to remove barriers for learner engagement? Are these effective?

How can we measure the representativeness of learner voice and engagement activities to enable identification of gaps and potential barriers?

⁴ <https://www.ldw.org.uk/er-resource/clear-and-easy-handbook/>

Principle 5: Bilingual

I can engage in decision-making through the medium of Welsh, and I have opportunities to be involved in my education provider's approach to Welsh-medium provision and how it promotes the Welsh language and culture.

Learners can share their feedback and engage in their provider's decision-making using the Welsh language if they choose. Providers **should** foster an environment that supports bilingual learner engagement, in ways that are appropriate to their context, ensuring no learner is disadvantaged, delayed or excluded based on their language choice.

Where Medr's Welsh Language Condition applies, learners **must** be engaged in the development, monitoring and evaluation of a provider's Welsh Language Strategy. These strategies will feed into the National Plan for Welsh Language; schools will also have an important contribution to the National Plan and **should** engage sixth form learners in developing their contributions.

Example(s) of practice:

Example 1: Y Gymdeithas Gymraeg

This example is drawn from higher education; similar societies are also seen in some further education institutions. Opportunities for learners to engage socially through the Welsh language and culture can have a positive impact on the learner experience throughout tertiary education and research.

Y Gymdeithas Gymraeg (or Y Gym Gym) is a student led society run through the medium of Welsh. The society offers Welsh speaking students the opportunity to socialise and network with each other and in intercollegiate events with Welsh societies from other providers. A key part of the society is to celebrate Welsh language and culture and to support a sense of belonging for its members. Society leaders are invited to represent the views of members to the Students' Union and the University on all matters related to the learner experience and particularly to support the celebration and promotion of Welsh language and culture, linking closely with the University's Coleg Cymraeg Cenedlaethol branch representatives.

Example 2. Welsh language champions

This example is drawn from a school sixth form; similar roles are seen across tertiary education where the scope of the roles and the structures they feed into may vary.

Each year a pupil from year 12 or 13 is selected to be the Welsh language champion. They are supported by staff to understand and review the current Welsh language policies and activities at the school and any national guidance that informs them. Working with staff and other pupils they champion Welsh language and culture, mark key dates in the calendar such as St David's Day and St Dwynwen's Day and raise awareness of cultural events such as the national Eisteddfod and sporting events. They take a key leadership role in organising school Eisteddfod activities and act as a representative for

their peers in understanding the needs, challenges and expectations around Welsh language and culture in their school.

Self-reflective questions for providers:

Do we make the information on how to provide feedback and engage in decision-making available in Welsh?

Do we communicate responses to learner feedback in Welsh?

How do we ensure there is a comparable experience for learners engaging through Welsh and English?

How have we engaged learners, and considered learner voice, in strategies around Welsh language and culture? How do we meaningfully engage learners in the monitoring and evaluation of these strategies?

Principle 6: Individual and Collective

In addition to the opportunities for me to engage in my provider's decision-making, as learners we are supported to share our voices with each other to collectively engage in decision-making to shape the learning experience.

Opportunities for all learners' individual engagement **may** include learner surveys, focus groups, digital channels and informal engagement with provider staff. More formal and strategic engagement will often involve collective learner voice through learner representatives, online forums and networks and learner representative bodies (where they exist).

Providers support learners to coordinate their collective voice, including by recognising and enabling the different mechanisms, formal and informal, that learners use to come together and influence decision-making, including learner representative bodies. These mechanisms, alongside individual learner voices, are engaged in the provider's decision-making relating to the learner experience, are reflective of learner cohorts and are clearly communicated and accessible to all learners as part of a cohesive approach to learner engagement.

Where learning takes place independently, for example online, remote or workplace learning, providers **should** work with learners to design effective opportunities for collective voice. This **may** include online synchronous and asynchronous activity, focus groups, learner networks or communities.

Some learners may feel less connected to the provider or learner community; they may study remotely or predominantly from their workplace, their engagement may more often be facilitated through individual relationships with a staff member such as an assessor or tutor, but their views **must** still be part of provider decision-making in line with the principles of The Code. Providers **must** have structured routes for learners to raise concerns and provide feedback, rather than the only option being through their individual tutor or assessor. It is important that the range of opportunities for learners to engage in decision-making are reflective of the diverse modes of study and varying learner experiences.

