

# Medr

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

# Regulatory Framework - Consultation Outcomes Report

Mae'r ddogfen hon hefyd ar gael yn y Gymraeg |  
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## Overview

1. This report outlines the feedback received across two phases of consultation on a new regulatory system for tertiary education in Wales and sets out how that feedback has informed the development of the final framework. This development has taken place during a period of significant pressure for providers, and responses consistently highlighted the need for a regulatory system that is clear, proportionate and workable across a diverse sector. This report summarises the main themes raised and the adjustments made in response.
2. Medr conducted two formal statutory consultations as part of this process. [The first consultation](#) ran from 15 May to 18 July 2025 and focused on the overall direction of the regulatory framework. [The second consultation](#) ran from 22 October to 17 December 2025 and sought views on the full set of draft conditions, including statutory and non-statutory documentation. This report focuses primarily on the phase 2 responses, as these represent the most detailed and substantive feedback on the draft regulatory system. Phase 1 responses are summarised as context.
3. Across both phases, Medr undertook a wide-ranging programme of engagement to support understanding of the proposals and gather views from across the sector. This included discussions with universities, colleges, work-based learning providers, adult community learning partnerships, local authorities, sixth forms, trade unions, learner representatives and learners. This engagement helped identify areas requiring clearer articulation, better proportionality and stronger alignment with existing quality, inspection and data processes.
4. Phase 2 expanded this engagement through large in-person events, topic-specific webinars, learner sessions, and workshops for local authorities, sixth forms and representative bodies. These sessions tested whether refinements made after phase 1 provided better clarity, proportionality and practicality.
5. Several themes emerged consistently across both consultations. Respondents supported the overall direction of the new regulatory system but emphasised the need for clearer distinctions between statutory requirements and advisory guidance, for proportionality across provider types and for avoidance of duplication with existing processes. Providers highlighted the importance of predictable, risk-based monitoring, early engagement and clarity around the purpose of different interactions. Respondents also stressed the importance of protecting institutional autonomy and avoiding perceptions of “regulatory overreach.”
6. Across the phase 2 closed-response questions, respondents generally agreed that the approach set out in the conditions would achieve their underlying intention, but there was less agreement that the approach was proportionate and less again that it was clear. In response to this pattern, we reviewed the proportionality of each condition, strengthened the clarity and structure of the drafting, and refined the supporting materials where appropriate. We will continue to work closely with providers, learners and representative bodies to support shared understanding of both the overall structure of the Regulatory Framework and the expectations within each individual condition.

7. In response to this feedback, we clarified and simplified the conditions, strengthened proportionality across governance, finance, reporting and quality requirements, and ensured more consistent separation between requirements, compliance evidence and guidance. We strengthened alignment with existing inspection and regulatory processes. The monitoring model was refined to emphasise a clear distinction between assurance activity and broader strategic dialogue, reuse of existing evidence and early, proportionate engagement. Throughout this work, we ensured that expectations remain aligned with the statutory duties set out in the [Tertiary Education and Research \(Wales\) Act 2022](#) (the Act) and can be applied consistently across the full range of tertiary providers.
8. As the regulatory system moves into implementation, further refinement will be required as practical arrangements develop. This includes work on monitoring operations, development of templates, alignment of assurance cycles and refinement of definitions. Medr will continue to work with providers, learners and partners through 2026/27 to support greater understanding of the new system, refine expectations and ensure approaches remain proportionate, consistent and effective as routine monitoring begins in 2027. We will also publish further documentation, tools and supporting materials during 2026/27 to aid implementation. These will include guidance, templates and sector-specific information to support consistent interpretation of the regulatory framework.

## Phase 1 Summary

### Overview

9. The first consultation, undertaken between May and July 2025, explored the overall direction of Medr's proposed regulatory system and provided an early indication of how the emerging framework was understood across the sector. Responses came from a broad cross-section of tertiary education providers, representative bodies, trade unions, learners, and other stakeholders. While respondents generally supported Medr's intention to establish a clear, proportionate and coherent system, they also identified a number of areas where the early proposals required further development, clarification or refinement. These insights shaped the substantial redrafting that took place prior to the second consultation. Annex A provides quantitative analysis of the questions that were included in the phase 1 consultation.
10. A consistent theme in the phase 1 consultation was the need for clearer structure and distinction between different types of expectations. Respondents felt the draft conditions and supporting documents did not always distinguish sufficiently between statutory requirements, expectations forming part of compliance assurance, and broader advisory or good practice guidance. Some sections were viewed as too prescriptive or as blurring the boundary between provider-led governance and regulatory oversight. Respondents asked for a clearer articulation of where regulatory obligations begin and end, and where internal institutional processes should retain flexibility and autonomy. This feedback informed the restructuring of each condition, which in the revised drafting clearly separates what providers must do, what evidence may demonstrate compliance and where guidance is intended to support interpretation.
11. Concerns about cumulative burden and duplication were also prominent. Providers highlighted that they already produce extensive evidence for Estyn, QAA, awarding bodies, inspectorates and national data collections. They emphasised the need for Medr to build on these existing sources rather than create parallel processes. Respondents also highlighted that burden could arise not from any single requirement but from the interaction of multiple conditions, templates and expectations. They stressed that timelines, cycles and reporting mechanisms needed to be practical, proportionate and aligned with existing internal and external processes. This led us to adopt the principle of reusing existing evidence wherever appropriate and to refine the monitoring approach to make greater use of national data collections and established quality assurance arrangements.
12. Concern over the proportionality of the requirements was also a theme of the feedback. Respondents noted the diversity of tertiary provision, including universities, colleges, local authority sixth forms, work-based learning providers, adult community learning and specialist institutions. They emphasised that requirements should scale appropriately across providers of different sizes, missions and governance models. Some smaller providers were particularly concerned that early drafts risked imposing structures or expectations that did not fit their contexts. This feedback informed both the redrafting of individual conditions and the broader approach to monitoring, ensuring expectations are proportionate and can be applied consistently without assuming a single institutional model.

13. The approach to monitoring attracted considerable interest and concern. Respondents welcomed the principle of a predictable, risk-based model but asked for far greater clarity about its practical operation. They sought a clear distinction between compliance-focused assurance and broader strategic dialogue, as well as transparent processes for how early concerns would be handled. Many respondents stressed the importance of creating an environment where providers could raise issues early without fear of disproportionate consequences. There were also questions about the role of data, how it would be interpreted and how contextual differences between providers and learner cohorts would be taken into account. These comments directly shaped the redesign of the monitoring model prior to phase 2, resulting in clearer separation between types of engagement and more explicit commitments to early, proportionate dialogue and reuse of existing evidence.
14. Feedback on quality and learner-related expectations highlighted the need for both clarity and alignment. Respondents asked for a clearer definition of 'quality' within the regulatory system and for the baseline requirements for compliance to be distinguished from broader expectations for improvement. They emphasised avoiding duplication with Estyn and QAA processes and stressed that any new data or indicators must be transparent, contextualised and subject to consultation. Learners and representative bodies emphasised the importance of embedding learner voice, ensuring visible and fair complaint processes and protecting learners when provision changes. These themes informed refinements to both the quality condition and the learner protection and learner engagement elements of the framework.
15. Governance and financial sustainability were areas where respondents sought clearer articulation of roles and expectations. Some felt parts of the early drafting appeared overly directive or risked implying approval processes that did not align with provider autonomy or governance responsibilities. Providers asked for clearer definitions, more predictable processes, and explicit recognition of the proper role of governing bodies. Smaller providers highlighted the need for expectations to be scaled and for duplication between governance and financial sustainability conditions to be minimised. These concerns guided revisions to ensure the framework remained outcomes-focused, risk-based and consistent with established governance principles across the sector.
16. Respondents also sought greater clarity about reporting routes, thresholds and notifications. They highlighted the potential for confusion where change notifications and reportable events overlapped and asked for requirements to focus on materiality and avoid administrative churn. These points informed the clearer articulation of thresholds, timelines and examples that were introduced prior to phase 2.
17. Across these areas, respondents emphasised the need for coherence across the system as a whole. They asked that the conditions read as a single, integrated framework rather than discrete or overlapping requirements. They also emphasised the need for the system to respect institutional autonomy, protect NPISH (Households and Non-profit Institutions Serving Households) status and avoid any

perception of regulatory overreach. These concerns shaped both the redrafting and the refinement of supporting documentation.

