

Cylchlythyr | Circular

2018/19 Fee and access plan guidance

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Response by: **19 May 2017**
Contact: Name: Celia Hunt
Jane Johns
Telephone: 029 2085 9732
Email: celia.hunt@hefcw.ac.uk
jane.johns@hefcw.ac.uk
cyngorrheoleiddio@hefcw.ac.uk
regulationadvice@hefcw.ac.uk

This guidance provides information on how to enter the system that regulates full-time undergraduate and PGCE (QTS) student support and it provides advice on submitting a 2018/19 fee and access plan application.

If you require this document in an alternative accessible format, please email info@hefcw.ac.uk.



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Annexes

The fee and access plan application form is provided in three annexes:

Annex Ai - a Word template

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Introduction

1. This guidance provides information on how to enter the system that regulates full-time undergraduate and PGCE (QTS) student support and it provides advice on submitting 2018/19 fee and access plan applications.
2. In publishing this guidance HEFCW aims to ensure that all potential fee and access plan applicants, including the governing bodies of regulated institutions, are fully aware of the requirements of the regulatory system and the fee and access planning process.
3. HEFCW aims to ensure that students are aware of the 2018/19 fee and access planning process to enable them to engage effectively in the fee and access planning processes at their institutions. This guidance may also be of interest to potential students.
4. This guidance should be read in conjunction with the [Higher Education \(Wales\) Act 2015](#) (the 2015 Act) and explanatory notes, associated Regulations¹, [Welsh Government Guidance on the preparation for delivery of the new regulatory system](#), [Welsh Government guidance on the preparation for full implementation of the new regulatory system for higher education in Wales](#) and [Welsh Government guidance to HEFCW on fee and access plans](#), provided on the [HEFCW website](#). Regulations can be reviewed and amended. Therefore, in referring to these documents readers should ensure they access the most current versions.
5. HEFCW publications that inform the fee and access plan application process, and should be read in conjunction with this guidance, are at the time of writing:
 - The relevant HEFCW [Corporate Strategy](#);
 - The relevant [Remit letter](#) to HEFCW from the Welsh Government;
 - [Widening Access Strategic Approach](#);
 - [Strategic Equality Plan](#);
 - [Statement of Intervention](#);
 - [Quality Assessment Framework for Wales](#);
 - [Financial Management Code consultation](#).
 - [Guidance on Partnership Arrangements for Franchise Education Provided on Behalf of Regulated Institutions in Wales](#) (referred to in this guidance as Guidance on Partnership Arrangements).

¹ The Higher Education (Qualifying Courses Qualifying Persons and Supplementary Provision (Wales) (Amendment) Regulations 2016; The Higher Education (Fee and Access Plans) (Wales) Regulations 2015; The Higher Education Amounts Wales Regulations 2015; The Higher Education Designation of Providers of Higher Education Wales Regulations 2015; The Higher Education Fee and Access Plans Notices and Directions Wales Regulations 2015; The Higher Education (Fee and Access Plans) (Notices, Procedure and Publication) (Wales) Regulations 2016.

6. HEFCW will publish the Financial Management Code following approval by Welsh Ministers². The Financial Management Code sets out HEFCW's powers for the purposes of monitoring the organisation and management of institutions' financial affairs where institutions have a fee and access plan.
7. HEFCW's fee and access plan guidance has been developed taking account of the [Equality Act \(2010\)](#) and the Wales [Public Sector Equality Duty](#), the [Welsh Language Standards Regulations \(2017\)](#) and the [Well-being of Future Generations \(Wales\) Act \(2015\)](#). For further information on HEFCW's impact assessment processes, please see Section Three.
8. In developing fee and access plan guidance for the first time in 2016, HEFCW recognised that there was no statutory requirement, under the 2015 Act, to consult on fee and access plan guidance. Nevertheless, HEFCW worked with stakeholder bodies, including Universities Wales, Colleges Wales and the National Union of Students (Wales), wherever possible, to consider the implications of the Act, including as they related to fee and access planning. HEFCW provided opportunities for consultation on the first guidance in 2017/18 through circular [W16/07HE](#), including a consultation event. Following the 2017/18 fee and access process HEFCW reviewed the process with those institutions that had submitted 2017/18 plans, including holding a seminar. A summary of the process review responses is available on the [fee and access plan pages of the HEFCW website](#). Wherever possible, HEFCW has discussed the 2018/19 fee and access plan process with stakeholder bodies.
9. A glossary of terms and HEFCW's responses to frequently asked questions are available on the HEFCW's website.
10. A summary of key changes made to the 2018/19 fee and access plan guidance to clarify aspects of HEFCW's previous fee and access plan guidance, issued for 2017/18 fee and access planning, is provided as **Appendix A**.
11. Further information and advice on fee and access planning is available on the HEFCW [website](#) and from the following HE Act email addresses: cyngorrheoleiddio@hefcw.ac.uk or regulationadvice@hefcw.ac.uk. HEFCW will publish further information on its website as it becomes available.