Example(s) of practice:

Example 1: Collective voice of apprentices

This example is drawn from the apprenticeship sector where learners are in the workplace, they may be the only apprentice at their employer and are less likely to have a learner community in which to embed collective voice mechanisms. Other parts of the tertiary sector also have dispersed learners and could use similar models.

Due to the individual nature of apprentices' learning, feedback is most often gathered through surveys, in conversation with assessors and employers. The provider systematically captures and evaluates feedback from these individual mechanisms to identify themes and trends arising, which can subsequently be explored further in learner focus groups and forums, available online and outside of the working day. These activities feed into the provider's quality processes and focus groups and forum discussions are also utilised for provider decision-making.

The provider has used these opportunities when implementing a new e-portfolio software, learner surveys and feedback to assessors highlighted challenges with the previous system that was causing barriers to learners' activities. The provider arranged two evening, online focus groups to discuss these challenges and the requirements for a new system, this opportunity was promoted to learners through their assessors who were able to link to learners' individual experience of the e-portfolio system. For those that couldn't attend, a summary of the discussion was shared on the online learner forum where they could add additional comments and suggestions to feed into the provider's planning. A new system was implemented based on learners' feedback, a group of learners volunteered to pilot the system, and all learners continue to provide feedback on its implementation through surveys, their assessors and the learner forum.

Example 2: Students' Union supporting student representatives

This example is drawn from higher education where students' unions are independent representative bodies with the purpose of representing and promoting the interests of students, as set out in the Education Act 1994. Students' unions are also seen in some further education institutions but are not normally independent of the provider. Both fulfil an important role in representing the interests of learners within their contexts.

The University and the SU work together in partnership on areas that concern the student experience. This includes sharing and analysing data (e.g. from student surveys) and developing action plans, policies, and strategies together. It was recently announced that the School of Art had secured funding for refurbishment of their facilities. Student representatives from courses within the school were informed at the recent Student Staff Liaison Committee (SSLC) and the Students' Union President had been aware of the bid through the University's committee structure.

Following the SSLC the SUs Education Officer reached out to all student representatives in the school confirming the details so far, and arranging a series of drop-in sessions with SU Officers alongside the Deputy Dean of the School. These sessions gave student representatives the opportunity to ask initial questions regarding the plans and timelines for the refurbishment and what impact, if any, there would be on their learning experience. The questions raised highlighted a feeling of uncertainty amongst students within the school who, whilst excited for new facilities, were unclear if they would benefit from them and if their learning and access to specialist resources and equipment would be impacted during the works.

To mitigate the issues raised, a series of activities was advertised to all students within the school for awareness and opportunities to feed into the planning and decision-making process. All sessions were held jointly between the SU and School, SU officers joined subsequent SSLCs for the period of the planning and refurbishment and continued to provide a link between students and the University's Student Experience Committee. The SU emphasised a need to protect the experience of current learners with access to resources and equipment to successfully complete their studies and in line with the information provided to them about their course. Activities for engagement included:

- All school town hall discussions
- Focus groups for students and staff to shape the planning of the works
- SU and student representatives' membership of the refurbishment working group

Self-reflective questions for providers:

How do we ensure that forms of collective learner voice are representative of all learners?

(Where they exist) How do we embed the learner representative body in decision-making opportunities as the representative voice of learners?

What opportunities do we have to further develop learner representative approaches?

What mechanisms do we have for collation of individual feedback and engagement where learners have entirely independent journeys, for example, those studying remotely or predominantly in their workplace?

How can learners provide input into decisions, feedback or concerns – including confidential matters – independently of their tutor, lecturer, assessor or teacher? How do we make them aware of these routes?

Principle 7: Impactful

My engagement is part of ongoing dialogue where outcomes and changes are discussed and reviewed, and we are all able to see the impact of this on the learning experience now and for future learners.

Learner engagement in a provider's decision-making moves beyond transactional gathering and response to feedback to engage learners in the resulting actions and ongoing evaluation of change. While some learners are more actively involved in a decision-making process, all learners are made aware of discussions and outcomes.

Where change requested by learners cannot be implemented, this is discussed with learners and clearly communicated broadly. Learners are engaged in finding alternative solutions wherever possible. In cases where changes are likely to take place over a longer period of time, learners and learner representative bodies (where they exist) work with their provider to identify the intended impacts on future learners and how these could be evaluated. Timescales for change are clearly communicated to learners, including any milestones that can be reached for current cohorts.

Learner engagement in decision-making requires learners and learner representative bodies (where they exist) to be actively involved in shaping the actions and responses to learner feedback and to have opportunities to feedback on those actions and responses in continuous dialogue with their provider.