18. In summary, the first consultation provided the foundation on which the revised framework presented in phase 2 was built. It identified the major themes requiring clarification, simplification and consistent treatment across the system. The changes made between phase 1 and phase 2 - including a more consistent structure, clearer language, stronger proportionality, better alignment with existing assurance processes and a more transparent monitoring model - directly reflected the feedback received. Phase 1 therefore established the design principles and improvements that were tested in detail through the second consultation, which forms the main analytical focus of this report.

## Phase 2 Feedback and Response

### Overview

19. This section summarises the feedback received through Medr’s second consultation on the new regulatory system and explains how that feedback informed the final refinements to the framework. The phase 2 consultation provided the most detailed and substantive responses on the draft conditions of registration or funding, the monitoring approach and the wider statutory documentation, and therefore forms the primary basis for the changes set out in this report.
20. To support clarity and consistency, each element of the framework is presented using a common structure. For every condition or document, the report provides:
  - a short headline summary of the quantitative responses received
  - the main themes raised by respondents (“You said”)
  - the actions we have taken in response (“We did”)
  - where applicable, an explanation of what we have not changed and the reasons for this
21. This approach ensures a clear distinction between consultation feedback and Medr’s response and provides a consistent and trackable summary across all parts of the regulatory system. Not all conditions included closed-response questions in the phase 2 consultation. Where conditions had already been subject to quantitative testing in phase 1, phase 2 focused on qualitative comment only. As a result, some sections in this chapter present qualitative themes without headline percentages; full quantitative data for all conditions where questions were asked is provided in **Annex A** (phase 1) and **Annex B** (phase 2).
22. We received 120 analysable responses to the phase 2 consultation. The majority were submitted through the online consultation platform published on Medr’s website, with additional responses received via email from providers, representative bodies, learners and other stakeholders.
23. In several areas the feedback from providers, learners, representative bodies, trade unions and other stakeholder groups reflected different priorities and experiences. We recognised that, in some areas, certain respondent groups hold specific statutory, specialist or sector-wide expertise, and we therefore gave particular regard to those contributions when they related directly to their remit or areas of recognised authority. Where applicable, we note that in the remainder of this section.

## Financial Sustainability

### Overview of responses

Closed-response questions on this condition were not included in the phase 2 consultation, as this area had already been subject to quantitative testing during phase 1. Full phase 1 results are presented in Annex A.

### Main themes in feedback

- Respondents said that the earlier version of the condition required clearer distinctions between its different elements, including financial commitment thresholds and group structures.
- Some respondents questioned the continued requirement for a Medr process regarding the review of governance relating to the approval of financial commitments and the approval of associated thresholds.
- Some felt that parts of the drafting lacked clarity and created ambiguity, making it difficult to understand how the condition should be interpreted and applied consistently.
- Respondents asked for expectations to be more proportionate, noting that aspects of the earlier version risked placing unnecessary burden on some providers.
- Feedback also highlighted the need for better alignment with the wider regulatory framework and for duplication across the condition to be minimised.

### Our response

- We refined the language of the condition to reduce ambiguity, particularly in relation to financial commitment thresholds, the reporting requirements for group structures and the detail of any financial support from other group members and third parties.
- We have retained the need for Medr to review governance arrangements relating to the approval of financial commitments and associated thresholds. We consider this process to be a proportionate response to the financial risks faced by the sector.
- We have further clarified statements around monitoring and governance to ensure that the respective roles of Medr and autonomous institutions are clear and consistent in the context of decision-making on financial commitments.
- We added greater flexibility of actions and requirements for Medr to ensure the condition can be applied appropriately across the whole sector, for example permitting case-by-case consideration for registration and monitoring requirements in certain areas.
- The condition was reviewed against the governance and management (including financial management) condition to reconfirm consistency and alignment. Whilst some overlap was noted between the two conditions it was felt that removal of this would reduce the 'standalone'

nature of these conditions, and their applicability to the distinct roles of the executive and governing bodies.

## Governance and Management (including Financial Management)

### Overview of responses

Closed-response questions on this condition were not included in the phase 2 consultation, as this area had already been subject to quantitative testing during phase 1. Full phase 1 results are presented in Annex A.

### Main themes in feedback

- Respondents asked for greater clarity about how the condition should apply across different types of providers, particularly smaller organisations with varied governance models.
- They highlighted some duplication between this condition in the areas of financial planning, risk management, internal control systems and monitoring and assurance processes and the Financial Sustainability condition and requested clearer drafting to reduce overlap.
- Some respondents sought clarification on specific points of detail, including expectations relating to delegation within a governing body's committee structure and the length of governing body membership.

### Our response

- We clarified that we do not expect the same governance structures in all providers and we note that providers will have different levels of complexity (including size, nature of the business and legal form).
- We reviewed this condition alongside the Financial Sustainability condition to re-confirm that there is no duplication across the two. Whilst some overlap was noted between the two conditions it was felt that removal would reduce the 'standalone' nature of these conditions, particularly considering the distinct roles of the executive and governing bodies. Some duplication between the condition and supporting guidance was removed. Medr will co-ordinate internally to ensure there is not duplication of requests.
- We amended points of detail based on feedback, including those relating to delegation within governing body committees and expectations around the length of governing body membership.

## Quality and Continuous Improvement (including the Quality Framework)

### Overview of responses

Closed-response questions on this condition were not included in the phase 2 consultation, as this area had already been subject to quantitative testing during phase 1. Full phase 1 results are presented in Annex A.

### Main themes in feedback

- Respondents asked for greater clarity about the basis of the definition of good quality and how the baseline requirements for compliance relate to wider expectations for continuous improvement.
- Some respondents highlighted the need for the condition to recognise that local authority sixth form provision operates within school-based systems, meaning expectations would need to apply differently in those contexts.
- Feedback raised concerns that the previous drafting risked duplicating existing quality assurance and inspection processes undertaken by Estyn and QAA, and respondents emphasised the importance of reusing existing evidence wherever possible.
- Respondents also sought clarity on the role of learner engagement, on how validated provision delivered by providers not regulated by Medr should be treated, and on how the condition aligns with wider statutory frameworks, including Welsh language legislation and Home Office requirements relating to educational oversight.
- Some respondents expressed concern that the minimum compliance section in earlier drafts risked turning the Quality Framework into a mandatory requirement rather than advisory material.

### Our response

- We clarified the basis of our definition of good quality and how this relates to the baseline protected through the condition.
- We clarified that the condition applies differently to local authority sixth form provision, recognising that this is delivered by schools rather than local authorities.
- In response to concerns that the minimum compliance requirements with the Quality and Continuous Improvement condition effectively resulted in the Quality Framework becoming a requirement, rather than advice and guidance, we have removed the section on minimum level of compliance.
- We clarified references to Welsh language provision to confirm that this includes bilingual provision, and we added the Welsh Language and Education (Wales) Act 2025 to the list of frameworks relevant to tertiary education.
- We confirmed that validated provision delivered by providers not regulated by Medr is subject to a separate condition of registration, and not Section 51 of the Act.

- We clarified that the governing body’s role relates to effective oversight of quality and continuous improvement, rather than involvement in operational matters.
- To reduce burden, we strengthened references to the roles of Estyn and QAA and confirmed our intention to make full use of existing evidence. We also confirmed that we will share relevant data and analysis with Estyn and QAA, supporting alignment and minimising duplication.
- We added information on educational oversight to reflect feedback from the Home Office and ensure Medr’s approach aligns with their requirements.

## Staff and Learner Welfare

### Overview of responses

62% felt the condition could be applied consistently.

44% viewed the requirements as proportionate.

41% felt the condition clearly set out what was required.

### Main themes in feedback

- Some respondents from providers questioned whether the statutory basis fully supported the requirements set out in the condition and its supplementary detail, particularly in relation to staff welfare.
- Respondents raised concerns about proportionality, highlighting that requiring an annual welfare action plan could create unnecessary administrative burden.
- Feedback indicated that clearer explanation was needed for the provider timeline and expectations for monitoring compliance, as providers sought greater clarity on how and when requirements would apply in practice.
- Respondents also highlighted the importance of ensuring that templates and requirements were developed collaboratively with the sector to support proportionality and practical implementation.
- Some respondents, particularly those representing or advocating on behalf of learners and staff, wanted Medr to strengthen the requirements and expectations on providers set out in the condition.
- Some respondents called for Medr to strengthen the requirements on providers in relation to violence (including sexual violence), misconduct and mental health support, while others stressed the need for Medr to remain flexible to different contexts, sizes, resources, learner cohorts, and capacities across the sector.

