

Learner Engagement Code

Sector briefing: further education institutions



Introduction

Under Section 129 of the Tertiary Education and Research (Wales) Act 2022 (TERA), Medr has a statutory responsibility to publish a Learner Engagement Code about the involvement of learners in their provider's decision-making. This includes opportunities for learners to:

- participate in the making of relevant decisions by their provider;
- have their voices effectively represented in provider decision-making; and
- give their views on the education they are receiving and matters of concern or interest to them.

Medr [consulted](#) on the draft Learner Engagement Code in autumn 2025, and published [the final Code](#) in April 2026. The Code applies to all providers in the tertiary education sector in Wales: further and higher education institutions, apprenticeship providers, adult community learning providers, and schools with sixth forms. Under Section 101 of TERA, the governing body of a maintained school with a sixth form **must** comply with the requirements of the Code. **FE institutions** are required to comply with the Code from **1 August 2026**, as a condition of funding.

During our consultation and wider discussions with the tertiary sector, providers asked us to ensure that the Code is tailored to the very different types of organisation and diverse learners in different parts of the sector. We have developed this briefing as part of a suite of reference materials to contextualise the Code to each part of the tertiary sector, and to provide practical information on how we expect the Code to be implemented and evidenced. It is intended to be read alongside the Code itself, which sets out the specific requirements that all providers must meet and the evidence they must provide to Medr to demonstrate compliance.

We will keep this briefing under review to reflect feedback from learners and providers, and to add further resources and examples as they are developed.

Who is this briefing for?

- Principals, leaders and governors of further education (FE) institutions
- Learners in FE institutions, including students' unions and any other learner representatives and learner representative bodies
- Staff of FE institutions

Sector context: Further Education Institutions

All FE institutions in Wales have established structures for learner representation, which typically include course representatives, student governors, and a learner representative body. This may be known as a students' union or have a different name and structure such as a council or Senedd. In FE, it is not typical for students' unions to be independent from the institution like most university students' unions, and most do not have full-time sabbatical officers.

[Part II of the Education Act 1994](#) provides a definition of a students' union which applies whether or not the union operates independently from an institution. FE institutions should consider whether their students' unions or any other learner representative bodies meet this definition, and if so, they have a statutory duty to take reasonable steps to comply with the requirements set out in Section 22 of the Education Act.

Under the Further and Higher Education (Governance and Information) (Wales) Act 2014, it is a statutory requirement for an FE institution's Instruments and Articles of Government to provide for at least two student members of their governing body, who represent the interests of learners. Medr funds NUS Charity to provide training for FE student governors, and the staff who support them.

Requirements of the Code

Requirements for 2026 - 2027

- FE institutions **must** publish a commitment to embed and support impactful learner engagement in decision-making before the end of the academic year
- This **must** align with the principles of The Code
- Evidence required via the Annual Assurance Return (Autumn 2027)

Requirements from 2027 - 2028

- FE institutions **must** annually review the commitment
- FE institutions **must** provide evidence of impact of learner engagement
- Evidence required via the Annual Assurance Return (from Autumn 2028)

Governance

- The governing body (or equivalent) **must** confirm compliance annually
- Assurance required via the Annual Assurance Return (from Autumn 2027)

Learners

- Learners **must** be engaged in the development and review of the commitment
- The commitment **must** be promoted in accessible ways to learners

The commitment **must** include:

- How learner engagement in decision-making is embedded and supported
- How any learner representative body co-developed (reviewed) the commitment
- How learners have been engaged in development (and review)
- How the views of diverse learners are taken into account
- Which learners are covered

Wherever a learner representative body (e.g. SU, council, Senedd) exists the provider **must** work in partnership with them to:

- co-produce the commitment

- annually review the commitment
- promote it in accessible ways to learners through provider and learner representative body channels

Wherever a learner representative body exists they **must** sign the commitment to provide confirmation of the above requirements in relation to partnership working.

The learner engagement commitment

The Learner Engagement Code requires providers to work with their learners to develop and publish a commitment to embedding and supporting impactful learner engagement in decision-making in line with the principles of the Code.

The commitment is intended to be a clear and honest reflection of current learner engagement in decision-making, rather than an aspirational statement of intent, and should be used as a continuous improvement tool to recognise strengths, identify areas for development, and address gaps.