Example(s) of practice:

Example 1: "You Said, We Did"

This example can be applicable across tertiary education and research feeding into wider committee, governance and learner engagement mechanisms as appropriate, the mechanisms for learner representation will differ across the sector, this example ought to be considered in each provider's context.

The provider facilitates regular surveys to gather learner feedback. Following analysis of survey responses, the provider works with learners, their representatives and the learner representative body to identify actions or responses to learner feedback. Where action cannot be implemented, clear communication and management of expectations is included in the response. Resulting action plans are monitored through the providers committees and decision-making processes where learner representatives are present. To raise awareness of actions taken, a "You Said, We Did" campaign is launched. The campaign involves posters and screens in learning spaces, on the virtual learning environment, in emails to learners and the providers social media. The campaign shares examples of feedback from learners and the resulting planned actions or responses to that feedback. The provider works with learner representatives and the learner representative body to evaluate the impact of the 'we did' elements of the campaign and to continue the loop of engagement.

Example 2: Learner Voice Action Plan

This example is drawn from a further education institution but can be applicable across tertiary education. The implementation and monitoring of action plans responding to learner voice is an example of effective learner engagement where learners can be involved through the engagement and representation mechanisms in their context.

The Learner Voice Action Plan is a live document co-owned by the Learner Voice Committee and learner representative body. Analysis of learner feedback is fed into the committee to inform the ongoing action plan; sources include learner survey outcomes; minutes from departmental committees and learner council; and anonymised learner complaints. The committee agrees and monitors the actions, producing an annual report for the Board of Governors. The learner representative body facilitates feedback to the wider learner population via learner representatives and through their communication channels with learners.

Self-reflective questions for providers:

How do we regularly communicate responses to learner feedback with all learners? Are we communicating in accessible ways?

What opportunities do we provide for learners to respond to or engage in ongoing discussion on decisions?

How do we monitor the impact and effectiveness of responses to learner engagement?

How do we share the feedback loop through our governance structures? Do we give governors sight of learner feedback, resulting actions and impact?

If learner feedback and suggestions cannot be actioned or actions will take some time to implement, how do we explain this to learners?

Principle 8: Resourced

Resources are allocated by my education provider to ensure all learners have opportunities to engage in decision-making.

Learner engagement is resourced in a range of ways; this **may** include dedicated staff roles and time; training and guidance for staff and learners, or online and in-person spaces. Where independent students' unions exist, they **should** be funded in accordance with the relevant guidance provided by Medr.⁵

The provider is aware of existing guidance and resources developed for and by the tertiary education sector and adapts them to its local needs and circumstances. Providers make use of sector networks, training and resources funded by Medr to embed and support impactful learner engagement in decision-making.

Example(s) of practice:

Example 1: Representative Training

This example is drawn from higher education where the independent SU takes responsibility for the election, support and administration of representative structures. Across all parts of tertiary education and research, support and training for learner representatives promotes effective learner engagement.

Following the election period for class representatives, the SU run several on-campus training events. All new and returning class reps are invited to the training events which are delivered over all teaching sites on a range of days and times. The training involves introductions to the SU and University structures and ways of working for reps to understand their roles within these, skills for being an effective rep are covered, and further guidance is shared in a rep handbook which signposts to SU and University services for additional support. Following the in-person training opportunities, the SU launches its online training module, available through its website. The online training covers the same key skills and information as the in-person events, and the rep handbook is available online.

Example 2: Digital platforms

This example is applicable across tertiary education where it's important to offer a range of opportunities for learners to engage and provide feedback in accessible ways. Many providers will use a Virtual Learning Environment to provide access to information and resources for learners and may have access to digital collaboration platforms for online meetings and discussion forums. The selection and implementation of such platforms **should** itself be carried out in consultation with learners.

Online discussion forums are made available to learners via the virtual learning environment for discussion with each other; to share resources relevant to their subject,

⁵ Universities and students' unions should continue to follow [HEFCW's Revised Guidance on Good Practice In Funding Of Effective, Democratic Student Unions, And Student Representation](#) alongside the requirements and principles of the Learner Engagement Code. Medr will work with stakeholders including learners, learner representatives and providers to publish an updated version in line with sector needs, policy changes and feedback from stakeholders.

to arrange opportunities beyond the classroom and to ask each other questions about the topics they're learning and work they've been completing. Some forums are staff-led to make announcements regarding room changes, upcoming opportunities beyond scheduled learning and to gather learner feedback.