### Our response

- We adjusted the requirement for a welfare action plan so that providers must now submit it every two years, reducing unnecessary burden while retaining appropriate safeguards.

- We committed to developing the welfare action plan template with the sector to ensure proportionality, clarity and usability.
- We updated the supplementary detail to include a clearer table setting out the provider-timeline and expectations for monitoring compliance, responding directly to feedback that providers needed greater clarity in this area.
- We sought legal advice to clarify whether the condition and supplementary detail accurately reflect Medr's statutory duties. The advice supported our view that the condition is a reasonable and proportionate way to discharge these duties.
- We will collaborate with the tertiary sector to develop a common framework of mental health and well-being support.
- Medr is assessing opportunities across our wider programme of work to strengthen our approach to the concerns raised regarding sexual violence and misconduct.

## Welsh Language Condition

### Overview of responses

69% felt the condition could be applied consistently.

61% viewed the requirements as proportionate.

47% felt the condition clearly set out what was required.

### Main themes in feedback

- Respondents asked for clarity about the statutory basis of the Welsh Language Condition and whether the requirements placed on providers went beyond Medr's duties in relation to promoting Welsh-medium education and research.
- Feedback emphasised that providers are starting from very different baselines and that expectations should be scaled according to context, including local language profiles, subject mix, delivery models, scale and workforce capacity.
- Work-based learning providers and others highlighted the need for tailored contextualisation to ensure that the condition is applied proportionately across the diverse tertiary sector.
- Respondents stressed the importance of alignment with existing Welsh Language Standards and asked that Medr avoid duplication of data and monitoring requirements.
- There was broad support for the intent of the condition, but respondents emphasised the need for clarity on expectations, proportionality and alignment with wider statutory frameworks.
- Some respondents called for Medr to strengthen the requirements on providers in relation to building workforce capacity to respond to increasing demand for Welsh-medium provision and Welsh as a subject.

## Our response

- We sought legal advice to explore whether the condition accurately reflects Medr's statutory duties in relation to promoting Welsh medium education, research and innovation. The advice supported our view that the condition is a reasonable and proportionate way to discharge these duties.
- We revised the condition to acknowledge more explicitly the need for expectations to scale according to provider context, recognising the diversity of starting points across the sector.
- We revised the condition to include a defined review point of five-years for providers to evaluate their Welsh Language Strategy. We acknowledge that this introduces a small additional burden. However, consultation feedback and discussions with the Welsh Language Commissioner highlighted that without a defined review point, providers could interpret "evaluate" inconsistently and may not be agile enough to respond as the National Plan develops over time. Setting a clear interval therefore provides a consistent minimum expectation across the sector, while remaining deliberately non-prescriptive about the form of evaluation and reporting.
- We will publish tailored briefing documents for each part of the sector to accompany the condition. These materials will not constitute regulatory guidance but will provide contextualised examples and will evolve over time as further practice emerges.
- We strengthened alignment with Welsh Language Standards and recognised the data already monitored by the Welsh Language Commissioner and the Coleg Cymraeg Cenedlaethol. We will continue working with partners to avoid duplication and to ensure that monitoring requirements are proportionate and practical.
- We refined the wording to reflect our monitoring approach more explicitly and to support clarity, proportionality and effective implementation.
- We agree that upskilling and strengthening the workforce over time is essential and that providers have a key role to play. However, after carefully considering stakeholder feedback, we made the decision not to strengthen the wording as this posed a risk of being seen to direct providers' organisational decisions and therefore risk undermining institutional autonomy. In line with our Strategic Plan, we will continue to work with providers and partners to better understand the Welsh language skills of the tertiary education workforce, to improve the recruitment and retention of Welsh-speaking staff, and to promote professional learning so that more staff are confident to teach through the medium of Welsh and Welsh as a subject.

## Learner Protection

### Overview of responses

64% felt the condition could be applied consistently.  
64% viewed the requirements as proportionate.  
33% felt the condition clearly set out what was required.

### Main themes in feedback

- Respondents were concerned about whether the condition would allow for sufficient flexibility and responsiveness in crisis situations where learner protection plans may need to be produced quickly.
- There were differences in views across parts of the tertiary sector on whether the proposed arrangements were proportionate and practical for different provider types.
- Respondents asked for clearer expectations regarding how learners and learner representatives should be involved in the development of learner protection plans.
- Some feedback suggested that the condition needed stronger alignment with providers' existing governance and business continuity processes.

### Our response

- We placed increased emphasis on the need for learner protection plans to be developed in partnership with learners and/or their representatives.
- We clarified that plans may need to be produced, and Medr may provide feedback, at shorter notice where circumstances require, ensuring that the condition supports responsiveness in crisis situations.
- We made clear that the general principles set out in the guidance should be incorporated into providers' relevant business continuity planning and decision-making, reinforcing alignment with existing governance processes.

## Learner Engagement (Including the Learner Engagement Code)

### Overview of responses

65% felt the condition could be applied consistently.  
34% viewed the requirements as proportionate.  
28% felt the condition clearly set out what was required.  
73% agreed that the Learner Engagement Code reflected the breadth of the tertiary sector and its varied contexts.  
83% agreed that the proposed principles captured the key aspects of learner engagement.  
55% disagreed that the proposed monitoring approach was clear and

proportionate.

48% felt providers could meet the evidence requirements without undue burden.

### **Main themes in feedback**

- Overall, there was strong support for the concept of the Learner Engagement Code and of the importance of including learners in decision-making. Respondents' concerns and questions were mainly related to how compliance would be monitored and what evidence would be required, rather than the content of the Code itself.
- Respondents said that while the principles of the Learner Engagement Code were broadly right, further contextualisation was needed across different parts of the sector.
- Responses suggested that the principles are too flexible and open to interpretation to function as regulatory requirements, leading to a lack of clarity around monitoring and evidence requirements.
- Feedback indicated a need for clearer expectations on the types of decisions in which learners should be engaged, and for more practical examples to support consistent implementation.
- Some respondents felt that the evidence requirements lacked clarity and risked creating additional administrative burden.
- There were concerns that the monitoring approach was not sufficiently clear or proportionate, and that greater explanation was needed on how the Code would be applied across different provider types. This was particularly emphasised by smaller organisations, such as apprenticeship and adult community learning providers.

### **Our response**

- We will publish tailored briefing documents for each part of the sector to accompany the Code, reflecting feedback that providers require contextualised examples and clearer guidance on implementation.
- We amended the Learner Engagement Code to add a regulatory requirement for all providers to develop, publish and review a statement of their commitment to impactful learner engagement in decision-making, produced with learners and learner representative bodies where they exist. This represents a shift from the previous position, where the principles themselves functioned as the regulatory requirement. The revised requirement instead requires providers to act in a way that reflects these principles, without making the principles a regulatory obligation
- We clarified that providers must submit evidence of publication in the first full academic year in which the Code applies, and in subsequent years provide evidence of impact through review and evaluation of their commitment and learner engagement practice.

## Equality of Opportunity

### Overview of responses

65% felt the condition could be applied consistently.  
48% viewed the requirements as proportionate.  
37% felt the condition clearly set out what was required.

### Main themes in feedback

- Respondents said that both the condition and the supplementary detail required greater clarity, particularly in distinguishing what providers must do from the broader principles of proportionality.
- Feedback highlighted areas of ambiguous wording, especially within the implementation tables, and noted the need for clearer signposting of Medr's specific role.
- Respondents requested further support for context-sensitive implementation across different parts of the tertiary sector, noting wide variation in provider size, mission and learner profile. Some respondents felt that expectations relating to research participation should be targeted more appropriately.
- There was a strong message that the approach should focus on measurable outcomes over time, while avoiding unnecessary administrative burden.
- Respondents also stressed that providers should consider inequalities across the learner lifecycle and ensure existing targeted support for under-represented groups is not weakened.