Most FE institutions deliver across multiple parts of the tertiary sector: as regulated HE providers or delivering franchised or designated HE provision; as apprenticeship lead providers or consortium partners; as members of adult community learning partnerships; as well as full-time and part-time FE provision. Medr does not expect institutions to create separate learner engagement commitments for each of these areas, but to take a whole-institution approach if they prefer to do so. An institution's commitment should clearly specify which learners are covered by it and signpost to any separate commitments relevant to their learners.

However, there may be cases where it is more appropriate for institutions to develop separate commitments, policies or strategies for learner engagement, for example:

- Agreed processes for ACL learner engagement as part of an ACL partnership;
- Specific processes for undertaking learner engagement and evaluating its impact in partnership with a students' union, where the union only represents part of the institution's learner population; or
- Agreed processes for engaging with apprentices as part of a consortium or subcontracting agreement.

These are matters for institutions to decide with their learner representatives and partner organisations and may take the form of supporting documents. Medr's requirement is for a single learner engagement commitment for each FE institution.

In monitoring compliance with the Learner Engagement Code, Medr will ask for information on engagement activities and impact for all of the institution's learners, including:

- Apprentices, where the institution is a lead provider (including how compliance with the Code is monitored and supported for subcontracted provision)
- HE students, where the institution is a registered provider

Medr is not prescriptive about the structure or format of the commitment and advises that this should take the most appropriate form for each provider or partnership/consortium and its learners, this may include a more streamlined or visual demonstration of learner engagement with links to more formal written documents where necessary to meet the requirements of the Code.

FE institutions can engage with learners effectively by:

- Providing and promoting routes for all learners to engage in decisions, give feedback, make complaints and raise sensitive issues confidentially and without fear
- Routinely gathering and analysing feedback through learner surveys including at provider and national level, through module evaluations or related to services accessed by individual students, and working in partnership with learner representatives to understand the underlying issues and to agree action plans
- Providing digital platforms for engagement; online discussion forums, feedback apps, virtual town hall meetings or discussion boards
- Engaging learners where they are, through clubs, societies and representative groups
- Establishing formal learner representative bodies (LRBs), which may be known as a students' union or another structure such as a learner council or Senedd
- Providing support for LRBs, which could take the form of paid full- or part-time student officers; remuneration for learners' participation in decision-making processes and initiatives; provision of spaces and resources; and dedicated staff time to support learner engagement structures and processes
- Providing support to their student governors including training, induction and mentoring (see "Useful links and resources" section for guidance on supporting student governors in FE)
- Ensuring that the governing body as a whole is trained and supported to engage effectively with learner representatives and to consider the learner voice in its decision-making
- Ensuring that their representation structures and processes encompass their full range of learners, including those in dispersed settings such as employment and community venues
- Tailoring their approaches to learner engagement to meet the needs of learners at different levels and of different abilities, such as creating easy-read guides for learners with additional learning needs
- Ensuring that learners can record, evaluate and apply their skills developed through representative roles in their CVs and university applications
- Supporting and encouraging learner-led committees, projects and social groups
- Engaging with training, support and resources made available by Medr through funded projects, such as governor training and learner voice support delivered by NUS Charity

Examples of “relevant decisions” for FE learners could include:

- Estates developments including newbuild projects, refurbishments or refits, particularly decisions involving teaching and learning environments or common areas for learners
- Developing and reviewing learner-facing policies such as wellbeing strategies, disciplinary procedures, and complaints procedures
- Reviewing the institution’s commitment to the Cynefin Charter and identifying actions to enhance its impact
- Strategies, plans and campaigns around learner behaviour and use of common spaces, such as policies on vaping
- Institutional policies on the use of technology such as artificial intelligence, specialist software or smartphones
- Evaluation and improvement of learner support services
- Development of action plans in response to learner surveys and other feedback

Useful links and resources

Statutory guidance:

- [Further and Higher Education \(Governance and Information\) \(Wales\) Act](#), 2014
- [Education Act Part II](#), 1994

Good practice guidance and information:

- [Research on Student Partnership in Welsh Higher Education and Further Education Institutions](#), 2020
- [Supporting College Student Governors](#), 2025
- [College Learner Representatives Systems: the Fundamentals](#), 2025

Medr funds the National Union of Students (NUS) Charity to support learner engagement and learner voice activities in the FE sector, including the delivery of student governor training. Providers should make use of sector networks, training and resources funded by Medr to embed and support impactful learner engagement in decision-making.

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