Forums are used for focused discussion too, when the provider is planning a new opportunity or resource, discussion forums are used to pose questions to learners to help shape decision-making. The forum environment allows conversation and ideas to build with views from a range of learners.

Self-reflective questions for providers:

Do we have staff members at all levels with responsibilities for supporting effective learner engagement? Is this clearly articulated in job descriptions and objectives?

Do we offer staff guidance on the opportunities for learner engagement and how to effectively facilitate them?

Do we have dedicated resources for enabling effective learner engagement? How do we review and update these where necessary?

Principle 9: Evaluated

My education provider regularly evaluates how they engage with us as learners and whether this meets our expectations. They work with us to identify what's working well, what could be done better and to develop changes for improvement.

Evaluation of learner voice and engagement activities is a key part of self-evaluation, quality and continuous improvement cycles within a provider and is reflected in Medr's Quality Framework. Learner feedback and engagement is a key part of this to understand where expectations have and haven't been met, and to identify good practice and areas for improvement. Plans for improvement of learner engagement **should** be developed with learners and include information on how ongoing learner engagement will feature in each action. Learner engagement and resulting actions **should** be made visible within the providers governance and decision-making structures to raise awareness and allow for ongoing evaluation; this information **should** also be available to learners and can be facilitated through representative structures and learner representative bodies (where they exist).

Providers **should** measure the impact of learner engagement activities, making use of data from learner feedback mechanisms. Where they exist, learner voice surveys on learners' experience of engagement and their perceptions of its effectiveness are also useful in supporting evaluation and measuring impact. Engaging learners in the evaluation of activities and interventions allows further exploration of the impact on target groups and wider cohorts.

Where they exist, learner representative bodies **should** have opportunities to present their evaluation of learner engagement to their provider. Mature approaches to engagement see a partnership approach to evaluation and the resulting actions.

The providers' commitment to embedding and supporting impactful learner engagement in decision-making **must** be reviewed annually with learners and in partnership with learner representative bodies (where they exist). This review **must** include evaluation of the impact of learner engagement which will be reported to Medr annually alongside confirmation of the revised commitment.

Example(s) of practice:

Example 1: Responding to the Students' Union Annual Quality Report

This example is drawn from higher education where the National Union of Students produces support and guidance for students' unions to develop annual quality reports⁶ (or equivalent). Other areas of tertiary education and research **may** wish to access this guidance to support learner representatives to produce a summary of the learner experience to feed into learner engagement and decision-making processes and the development and review of the learner engagement commitment.

⁶ [Annual Quality Reports \(AQRs\) Guidance & Template @ NUS Connect](#)

The university considers the Students' Unions Annual Quality Report (this may be named differently at each students' union in Wales). This is a report developed by the Students' Union with evidence from student feedback that provides an account of the student experience and identifies priority areas for improvement. The report draws on evidence from student surveys, student involvement in committees and feedback directly to the Students' Union. The Students' Union takes a transparent approach to developing the report, using survey data and feedback from students, and building on discussions between the Students' Union and University throughout the year. The University formally considers the recommendations at a meeting of the Governing Body, and outcomes are overseen by a relevant committee (e.g. Student Experience Committee, Academic Quality Committee). Outcomes from the report include projects or action plans, and progress is monitored by the Students' Union and University throughout the academic year and may be reflected on in the next Annual Quality Report.

Self-reflective questions for providers:

How are our learner engagement activities evolving to remain relevant, accessible and meaningful to current and future learners? How are we involving learners in testing this?

How do we engage learners in ongoing quality and continuous improvement processes?
How do we support learners to understand their roles in this?

Do we make it clear to governors what success looks like for effective learner engagement? What happens if an issue is identified?

Approach to Monitoring

43. Medr's approach to monitoring compliance with the associated Conditions of Registration and Funding, and the corresponding statutory duty for maintained school sixth forms, has been developed in line with our Regulatory Approach.
44. For registered and funded providers, the compliance requirements and mechanisms Medr will use for monitoring are set out in the associated Condition of Registration and Condition of Funding. This section of The Code aims to provide further clarity on the types of evidence that will be used for monitoring purposes.
45. The primary source of monitoring for this condition will be via an Annual Assurance Return from each provider. For the first full academic year that The Code applies to a provider, the Annual Assurance Return will require evidence of development and publication of the learner engagement commitment in line with the requirements of The Code. In all subsequent years, the Annual Assurance Return will require evidence of publication of the commitment and evidence from its review by the provider in line with the requirements of The Code. Annex A provides an exemplar structure for the commitment and suggested headings for a review summary.
46. If the requirements of The Code are not met, or concerns arise through evidence provided to or available to Medr, Medr officers will request additional information and evidence and may require engagement with the provider and its learners. Where alignment cannot be demonstrated and evidence shows effective and impactful learner engagement is not embedded and supported by the provider, Medr may need to take regulatory action and support providers to comply with the requirements of The Code.