### Our response

- We clarified the distinction between mandatory requirements and proportionality in practice and removed ambiguous wording within the implementation tables.
- We improved signposting of Medr's role and committed to publishing additional advice from 2026/27 to support context-sensitive implementation across different provider types.
- We simplified the expectations relating to research participation so that these apply only to providers offering Level 8 provision.
- We introduced a four-year cycle to support a stronger focus on measurable outcomes, aligning with the Strategic Equality Plan (where required) by the Equality Act 2010 and ensuring sufficient time for meaningful progress.
- We clarified that providers must identify underrepresented learners within their own context and consider barriers across the learner lifecycle, while maintaining and strengthening existing support for disadvantaged groups.
- We will publish tailored briefing documents to accompany the condition. These materials will not constitute regulatory guidance but will provide

contextualised examples and will evolve over time as further practice emerges.

## Complaints (Including complaints as a monitoring mechanism)

### Overview of responses

46% felt the condition could be applied consistently.  
86% viewed the requirements as proportionate.  
79% felt the condition clearly set out what was required.

### Main themes in feedback

- Respondents' comments focused on requests for clarity on the role and scope of Medr's responsibilities in relation to learner complaints, rather than the condition itself.
- Some respondents were concerned that the drafting could imply that Medr would intervene in individual complaints, when providers remain responsible for handling individual learner issues through their own procedures.
- There were questions about how complaints and related data would be used within Medr's monitoring approach, and whether this could create uncertainty or unnecessary escalation.
- Respondents emphasised the need for transparency around how Medr considers information from complaints and how this links to identifying systemic issues or potential non-compliance.
- Respondents requested clarity on the term and scope of 'former learners' as set out in the condition.

### Our response

- We amended our explanation of how complaints and related data will be used within our monitoring activity across the regulatory framework.
- We clarified that our focus is on identifying systemic or thematic issues that may indicate risks or potential non-compliance with the conditions of registration or funding.
- We confirmed that where we receive correspondence relating to an individual learner case, we will signpost the learner to the provider's own complaints procedures, and will only consider the information where it contributes to broader patterns or relates directly to our statutory and regulatory duties.
- We have included further detail on how providers should define and consider how their complaints procedures apply to former learners, taking guidance from the Office of the Independent Adjudicator's Good Practice Framework.

## Regard to Advice and Guidance

### Overview of responses

Closed-response questions on this condition were not included in the phase 2 consultation, as this area had already been subject to quantitative testing during phase 1. Full phase 1 results are presented in Annex A.

### Main themes in feedback

- Respondents asked for greater clarity, proportionality and transparency in how the statutory “have regard” duty should operate in practice. Feedback indicated that the earlier drafting did not sufficiently distinguish between guidance formally issued under the Act - where the statutory duty applies - and Medr’s wider advisory or good-practice materials.
- Some respondents were concerned that the drafting could result in unnecessary administrative burden, particularly if providers felt they were expected to routinely document or justify how they had considered all forms of guidance. There were also questions about how the revised expectations should be reflected within internal governance structures.
- Respondents wanted greater clarity around what level of assurance Medr expected in relation to provider decision-making, and reassurance that the duty would be applied proportionately and in a risk-based manner.

### Our response

- We clarified the core requirement so that providers can more easily understand the intended scope of the statutory “have regard” duty. The revised drafting now distinguishes clearly between guidance formally issued under the Act and Medr’s wider advisory or good-practice materials.
- We clarified that providers should be able to explain their rationale and decision-making when requested, but that we do not expect routine reporting or justification. This supports proportionate and risk-based oversight.
- We refined the wording to ensure the condition supports effective internal governance without imposing unnecessary administrative burden and to ensure greater alignment with Medr’s wider regulatory approach.

## Information, Assistance and Access

### Overview of responses

74% felt the condition could be applied consistently.  
72% viewed the requirements as proportionate.  
46% felt the condition clearly set out what was required.

### **Main themes in feedback**

- Respondents asked for the condition to be more tightly aligned with Section 31 of the Act, as some earlier drafting appeared to blur the distinction between Medr’s regulatory duty and the Act’s separate inspection powers.
- Some respondents sought clearer boundaries around the scope of “information, assistance and access,” including when requests may be made, what they may cover and the basis on which providers should respond.
- Many respondents emphasised the importance of proportionality, particularly in relation to the potential burden associated with responding to requests. They asked for greater assurance that Medr would rely on existing evidence wherever possible.
- There were also requests for clearer expectations relating to format, assurance of information, and confidentiality, including how information provided under this condition would be used for monitoring and assurance purposes.

### **Our response**

- We refined the condition so that it reflects only the duty set out in Section 31 of the Act. This included removing wording that implied or reproduced inspection powers, ensuring that the condition applies solely to the regulatory duty linked to Medr’s Part 2 functions.
- We clarified that requests for information, assistance or access must be necessary, proportionate and reasonable. We also emphasised that we will make use of existing evidence wherever practicable, including materials already submitted to other statutory bodies or national collections.
- We strengthened wording relating to format, assurance and confidentiality. The revised drafting clarifies what providers can expect and maintains flexibility to reflect differences in provider governance, systems and scale.
- We streamlined the monitoring and review elements to ensure alignment with Medr’s published approach to monitoring and removed material that did not sit within the statutory duty.

## **Validation**

### **Overview of responses**

68% felt the condition could be applied consistently.

76% viewed the requirements as proportionate.

43% felt the condition clearly set out what was required.

75% felt the Validation Arrangements could be usefully extended into broader advice or guidance for tertiary partnerships, including subcontracting.

### **Main themes in feedback**

- Respondents asked for a clearer distinction between validation and franchise arrangements, as earlier drafting blurred these two forms of provision.
- Some respondents felt that the previous drafting included prescriptive operational detail that was not appropriate for validation and resembled franchising-style oversight.
- Concerns were raised about duplication and unnecessary burden, particularly where evidence requirements went beyond what providers normally hold for validation activities.
- Providers emphasised that monitoring should be proportionate, risk-based and aligned with existing governance and quality assurance systems.

### **Our response**

- We refined the condition to align closely with the statutory definition of validation arrangements and removed overlap with franchise arrangements.
- We removed prescriptive operational requirements and focused the condition on core responsibilities, including academic standards, written agreements and ensuring validated provision sits within existing quality assurance processes.
- We simplified monitoring so that it is based primarily on annual self-declaration, with further information requested only where proportionate and risk-based.
- We clarified that providers must continue to notify us of new or ending validation arrangements and any associated material risks, ensuring effective oversight without unnecessary burden.
- We will continue to reflect and review the benefit of wider guidance on sub-contractual arrangements across the wider tertiary sector.

## **Charitable Status**

### **Overview of responses**

Closed-response questions on this condition were not included in the phase 2 consultation, as this area had already been subject to quantitative testing during phase 1. Full phase 1 results are presented in Annex A.

### **Main themes in feedback**

- Respondents were concerned that the earlier drafting extended beyond its intended scope, particularly in relation to organisations delivering qualifying courses on behalf of providers.

- Some respondents questioned whether elements of the requirement duplicated or overlapped with wider legal obligations relating to charitable status.
- There were queries about the purpose and proportionality of the requirement for institutions to publicly communicate their charitable status.

**Our response**

- We removed the requirement for institutions to confirm that any organisation delivering qualifying courses on their behalf is also a charity, ensuring the condition remains within its proper scope.
- We removed the requirement for institutions to demonstrate how they publicly communicate their charitable status, avoiding duplication with existing legal and governance duties.
- We refined the wording to ensure that the condition remains proportionate, focused and aligned with its intended regulatory purpose.

**Information Provided to Prospective Students**

**Overview of responses**

Closed-response questions on this condition were not included in the phase 2 consultation, as this area had already been subject to quantitative testing during phase 1. Full phase 1 results are presented in Annex A.

**Main themes in feedback**

- Respondents asked for the condition to align more closely with the statutory wording set out in the 2024 Registration and De-registration Regulations. Some felt that the earlier drafting implied additional expectations that were not required by the legislation.
- Several respondents raised concerns about the reference to Welsh Language Standards in the accessibility requirement, noting that they are subject to those requirements through other regulatory bodies.
- Feedback highlighted that the condition should remain focused on the clarity, accuracy and accessibility of information provided to prospective students, and that any associated expectations should avoid duplication with wider consumer protection duties.

**Our response**

- We updated the condition to align directly with the statutory wording by replacing the earlier drafting with a requirement that Medr be “satisfied as to the information provided to prospective students,” as set out in the 2024 Registration and De-registration Regulations.
- We removed the reference to Welsh Language Standards from the accessibility requirement to avoid regulatory overreach.

