

Meeting  
29/01/10

Agenda Item  
12

Reference No  
HEFCW/10/08

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## 1 Issue

This paper invites the Council to review and approve the updated *Code of Practice for Members of the Higher Education Funding Council for Wales* referred to in paragraph 5.7 of *the Standing Orders for the Conduct of Council Business*.

## 2 Corporate Planning Implications

The Corporate Strategy and Corporate & Operational Plan 2007-10 specifically commits Council to undertake an annual review of its *Standing Orders for the Conduct of Council Business*.

## 3 Recommendation

The Council is invited to:

- i. Review and approve the proposed amendments to its *Code of Practice for Members of the Higher Education Funding Council for Wales (Annex A)*.

## 4 Timing for decisions

HEFCW's Corporate Governance arrangements are reviewed and the outcomes discussed and approved by Council every December. Further review of the *Code of Practice for Members of the Higher Education Funding Council for Wales* was required to update the Code which were not complete by the December meeting.

## 5 Council members' interests

No Council member has declared any further interests to those set out in the Register of members' interests which are of specific relevance to the matters covered in this paper.

## 6 Further information

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## **7 Background**

- 7.1 The current Code of Practice for Members of the Higher Education Funding Council for Wales has been in place since 1997 and required updating.
- 7.2 The Code has been reviewed and updated by officers taking into account the guidance provided by the Cabinet office on Codes of Practice for Board Members of Public Bodies (October 2004) and comparison to the Codes for members of the other UK funding Councils.
- 7.3 We have also received some advice from the sponsor department to suggest appropriate wording (included in paragraph 6 to the Code) to address circumstances where members may need to raise issues directly with the sponsor department or the Minister. This paragraph replaces the withdrawn “whistleblowing” procedure for Council Members.
- 7.4 The Council’s updated Code of Practice for Members of the Higher Education Funding Council for Wales is attached at **Annex A**. A copy of the previous Code is attached at **Annex B** with details of the most significant changes annotated on it.
- 7.5 The changes made mainly reflect the constitutional changes in Wales since the previous Code was published and the opportunity has also been taken to make some formatting and presentational changes to the document. In addition Appendix 3 to the Code now includes guidance specifically for Council Members for the acceptance of Gifts, Hospitality and Awards whereas the previous Code included the equivalent guidance for HEFCW staff. This guidance is the same as the guidance provided to HEFCE Council members in their Code (subject to a small difference in the financial limits).
- 7.6 The updated Code has only recently been shared with the sponsor department and though it is hoped that they will inform us before the Council meeting if they have any substantial issues with the proposed changes, it is possible that they may suggest some minor changes before the document is finalised. If any further minor changes are required the changes to the Code will be presented to a later Council meeting as a paper for approval without discussion.

**Council is invited to review and approve the Code of Practice for Members of the Higher Education Funding Council for Wales at Annex A**

## **8 Financial implications**

There are no financial expenditure implications for the Council of agreeing to the recommendations in this paper.

## **9 Communications implications**

The Council is committed through its Publication Scheme to publish information on its corporate governance arrangements. The Council’s *Code of Practice for Members of the Higher Education Funding Council for Wales* are published on the Council’s website and extranet. General details of the Council’s corporate governance arrangements are published in its Corporate Strategy and Corporate & Operational Plan.

## 10 Diversity and Equal Opportunities implications

In accordance with HEFCW's Equality Impact Assessment Guidance, the Council's corporate governance documents will be assessed for any potential impact on each equality strand (disability, gender, race, religious belief or sexual orientation etc.) and also for any Welsh language implications.

## 11 Risk Assessment

RISK	ACTION TO ADDRESS RISK
Council's corporate governance arrangements not documented, monitored or further developed to reflect recognised best practice, leading to potential breach of MS/FM with the Assembly and reputational damage.	<ul style="list-style-type: none"><li>• Council has in place Code of Practice for Members</li><li>• Corporate governance documents and arrangements regularly reviewed by Council, and by internal audit.</li></ul>