



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

Condition: Staff and Learner Welfare

A provider registered with or funded by Medr **must**:

- have in place effective arrangements to support and promote learner and staff welfare

Condition Category

This is an initial and ongoing condition of registration. This is a condition of funding.

Legal Basis

Under Section 27 of the **Tertiary Education and Research (Wales) Act 2022** (the Act) Medr is required to set out an initial condition relating to “the effectiveness of the applicant tertiary education provider’s arrangements for supporting and promoting the welfare of its students and staff”.

Under Section 31 of the Act, Medr is required to provide a mandatory ongoing condition of registration “relating to the effectiveness of the provider’s arrangements for supporting and promoting the welfare of its students and staff”

Under Section 108 of the Act, Medr must consider whether to impose terms and conditions relating to “the effectiveness of the provider’s arrangements for supporting and promoting the welfare of its students and staff”.

Providers **must** also comply with other relevant statutory duties and frameworks.

Compliance Requirements

To comply with this condition, providers **must**:

1. take account of requirements set out in the staff and learner welfare funding and regulatory supplementary detail on requirements (or any subsequent revisions)
2. align with relevant legal and statutory duties as this condition does not replace or remove providers’ existing legal duties or statutory obligations

3. take account of relevant information, guidance and advice published by Medr

Monitoring

Medr will monitor compliance with this condition in the following ways (for definitions of these, please see Medr's approach to monitoring):

- **Annual Assurance Return:** as part of Medr's Annual Assurance Return, providers governing body **will** be expected to self-declare and provide associated evidence that they have met the compliance requirements of the condition
- **analysis of data:** Medr will monitor using a range of available data including findings of surveys
- **regulatory concerns submissions and complaints monitoring:** in instances where regulatory concerns are raised with Medr, or analysis of complaints data, identify themes or systemic issues that relate to compliance with the Staff and Learner Welfare Condition
- **learner surveys:** in instances where outcomes from surveys are related to the effectiveness or impact of staff and learner welfare
- **engagement activities:** at either provider or sector level, Medr will engage with providers in reviewing how advice or guidance is considered
- **Reportable Events:** reported by providers to Medr will be used as metrics to assess provider's governance and management
- **independent sources of assurance:** including reviews, inspections, information from other regulators such as Estyn, Quality Assurance Agency (QAA), the Equality and Human Rights Commission (EHRC), and professional or statutory body reports
- **thematic reviews:** undertaken to explore sector-wide topics, or to support improvement in particular areas

Providers with a prior record of non-compliance, deteriorating trends in data or identified as at risk of future non-compliance may be subject to increased scrutiny. Failure to comply with monitoring requirements will prompt further investigation and possible interventions.

Review and Amendment

Medr will regularly review this condition to ensure that it aligns with evolving sector needs, policy changes, and feedback from stakeholders.



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Supplementary Detail: Staff and Learner Welfare

Applies to: Staff and Learner Welfare Condition

A provider registered with Medr **must**:

- take account of this and any future funding and regulatory supplementary detail on requirements issued by Medr for the Staff and Learner Welfare initial and ongoing Condition by 1st August 2026

A provider funded by Medr **must**:

- take account of this and any future funding and regulatory supplementary detail on requirements issued by Medr for the Staff and Learner Welfare initial and ongoing condition from 1st August 2026

Scope and Rationale

1. This document is intended to provide information to enable providers to comply with the Staff and Learner Welfare initial and ongoing Condition of registration and funding.
2. The Staff and Learner Welfare Condition **should** be interpreted and implemented in conjunction with Medr's wider Regulatory Framework.
3. Medr has a statutory responsibility to promote collaboration. Tertiary providers **should** therefore involve staff in discussions about Medr's regulatory Condition for Staff and Learner Welfare and, where appropriate, work with trade unions on fulfilling the requirements of the condition as it relates to staff welfare.
4. The Staff and Learner Welfare Condition must be understood within the broader context of legislation and national policy. Implementation **should** reflect and align with statutory duties and relevant Welsh Government strategies, ensuring coherence with the wider legal and policy landscape of tertiary education in Wales.
5. In line with the Learner Engagement Code, providers **must** engage learners in their decision making, including decisions relating to staff and learner welfare

where appropriate. Providers **must** work with learner representative bodies (where they exist) on fulfilling the requirements of this condition as it relates to learner welfare.

Welfare

6. **The Tertiary Education and Research (Wales) Act 2022** (the Act) [explanatory memorandum](#) provides an explanation of what 'welfare' and 'arrangements' are intended to mean in relation to the staff and learner welfare condition.