- We refined the condition so that it clearly focuses on the clarity, accuracy and accessibility of information provided to prospective students, without introducing expectations that extend beyond the statutory requirement.

## Fee Limits

<p><b>Overview of responses</b></p> <p>Closed-response questions on this condition were not included in the phase 2 consultation, as this area had already been subject to quantitative testing during phase 1. Full phase 1 results are presented in Annex A.</p>
<p><b>Main themes in feedback</b></p> <ul style="list-style-type: none"> <li>• Respondents sought greater clarity, proportionality and consistency within the Fee Limits requirements</li> <li>• Concern about administrative burden, particularly the expectation to list every qualifying course individually</li> <li>• Requests for clearer implementation timings to provide predictability for planning.</li> <li>• Mixed views on whether expectations relating to learner representation should sit within the Fee Limits Condition.</li> </ul>
<p><b>Our response</b></p> <ul style="list-style-type: none"> <li>• We have clarified implementation timing: Fee Limit Statements are required for registration from 2026/27 and apply operationally from August 2027.</li> <li>• We confirmed that providers may group qualifying courses by qualification type rather than listing each individually, reducing administrative burden while maintaining statutory compliance.</li> <li>• We aligned terminology across documents and confirmed that Fee Limit Statements apply only to qualifying courses within the statutory fee limit regime.</li> <li>• We retained the requirement relating to learner representation in fee setting to ensure learner voice remains part of the fee setting process.</li> </ul>

## Notification of Changes which Affect the Accuracy of Information and Status as a Tertiary Education Provider in Wales

<p><b>Overview of responses</b></p> <p>Closed-response questions on this condition were not included in the phase 2 consultation, as this area had already been subject to quantitative testing during phase 1. Full phase 1 results are presented in Annex A.</p>
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### **Main themes in feedback**

- Respondents asked for clearer alignment between the condition and the statutory definition of a tertiary education provider in Wales under Section 144 of the Act.
- Feedback indicated that earlier drafting did not adequately distinguish between this requirement and other conditions, particularly the Charitable Status condition under Regulation 10(a).
- Some respondents raised concerns about the clarity of the term “wholly or mainly carried on in Wales,” and requested guidance on the types of activities and indicators relevant to this assessment.
- Providers also sought clearer explanation of how changes affecting provider status should be notified and how these notifications would interact with other parts of the regulatory framework.

### **Our response**

- We have split this condition into two separate conditions, to ensure this accurately reflects the statutory definition of a tertiary education provider in Wales and the mandatory notification duties set out in Regulations 10(c) and 11(b) of the 2024 Registration and De-registration Regulations.
- The earlier drafting contained ambiguities which we have removed. We have also made the distinction between this condition and the Charitable Status condition explicit.
- We included a clearer and more robust interpretation of the statutory phrase “wholly or mainly carried on in Wales,” setting out the key indicators and types of activity that support this assessment, while emphasising that the statutory test remains based on the overall substance and centre of gravity of a provider’s tertiary education activities.
- We clarified the notification requirements to ensure providers understand when a change must be reported and how this interacts with their wider regulatory obligations.

## **Reportable Events Process**

### **Overview of responses**

Closed-response questions on this condition were not included in the phase 2 consultation, as this area had already been subject to quantitative testing during phase 1. Full phase 1 results are presented in Annex A.

### **Main themes in feedback**

- Respondents highlighted the importance of clear and proportionate expectations around the timing and scope of Reportable Events.

- They requested further clarity on the specific types of events that should be notified and how safeguarding matters fit within the notification requirements.
- Some respondents sought clearer explanation of how information submitted through Reportable Events would be used within Medr’s monitoring and assurance processes.
- There was support for ensuring that notification requirements are consistent across the conditions and proportionate to the level of risk involved.

**Our response**

- We reinstated a defined timescale for notifying Reportable Events, responding to feedback that earlier drafts lacked sufficient clarity on this point.
- We amended the reportable events relating to death or harm to make clearer how safeguarding considerations are reflected in these notifications.
- We clarified how Reportable Events will be used within the monitoring approach under each applicable condition, ensuring transparency and consistency.
- We introduced a definition of “value” in relation to the requirement to notify us of severance agreements to support consistent interpretation across the sector.

**Statement of Intervention**

**Overview of responses**

Closed-response questions on this condition were not included in the phase 2 consultation, as this area had already been subject to testing in phase 1. Full phase 1 results are presented in Annex A.

**Main themes in feedback**

- Respondents recognised that many elements of the Statement of Intervention are prescribed by the Act, limiting the scope for major changes.
- Some respondents asked for clearer explanation of when Medr might intervene, expressing concern about potential regulatory over-reach in relation to minor issues.
- There were requests for greater transparency about the role of learners and learner representatives during intervention processes, and how complaints may feed into wider monitoring and intervention decisions.
- Respondents also sought clarity regarding the publication of Notices, the legal basis for specific intervention powers, and how the Statement aligns with the broader monitoring approach.

## **Our response**

- We clarified that intervention decisions will always depend on a provider's specific circumstances and that, wherever appropriate, we will seek to resolve issues informally before initiating formal action.
- We confirmed that we do not expect to use intervention powers in cases of minor non-compliance where providers have robust internal processes and are taking reasonable steps to address concerns.
- We reaffirmed that learner complaints are an important route through which potential non-compliance may be identified, but that involvement of learner representatives during intervention must depend on the context of each case.
- We clarified how the Warning Notice stage, opportunities for representations and the statutory Decision Review process operate, ensuring that stakeholders can understand the system of checks and balances established under the Act.
- We improved the explanation of when Notices may be published, noting that publication may need to be revisited following a Decision Review.
- We updated text and flowcharts to provide clearer explanation of the statutory basis for each intervention power and removed material unrelated to specified powers, ensuring greater legal precision and coherence.

## **Approach to Monitoring**

### **Overview of responses**

Closed-response questions on this condition were not included in the phase 2 consultation, as this area had already been subject to testing in phase 1. Full phase 1 results are presented in Annex A.

### **Main themes in feedback**

- Respondents focused less on structural change and more on the need for clarity, proportionality and shared development as the system moves toward implementation. They recognised that the monitoring model had already been substantially reshaped following the first consultation, including clearer separation between compliance-focused activity and strategic dialogue, use of a dual-risk lens, greater clarity around reportable events, reuse of existing evidence, alignment with sector cycles and a commitment to phased implementation.
- Feedback emphasised that the priority should now be collaborative development rather than further redesign. Respondents noted that routine monitoring will not begin until October 2027 and highlighted the importance of using the preceding period to refine practical arrangements, including templates, definitions, data flows and shared expectations around assurance.

<ul style="list-style-type: none"> <li>• Respondents also cautioned that some requested changes risked reducing the flexibility needed for proportionate, context-sensitive oversight. They noted that intervention decisions must depend on individual provider circumstances and that overly prescriptive triggers could undermine autonomy or create perceptions of regulatory over-reach.</li> </ul>
<p><b>Our response</b></p> <ul style="list-style-type: none"> <li>• We are not making further structural changes to the monitoring model at this stage, recognising both the significant refinements made following phase 1 and the need to maintain flexibility for proportionate, context-sensitive oversight.</li> <li>• We reaffirmed our commitment to co-development throughout 2026 and 2027, working closely with providers, representative bodies and learners to ensure that the approach remains transparent, practical and grounded in lived experience.</li> <li>• We confirmed that routine monitoring will not begin until October 2027, allowing time for detailed operational arrangements - including templates, definitions and expectations - to be developed iteratively and collaboratively.</li> </ul>

### Impact on the Well-being of Future Generations Act (2015)

24. The consultation sought views on the impact of all elements of the proposed regulatory system on the [Well-being of Future Generations Act 2015](#). For the question on whether the proposals will contribute to achieving the national Well-being goals set out in the well-being of Future Generations Act, 53% of respondents said yes, while 44% felt they would do so partially. Only 2% felt they would not contribute.
25. A fuller assessment of the potential impacts of the new regulatory system - including its effects on learners, providers, the Welsh language, equality, and the well-being goals has been conducted to support the development of the new framework. This provides a more detailed analysis of likely positive and adverse impacts and explains how feedback from both consultation phases has shaped that final assessment of impact. Medr is committed to reviewing that impact assessment periodically

### Impact on equality, diversity and inclusion

26. The consultation sought views on the impact of all elements of the proposed regulatory system on equality, diversity and inclusion. 39% of respondents felt the proposals address the need to reduce inequalities of outcome arising from socio-economic disadvantage, while 48% felt this was only partially met and 14% felt it was not met.