Ongoing evidence gathering:

47. Across Medr's Regulatory and Quality Frameworks we will use data and evidence as part of our Provider Risk Assessment and monitoring activities. While these data and evidence sets may not be directly related to the Learner Engagement Code, they can inform our monitoring of compliance with The Code and evaluation of the impact and effectiveness of learner engagement. For example, where conditions require development of strategies or plans that affect the learner experience, we would expect to see evidence of learner engagement.
48. Wherever possible we will consider evidence that is readily available to Medr through the following mechanisms:
 - outcomes from national learner surveys, in instances where the outcomes are related to the effectiveness or impact of learner engagement
 - engagement with learners and providers at a sector and provider level in reviewing the effectiveness and impact of learner engagement. This will include feedback from learner representative bodies (where they exist)
 - outcomes relating to the effectiveness or impact of learner engagement from inspection, review, engagement work and other activity undertaken by Estyn or QAA
 - monitoring of complaints data and analysis of the content of complaints, regulatory concerns, and correspondence received by Medr
 - information arising from reportable events in instances that relate to the effectiveness or impact of learner engagement

49. We will only require additional evidence where concerns arise about compliance with The Code, including through any direct feedback to Medr from learners or learner representative bodies (where they exist).
50. Medr officers will offer opportunities for engagement to providers and their learners who have not been required to meet with us as part of our monitoring activities. Wherever possible such meetings will be taken jointly with officers from across Medr to mitigate potential burden for providers and learners. Engagement will also be undertaken in group settings, through existing sector networks, as part of Medr funded projects and through Medr's learner voice activities. Engagement with providers and learners will support Medr to evaluate the impact of and effectiveness of learner engagement and the Learner Engagement Code, providing opportunities for practice sharing and identification of arising themes for guidance and collaborative working.

Regulatory Intervention

51. Regulatory intervention in the event of non-compliance or likely non-compliance with the Learner Engagement Code will be taken in accordance with Medr's Regulatory Approach. As learner engagement is a pillar of the Quality Framework, non-compliance with The Code will also be considered regarding compliance with the Framework and Medr's wider Provider Risk Assessment processes.
52. Medr will celebrate the positive impact of effective learner engagement by facilitating the sharing of effective practice and enabling collaboration.
53. Where non-compliance is identified, this will be dealt with proportionally through engagement with learners and their representative bodies (where they exist) and providers and further exploration of evidence. Medr may request the creation of action plans, to be developed with learners, which would be monitored through engagement activities.
54. Further, ongoing and serious non-compliance with The Code may lead to interventions as set out in the Regulatory Approach.
55. Medr's intention is for the Learner Engagement Code to support continuous improvement in learner engagement and aims to resolve all issues of non-compliance through a partnership approach, accompanied by support and guidance available through Medr and its funded projects.

<p>Introduction</p> <p>To include:</p> <ul style="list-style-type: none">• The purpose of the commitment – setting and making clear the arrangements for learner engagement in decision-making in line with the principles of the Learner Engagement Code• Acknowledgement of the provider’s responsibilities under the Learner Engagement Code and any additional regulatory requirements• Outline of the learners this commitment applies to (<i>all learners at X provider, learners at all levels, franchise/sub-contractual arrangements</i>)• Information on how the commitment has been developed, by who, the role of learners including representative bodies and/or other representative structures• Confirmation that the commitment has been considered and approved by the provider’s governing body and learner representative body, where one exists (including sign-off)
<p>Embedding and supporting learner engagement</p> <ul style="list-style-type: none">• Structures and mechanisms for learner engagement• Opportunities in place for learner engagement in decision-making
<p>Signposting</p> <ul style="list-style-type: none">• Links and signposting to other relevant information e.g. Student Charter, provider and learner representative body Relationship Agreement, relevant strategy/policy, action plan arising from review
<p>Publication date and next date for review of the commitment</p>

Medr

Y Comisiwn Addysg Drydyddol ac Ymchwil
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