Providers **must** take account of the following:

- Staff and learner welfare 'arrangements' include policies, procedures and services that promote and support staff and learner wellbeing and safety

'Wellbeing' in this context is intended to mean (see Medr's glossary for individual definitions):

- emotional well-being
- mental health

'Safety' is intended to mean freedom from harms including:

- harassment
- misconduct (as it relates to staff and learner welfare)
- violence (including sexual violence)
- hate crime

Provider Welfare Self-Evaluation

7. Providers **must** conduct a staff and learner welfare self-evaluation. The staff and learner welfare self-evaluation **must** be approved by the providers' governing body or equivalent and reviewed annually.
8. Medr acknowledges that all tertiary providers currently conduct self-assessments and/or self-evaluation processes that relate to areas of staff and learner welfare. Therefore, we do not anticipate issuing self-evaluation templates as we expect self-assessment/self-evaluation is already part of existing processes and designed to meet the specific needs of each provider. To minimise burden, providers **must** decide on the most appropriate and effective self-assessment/self-evaluation method(s) based on their operational context.
9. Providers' welfare self-evaluation **must** include the following:
- the effectiveness of policies, procedures and support services for the promotion and support for learner and staff emotional wellbeing and mental health
 - effectiveness of policies, procedures and support services for the promotion and support for learner and staff safety, which **must** include freedom from harassment, misconduct, violence (including sexual violence) and hate crime

- welfare risk assessment: an assessment of the providers' welfare risks and mitigations
 - welfare policies, procedures and support services **must** be informed by equality impact assessment (where applicable)
10. If the areas above are not covered in a provider's existing self-evaluation/self-assessment processes they will need to be evaluated and incorporated into existing self-evaluation/self-assessment documentation.
11. Providers **should** use existing self-assessment tools and guidance to support self-evaluation. Examples include, but are not limited to:
- **Higher education examples:**
 - Universities UK (UUK) Stepchange framework and self-assessment
 - UUK Suicide Safer framework assessment tool
 - Violence Against Women Domestic Abuse and Sexual Violence (VAWDASV) self-assessment (under development)
 - **Other non-sector specific self-assessment examples:**
 - the Welsh Government NEST self-assessment and implementation tool
 - Trauma and ACE (TrACE) Informed Organisations Toolkit
 - Anti-racist Organisation Maturity Matrix
12. Providers are not normally required to submit their self-evaluation to Medr. Medr will only call in self-evaluations if concerns and risks are raised or identified.
13. When conducting self-evaluation providers **should** take account of the self-evaluation principles that have been developed by the Quality Assurance Agency for Higher Education (QAA) and Estyn.

Provider Welfare Action Plan

14. The welfare action plan **must** be approved by the governing body or equivalent and overseen through robust governance and management process and be consistent with the provider's governance and employment practices.
15. Providers **must** submit to Medr a two-year welfare action plan. Medr will collaborate with tertiary sector representatives to create the welfare action plan template. When completing the welfare action plan, providers **must** set out their priority actions based on provider welfare self-evaluation.
16. The welfare action plan will be used by Medr as a basis for individual provider engagement and to identify sector wide support, policies and process and systemic risks and issues which will inform Medr's Provider Risk Assessment process.

Provider Annual Assurance Returns

17. Providers **must** submit an annual assurance and compliance return. The return is intended to inform Medr’s Annual Assurance Return process. As part of Medr’s Annual Assurance Return, a provider’s governing body (or equivalent) **will** be expected to provide:
- self-declaration that they have met the compliance requirements of the condition and provided associated evidence
 - confirmation that the submitted welfare action plan activities were delivered as planned and that areas not delivered are reflected and addressed in the plan for the subsequent year
 - changes or amendments to the submitted welfare action plan and rationale for changes
 - confirmation that the governing body or equivalent are satisfied of the effectiveness of the providers’ arrangements to support and promote staff and learner welfare
18. Medr will take a risk-based approach to ensuring compliance with this Condition as it relates to registration or funding. Where our data, evidence or reporting suggests there may be a risk of non-compliance, we may require a provider to supply additional evidence or documentation. This includes situations where there have been previous issues, significant changes in a provider’s operations, Reportable Events, or where robust sources of intelligence - such as learner voice surveys, complaints or other regulatory concerns - indicate that the provider may present a higher risk.
19. Where monitoring identifies areas for improvement, or examples of good practice, Medr may provide information, advice, data, share best practices, and/or make recommendations to support providers with compliance or continuous improvement.

Providers Timeline and Expectations for Monitoring with the Condition:

	Higher Education Providers	Further Education Providers	Adult Community Learning Providers	Apprenticeship Providers
By 31 July 2026	Submit to Medr: Statement of assurance confirming providers have conducted welfare self-evaluation submitted as part of registration process			
By 30th November 2026	Submit to Medr:	Submit to Medr:		

	Provider two-year (2026/28) welfare action plan	Statement of assurance confirming providers have conducted welfare self-evaluation and two-year 2026/28 welfare action plan	
By 1 August 2027			Submit to Medr Statement of assurance confirming providers have conducted welfare self-evaluation and two-year 2027/29 welfare action plan
December 2027	Submit to Medr: Provider 2026/27 annual assurance statements.	Submit to Medr: Provider 2026/27 annual assurance statements.	
By 1 June 2028	Through self-evaluation, submit to Medr: Provider welfare action plan for period 1 Aug 2028 to 31 July 2030	Through self-evaluation, submit to Medr: Provider welfare action plan for period 1 Aug 2028 to 31 July 2030	
December 2028	Submit to Medr: Provider 2027/28 annual assurance statements	Submit to Medr: Provider 2027/28 annual assurance statements	Submit to Medr: Provider 2027/28 annual assurance statements
By 1 June 2029			Through self-evaluation, submit to Medr: Provider welfare action plan for period 1 Aug 2029 to 31 July 2031
December 2029	Submit to Medr: Provider 2028/29 annual assurance statements	Submit to Medr: Provider 2028/29 annual assurance statements	Submit to Medr: Provider 2028/29 annual assurance statements