27. For fostering good relations between persons who share protected characteristics and those who do not, 44% said the proposals do so, 51% said they do so partially, and 5% felt they do not.
28. Similarly, 47% agreed the proposals advance equality of opportunity, 49% felt they do so partially, and 5% did not believe this need was met. For eliminating discrimination, harassment, victimisation and any other prohibited conduct, 51% agreed the proposals take proper account of this, 42% felt they partially do, and 7% felt they do not.
29. Respondents welcomed the clear and explicit emphasis on equality, diversity and inclusion within the proposed regulatory system. They felt the framework has strong potential to widen participation, strengthen fairness and support more inclusive learning environments, particularly through the Equality of Opportunity condition, the Staff and Learner Welfare condition, the Learner Engagement Code and the Quality Framework. Many also valued the greater visibility of equality expectations within core conditions and the focus on learner voice, disaggregated data and understanding inequalities across the learner lifecycle.
30. Respondents also identified several areas requiring clearer and more proportionate treatment. They highlighted the importance of scalable expectations for smaller, specialist and apprenticeship-focused providers, to ensure requirements do not duplicate existing inspection or commissioning processes or create unnecessary burden. They emphasised the need to recognise intersectionality and socio-economic disadvantage, to use transparent and disaggregated evidence to understand which groups are benefiting, and to address areas where equality duties often fail in practice - such as harassment, discrimination and the lived experience of disabled learners. Several contributions stressed that implementation must reflect differing provider contexts, including faith-based and community-based provision, while maintaining strong and consistent protections for learners.

## Welsh Language Standards

31. The Welsh language questions were refined between phase 1 and phase 2 to ensure clearer alignment with the Welsh Language Standards for policymaking and to gather more meaningful evidence on the potential effects of the new regulatory system. The phase 1 questions met minimum requirements but relied on a Yes/No format that limited the detail respondents could provide. For phase 2, the questions were restructured to explore fuller qualitative feedback on likely positive and negative effects, and to invite specific suggestions for increasing positive impacts and mitigating adverse ones.
32. Across all responses, there is broad support for Medr's proposals for strengthening the Welsh language within the tertiary education sector. Above all, it was recognised that the proposals have the potential to encourage providers to improve opportunities for learning in the Welsh language, and to cultivate equal treatment of Welsh and English. Many respondents highlighted that embedding Welsh more deeply into strategic planning could help improve the visibility of Welsh language and culture, as well as enhance accountability and consistency across the tertiary sector, particularly where Welsh-medium or bilingual opportunities currently vary.

33. Alongside this support, however, many respondents drew attention to current constraints on capacity and resources, including workforce limitations. Notably, this set of concerns was not specific to particular types of providers but was raised generally across the sector. A broad range of providers emphasised that delivering on the regulatory expectations will require investment in bilingual staffing, teaching resources, assessment tools, translation services, and staff recruitment and development. Without corresponding funding and workforce planning, several respondents expressed the view that the proposed regulatory approach risks creating administrative burden without producing meaningful increases in Welsh-medium learning. In this context, a strong sub-theme is that there is currently an acute shortage of Welsh-speakers among vocational training staff and ALN specialists, which providers cannot address without the necessary financial and institutional support. Overall, the view was expressed that widescale investment is essential if targets are to be achievable, leading to substantive linguistic growth rather than superficial compliance.
34. The above concerns link to a further cross-cutting theme regarding the need for proportionality and flexibility in Medr's approach to Welsh language promotion. Specifically, there is a shared concern that uniform standards and expectations are unlikely to reflect the diversity of the tertiary sector. For example, apprenticeship providers stress the employer-led nature of learning and the need to distinguish between actions that are provider-controlled (such as bilingual materials and the recruitment of Welsh-speaking staff) and those which are dependent on employers. Other respondents highlight a tension between learner choice and system ambition: while the aim is to expand Welsh-medium provision, several respondents emphasise that not all Welsh speakers wish to study through the medium of Welsh, and regulatory expectations must avoid inadvertently reducing learner autonomy. Some respondents also caution against rigid reporting in accordance with metrics or targets which could generate misleading data, particularly in areas where Welsh-speaking cohorts are small. Rather, preference was expressed for a model emphasising development and capacity-building over enforcement, with progress assessed from a provider's own baseline rather than cross-tertiary benchmarks.
35. Several respondents highlight the need for greater coherence and alignment between regulatory bodies with responsibility for Welsh language promotion. Thus, several respondents cite the need for Medr's expectations to dovetail with the Welsh Language Standards, the Welsh Language Commissioner's role, Coleg Cymraeg Cenedlaethol's *Cymraeg 2050* targets and Estyn's Welsh language framework. This alignment should be reflected in due course in Medr's National Plan for the Welsh Language in Tertiary Education. Several respondents warn that failure to achieve this alignment could result in overlapping or parallel systems, leading to unnecessary duplication, confusion, and potentially contradictory expectations. Some respondents suggest that Medr should model linguistic parity in its own processes; translation quality and bilingual documentation were highlighted as areas requiring improvement to avoid sending signals that English remains the 'default.'
36. In terms of specific improvements, respondents suggested that Medr can strengthen its impact on the Welsh language by making expectations clearer, more consistent and aligned with existing Welsh Language Standards, so that providers are not

drawn into duplicate processes. A proportionate, supportive approach is essential, particularly for small or specialist providers with limited bilingual capacity. Shared templates, translation services and practical guidance would help make expectations achievable and prevent Welsh from being construed as an administrative constraint. Clearer arrangements for monitoring and complaints would also help providers plan for and track development of learners' Welsh language skills. Medr should ensure its own bilingual processes are accurate and robust, signalling genuine parity of esteem. Providers need flexibility to promote Welsh in ways that reflect their context and learner demand, while a regulatory approach focused on progress and dialogue rather than uniform targets, would expand opportunities to use Welsh without creating unnecessary burden or constraining learner choice.

37. In combination, responses to the questions on Welsh Language Standards depict a tertiary sector that is strongly aligned with the ambition of enhancing Welsh language opportunities, but also cautious about the practicality and proportionality of the proposed approach. The submissions collectively point towards a regulatory model that balances ambition with realism; supporting providers through capacity building, collaboration, flexible compliance expectations, and alignment with existing national structures were particularly emphasised. Such an approach, respondents argue, is more likely to deliver genuine, sustainable improvements in learners' opportunities to use Welsh, and to ensure the language is not treated less favourably than English in practice.

## Conclusion and next steps

38. This report has summarised the feedback received across the two phases of consultation and outlined the refinements made to the regulatory system as a result. Respondents highlighted the importance of clarity, proportionality and coherence across the conditions, and emphasised the need for a monitoring approach that can be applied consistently while recognising the diversity of the tertiary education sector in Wales. We have responded by strengthening the structure and wording of the conditions, clarifying key expectations and addressing areas where the original drafting was either too prescriptive or too ambiguous.
39. The two-stage consultation process has allowed us to test, refine and align the regulatory system with the sector's needs while remaining fully grounded in the statutory duties established under the Act. Across both phases, respondents emphasised the importance of learner-centred regulation, a risk-based approach, and the reuse of existing evidence to avoid unnecessary burden. The changes introduced through this report reflect those messages and ensure that the framework is both principled and practical, protecting learners while respecting institutional autonomy and variation in governance models, delivery contexts and provider size.
40. A consistent theme across the consultations was the need for transparency and early dialogue as the system moves towards implementation. While the high-level structure of the regulatory system is now complete, much of the operational detail—particularly relating to monitoring, evidence expectations and definitions—will develop over time. We will continue to work with providers, learners, representative bodies

and partners to ensure that the system is understood, manageable and proportionate, and to support confidence and shared interpretation across the sector.

41. The regulatory framework now provides a stable foundation for registration and funding, alongside conditions that support quality, sustainability, effective governance, learner engagement and equality of opportunity. The refinements made through both consultations have sought to strengthen legal accuracy, reduce duplication and enhance usability. We are committed to ensuring the system remains dynamic and capable of responding to changing circumstances, supporting a resilient and learner focused tertiary education system for Wales.

### Next steps

42. **Development and implementation (2026/2027):** We will continue to engage closely with providers, representative bodies and learners to develop operational guidance, shared definitions, data processes and templates ahead of routine monitoring beginning in October 2027.
43. **Supporting materials:** We will publish further advice and information in 2026/27, including sector specific or thematic materials where they support proportionate and context-sensitive interpretation of the regulatory conditions.
44. **Building shared understanding:** We will create opportunities for dialogue, workshops and testing activities to support confidence in the regulatory approach, refine expectations and embed a clear, consistent understanding of what good compliance looks like across different provider types.
45. **Ongoing refinement:** While the regulatory structure is now set, we will continue to update and refine operational detail as the system matures, ensuring that approaches remain proportionate, transparent and aligned with statutory requirements and learner outcomes.

## Annex A - Phase 1 closed-response questions<sup>1</sup>

Section	Question	Results
Regulatory Approach	To what extent do you agree that our Regulatory Approach will support our ability to fulfil the aims of our Strategic plan? (Strongly Agree / Agree / Disagree / Strongly Disagree)	11% Strongly Agree 54% Agree 30% Disagree 5% Strongly Disagree
Regulatory Approach	To what extent do you agree that our Regulatory Approach will support our intention to be a proportionate and risk-based regulator? (Strongly Agree / Agree / Disagree / Strongly Disagree)	10% Strongly Agree 5% Agree 31% Disagree 8% Strongly Disagree
Regulatory Approach	To what extent do you agree with the philosophy, principles and expectations set out in our Regulatory Approach? (Strongly Agree / Agree / Disagree / Strongly Disagree)	16% Strongly Agree 34% Agree 27% Disagree 6% Strongly Disagree
Regulatory Approach	Could the Regulatory Approach, as set out, be applied consistently across all tertiary providers? (Yes / Partially / No) If no or partially, please provide details of how it could be applied consistently.	28% Yes 32% Partially 40% No
Regulatory Approach	Is the Regulatory Approach sufficiently reflected throughout the different Conditions? (Yes / Partially / No) If no or partially, please provide details of how it could be sufficiently reflected	19% Yes 38% Partially 42% No
Intervention Powers	To what extent do you agree that the interventions align to The Act's intentions? (Strongly Agree / Agree / Disagree / Strongly Disagree)	10% Strongly Agree 54% Agree 33% Disagree 3% Strongly Disagree
Intervention Powers	To what extent do you agree that the Statement of Intervention aligns with our Regulatory Approach?	8% Strongly Agree 59% Agree

<sup>1</sup> Some results may include rounding errors. The base number for completed responses varies from 47 to 104.

Section	Question	Results
	(Strongly Agree / Agree / Disagree / Strongly Disagree)	31% Disagree 3% Strongly Disagree
Intervention Powers	Would supplementary guidance for the Statement be helpful? (Yes / No) Please note the areas where supplementary guidance would be helpful.	82% Yes 18% No
Condition - Financial Sustainability	Could the condition be applied consistently across all tertiary providers? (Yes / No)	44% Yes 56% No
Condition - Financial Sustainability	Are the requirements of the condition proportionate? (Yes / No)	36% Yes 64% No
Condition - Financial Sustainability	Does the condition provide sufficient clarity regarding requirements? (Yes / No)	33% Yes 67% No
Condition - Governance and Management	Could the condition be applied consistently across all tertiary providers? (Yes / No)	49% Yes 51% No
Condition - Governance and Management	Are the requirements of the condition proportionate? (Yes / No)	33% Yes 67% No
Condition - Governance and Management	Does the condition provide sufficient clarity regarding requirements? (Yes / No)	43% Yes 70% No
Condition - Quality	Could the condition be applied consistently across all tertiary providers? (Yes / No)	44% Yes 56% No
Condition - Quality	Are the requirements of the condition proportionate? (Yes / No)	34% Yes 66% No
Condition - Quality	Does the condition provide sufficient clarity regarding requirements? (Yes / No)	27% Yes 73% No
Condition - Regard to Advice and Guidance	Could the condition be applied consistently across all tertiary providers?	84% Yes 16% No

Section	Question	Results
	(Yes / No)	
Condition - Regard to Advice and Guidance	Are the requirements of the condition proportionate? (Yes / No)	65% Yes 35% No
Condition - Regard to Advice and Guidance	Does the condition provide sufficient clarity regarding requirements? (Yes / No)	34% Yes 66% No
Condition - Information for Prospective Students	Could the condition be applied consistently across all tertiary providers? (Yes / No)	77% Yes 23% No
Condition - Information for Prospective Students	Are the requirements of the condition proportionate? (Yes / No)	40% Yes 60% No
Condition - Information for Prospective Students	Does the condition provide sufficient clarity regarding requirements? (Yes / No)	34% Yes 66% No
Condition - Fee Limits	Could the condition be applied consistently across all tertiary providers? (Yes / No)	69% Yes 31% No
Condition - Fee Limits	Are the requirements of the condition proportionate? (Yes / No)	69% Yes 31% No
Condition - Fee Limits	Does the condition provide sufficient clarity regarding requirements? (Yes / No)	31% Yes 69% No
Condition - Notification of Changes	Could the condition be applied consistently across all tertiary providers? (Yes / No)	72% Yes 26% No
Condition - Notification of Changes	Are the requirements of the condition proportionate? (Yes / No)	40% Yes 60% No
Condition - Notification of Changes	Does the condition provide sufficient clarity regarding requirements? (Yes / No)	28% Yes 70% No
Condition - Charitable Status	Could the condition be applied consistently across all tertiary providers?	63% Yes 37% No

Section	Question	Results
	(Yes / No)	
Condition - Charitable Status	Are the requirements of the condition proportionate? (Yes / No)	36% Yes 64% No
Condition - Charitable Status	Does the condition provide sufficient clarity regarding requirements? (Yes / No)	33% Yes 67% No
Reportable Events	Could the condition be applied consistently across all tertiary providers? (Yes / No)	38% Yes 62% No
Reportable Events	Are the requirements of the condition proportionate? (Yes / No)	31% Yes 69% No
Reportable Events	Does the condition provide sufficient clarity regarding requirements? (Yes / No)	25% Yes 75% No
Quality Framework Section A	To what extent do you agree that the drafting clearly sets out the statutory basis for the Framework and what it is intended to achieve? (Strongly Agree / Agree / Disagree / Strongly Disagree)	7% Strongly Agree 66% Agree 22% Disagree 4% Strongly Disagree
Quality Framework Section A	Is the scope of the definition of quality appropriate? (Yes / No) If no, what further clarification is needed?	25% Yes 75% No
Quality Framework Section B	To what extent do you agree that the proposed principles are appropriate? (Strongly Agree / Agree / Disagree / Strongly Disagree)	6% Strongly Agree 73% Agree 16% Disagree 5% Strongly Disagree
Quality Framework Section D	To what extent do you agree with the proposed approach, which identifies roles and responsibilities across each pillar? (Strongly Agree / Agree / Disagree / Strongly Disagree)	8% Strongly Agree 80% Agree 9% Disagree 3% Strongly Disagree
Quality Framework Section E	The Framework sets out a range of data sets in supporting assessments of compliance with the quality Framework. To	0% Strongly Agree 34% Agree 58% Disagree

Section	Question	Results
	what extent do you agree that the proposed data sources are appropriate? (Strongly Agree / Agree / Disagree / Strongly Disagree)	8% Strongly Disagree
Quality Framework Section E	Are there any other priorities for consideration in relation to external quality assessment? (Yes / No) If yes, please note here	75% Yes 25% No
Quality Framework Section E	The Framework sets out a range of data sets in supporting assessments of quality. To what extent do you agree that the proposed data sources are appropriate? (Strongly Agree / Agree / Disagree / Strongly Disagree)	2% Strongly Agree 33% Agree 58% Disagree 6% Strongly Disagree
Quality Framework Section E	Are there any other data that should be considered? (Yes / No) If yes, please note here	91% Yes 9% No
Quality Framework Section F	Does the section provide clarity on how Medr will intervene to address issues relating to quality, standards and continuous improvement? (Yes / No) If no, what further clarification is needed?	31% Yes 69% No
Quality Framework Final	Are there any gaps within the Framework that should be addressed? (Yes / No) If yes, please note here	82% Yes 18% No
Quality Framework Final	Are there any particular elements within the current drafting that should be emphasised or strengthened? (Yes / No) If yes, please note here	89% Yes 11% No
Annex 1	Does this Annex take account of the key other documents and requirements for each part of the sector? (Yes / No) If no, what further information is required?	50% Yes 50% No

<b>Section</b>	<b>Question</b>	<b>Results</b>
The Welsh Language	Could proposals increase positive effects or decrease adverse effects on opportunities for persons to use the Welsh language (Yes / No) Please provide details.	75% Yes 25% No
The Welsh Language	Could proposals increase positive effects or decrease adverse effects on treating the Welsh language no less favourably than the English language? (Yes / No) Please provide details.	68% Yes 32% No
The Well-being of Future Generations Act (2015)	Will the proposals contribute to the achievement of the national well-being goals set out in the Well-being of Future Generations Act 2015? (Yes / No / Partially) Please provide details	42% Yes 54% Partially 3% No
Equality, Diversity and Inclusion	Do the proposals take account of the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010 (Yes / No / Partially)	31% Yes 65% Partially 4% No
Equality, Diversity and Inclusion	Do the proposals take account of the need to advance equality of opportunity between persons who share a protected characteristic and persons who do not share it; (Yes / No / Partially)	25% Yes 71% Partially 4% No
Equality, Diversity and Inclusion	Do the proposals take account of the need to foster good relations between persons who share a protected characteristic and persons who do not share it: (Yes / No / Partially)	25% Yes 71% Partially 4% No
Equality, Diversity and Inclusion	Do the proposals take account of the need to reduce the inequalities of outcome which result from socio-economic disadvantage? (Yes / No / Partially)	30% Yes 73% Partially 5% No

## Annex B - Phase 2 closed-response questions<sup>2</sup>

Section	Question	Results
Condition - Staff and Learner Welfare	Could this condition be applied consistently across all tertiary providers? (Yes / No)	62% Yes 38% No
Condition - Staff and Learner Welfare	Are the requirements of the condition proportionate? (Yes / No)	44% Yes 56% No
Condition - Staff and Learner Welfare	Does this condition provide sufficient clarity regarding requirements? (Yes / No)	41% Yes 59% No
Condition - Welsh Language	Could this condition be applied consistently across all tertiary providers? (Yes / No)	69% Yes 31% No
Condition - Welsh Language	Are the requirements of the condition proportionate? (Yes / No)	61% Yes 39% No
Condition - Welsh Language	Does this condition provide sufficient clarity regarding requirements? (Yes / No)	47% Yes 53% No
Condition - Learner Protection Plans	Could this condition be applied consistently across all tertiary providers? (Yes / No)	64% Yes 36% No
Condition - Learner Protection Plans	Are the requirements of the condition proportionate? (Yes / No)	65% Yes 35% No
Condition - Learner Protection Plans	Does this condition provide sufficient clarity regarding requirements? (Yes / No)	33% Yes 67% No
Condition - Learner Engagement Code	Could this condition be applied consistently across all tertiary providers? (Yes / No)	64% Yes 36% No

<sup>2</sup> Some results may include rounding errors. The base number for completed responses varies from 37 to 49.

Section	Question	Results
Condition - Learner Engagement Code	Are the requirements of the condition proportionate? (Yes / No)	40% Yes 60% No
Condition - Learner Engagement Code	Does this condition provide sufficient clarity regarding requirements? (Yes / No)	28% Yes 72% No
Learner Engagement Code	To what extent do you agree that the Learner Engagement Code reflects the diversity of learners and providers in the tertiary education and research sector in Wales? (Strongly Agree / Agree / Disagree / Strongly Disagree) Please provide comments.	9% Strongly Agree 64% Agree 11% Disagree 17% Strongly Disagree
Learner Engagement Code	To what extent do you agree that the proposed principles for learner engagement address the key aspects of learner engagement? (Strongly Agree / Agree / Disagree / Strongly Disagree) Please provide comments.	11% Strongly Agree 72% Agree 6% Disagree 11% Strongly Disagree
Learner Engagement Code	To what extent do you agree the approach to monitoring is clear and proportionate? (Strongly Agree / Agree / Disagree / Strongly Disagree) Please provide comments.	8% Strongly Agree 37% Agree 39% Disagree 16% Strongly Disagree
Learner Engagement Code	To what extent do you agree providers would be able to meet the proposed evidence requirements without undue burden? (Strongly Agree / Agree / Disagree / Strongly Disagree) Please provide comments.	6% Strongly Agree 42% Agree 38% Disagree 15% Strongly Disagree
Condition - Equality of Opportunity	Could this condition be applied consistently across all tertiary providers? (Yes / No)	65% Yes 35% No
Condition - Equality of Opportunity	Are the requirements of the condition proportionate? (Yes / No)	48% Yes 52% No
Condition - Equality of Opportunity	Does this condition provide sufficient clarity regarding requirements? (Yes / No)	37% Yes 63% No

<b>Section</b>	<b>Question</b>	<b>Results</b>
Condition - Equality of Opportunity	To what extent do you agree that the Equality of Opportunity condition and supplementary detail provide sufficient clarity regarding provider expectations and requirements? (Strongly Agree / Agree / Disagree / Strongly Disagree)	5% Strongly Agree 37% Agree 56% Disagree 2% Strongly Disagree
Condition - Equality of Opportunity	To what extent do you agree that the Equality of Opportunity condition will advance meaningful improvements in equality of opportunity for learners across the tertiary education sector? (Strongly Agree / Agree / Disagree / Strongly Disagree)	14% Strongly Agree 35% Agree 46% Disagree 5% Strongly Disagree
Condition - Complaints Procedures	Could this condition be applied consistently across all tertiary providers? (Yes / No)	79% Yes 21% No
Condition - Complaints Procedures	Are the requirements of the condition proportionate? (Yes / No)	86% Yes 14% No
Condition - Complaints Procedures	Does this condition provide sufficient clarity regarding requirements? (Yes / No)	46% Yes 54% No
Condition - Information, Assistance and Access	Could this condition be applied consistently across all tertiary providers? (Yes / No)	74% Yes 26% No
Condition - Information, Assistance and Access	Are the requirements of the condition proportionate? (Yes / No)	72% Yes 28% No
Condition - Information, Assistance and Access	Does this condition provide sufficient clarity regarding requirements? (Yes / No)	46% Yes 54% No
Condition - Validation Arrangements	Could this condition be applied consistently across all tertiary providers? (Yes / No)	68% Yes 32% No
Condition - Validation Arrangements	Are the requirements of the condition proportionate? (Yes / No)	76% Yes 24% No
Condition - Validation Arrangements	Does this condition provide sufficient clarity regarding requirements? (Yes / No)	43% Yes 57% No

Section	Question	Results
Condition - Validation Arrangements	To what extent do you agree that the Validation Arrangements condition could be usefully extended into broader advice or guidance for tertiary partnerships, including sub-contractual arrangements? (Strongly Agree / Agree / Disagree / Strongly Disagree)	16% Strongly Agree 59% Agree 19% Disagree 5% Strongly Disagree
Well-being of Future Generations Act (2015)	Will the proposals contribute to the achievement of the national well-being goals set out in the Well-being of Future Generations Act 2015? (Yes / Partially / No) Please provide details.	53% Yes 44% Partially 2% No
Equality, Diversity and Inclusion (Public Sector Equality Duty)	Do the proposals take account of the need to: eliminate discrimination, harassment, victimisation and any other conduct prohibited by or under the Equality Act 2010? (Yes / Partially / No)	51% Yes 42% Partially 7% No
Equality, Diversity and Inclusion (Public Sector Equality Duty)	Do the proposals take account of the need to: advance equality of opportunity between persons who share a protected characteristic and persons who do not share it? (Yes / Partially / No)	47% Yes 49% Partially 5% No
Equality, Diversity and Inclusion (Public Sector Equality Duty)	Do the proposals take account of the need to: foster good relations between persons who share a protected characteristic and persons who do not share it? (Yes / Partially / No)	44% Yes 51% Partially 5% No
Equality, Diversity and Inclusion (Socio-economic Duty)	Do the proposals take account of the need to reduce the inequalities of outcome which result from socio-economic disadvantage? (Yes / Partially / No)	39% Yes 48% Partially 14% No