Background and context

12. The Higher Education (Wales) Act 2015 establishes a new regulatory framework for higher education in Wales. The 2015 Act strengthens HEFCW's existing role as regulator. The 2015 Act requires that HEFCW takes account of any guidance issued by Welsh Ministers when exercising

² HEFCW consultation on the Financial Management Code [W16/21HE](#).

its functions, as well as making provisions about: the new regulatory system and eligibility to apply for fee and access plans; student fees payable to certain institutions providing higher education; the quality of education provided by, or on behalf of, those institutions; and the financial management of those institutions.

13. The Welsh Government's guidance to HEFCW on fee and access plans sets out the Welsh Government's policy intention, and the legislative requirements, including its expectations for how HEFCW might approach the approval, monitoring and evaluation of institutions' fee and access plans³. While it is for HEFCW to determine the operational detail of the new regulatory system in accordance with the new statutory framework, HEFCW has taken the Welsh Government's guidance into account. HEFCW has sought legal advice in developing the fee and access plan guidance, as appropriate.

Background to fee and access plans and accessing Welsh Government student support

14. Since 2012/13 fee plans have been a statutory requirement for HEFCW funded institutions in Wales charging fees exceeding £4,000 a year. Under the 2015 Act, 2015/16 and 2016/17 approved plans, formerly known as 'fee plans,' became 'fee and access plans'. Institutions with 2016/17 fee plans were regulated institutions under the 2015 Act and, therefore, became eligible to submit fee and access plan applications for 2017/18.
15. The 2015 Act requires an institution that might not have required a fee plan under the previous fee plan system, to apply for a fee and access plan if the institution wishes its qualifying courses to be automatically designated for Welsh Government student support. This change from the previous system applies to further education institutions in Wales not in receipt of funding from HEFCW and/or institutions in Wales whose full-time fees previously have not exceeded £4,000 (the threshold above which it was necessary to apply for a fee plan under the previous system).
16. **From 2017/18 there are only two routes by which an institution in Wales can apply for its qualifying courses (full-time undergraduate and PGCE (QTS) courses) to be designated for access to Welsh Government student support.**
17. **One route is through an institution submitting a fee and access plan application to HEFCW for approval.** Approval leads to all its qualifying courses becoming 'automatically designated' for Welsh Government student support and the institution becoming regulated for the period in which the fee and access plan is in force. Eligible students studying on courses that have been automatically designated will be able to apply for Welsh Government student support.

³ The Welsh Government confirmed that its guidance to HEFCW on fee and access planning will remain the same in 2018/19 as for 2017/18. See HEFCW circular [W16/03HE Annex B](#).

18. **The second route is for a higher education provider to apply to the Welsh Government for specific designation of its courses on a ‘course-by-course’ basis.** Students on courses that have been specifically designated would be eligible for Welsh Government student support. The Welsh Government currently administers this route. This document does not provide information about this second route. For further information on the Welsh Government specific designation process contact HEPolicy@Wales.gsi.gov.uk.

Institutional autonomy

19. When exercising its intervention functions, Section 47 of the 2015 Act requires that HEFCW does not intervene in a way that demands a governing body do anything that is incompatible with any obligations or restrictions of a charitable organisation. HEFCW will not require an institution’s governing body to do anything that is incompatible with the institution’s governing documents. In Wales, for chartered institutions, these include the Royal Charter and any Instruments that require the approval of the Privy Council. For Higher Education and Further Education Corporations the governing documents are the institution’s instrument of government and articles of government⁴. For any institutions in Wales that are companies, and do not fall within the above categories, the governing instruments are the company’s memorandum and articles of association.
20. The 2015 Act (Section 48) also requires that HEFCW takes into account the importance of protecting academic freedom when exercising its intervention powers. This includes the freedom of an institution to determine:
- i. the contents of courses and the manner in which they are taught, supervised and assessed;
 - ii. the criteria for the admission of students and to apply those criteria in particular cases; and
 - iii. the criteria for the selection and appointment of academic staff and to apply those criteria in particular cases.
21. HEFCW will ensure that it complies with its duties under sections 47 and 48 of the 2015 Act.

⁴ The governing documents of an institution are set out in Section 47(2) of the 2015 Act.

Section One: Who can apply for a fee and access plan?

22. This section provides information on the HEFCW process for submitting a fee and access plan which will lead to the automatic designation of qualifying courses for Welsh Government student support. It covers the regulatory information HEFCW requires to be included in a fee and access plan which demonstrates that an institution is located principally or wholly in Wales, that it provides higher education and that it is a charity. It sets out the information HEFCW requires applicants to provide on the applicant's financial viability, the organisation and management of its financial affairs and the quality of the education it provides. This section also provides information on courses that can be included in a plan, the duration of a plan, the levels of fee income and investment and the processes for exiting the regulatory system.
23. Regulatory information provided by applicants in relation to this section of the plan is for HEFCW's information and not intended for inclusion in the approved fee and access plan published by an institution.
24. For information on the currency and sufficiency of information see paragraph 57.
25. HEFCW has taken into account the outcomes of its review of the 2017/18 process in drafting this guidance.

Entry into the regulatory system

26. Applicants for fee and access plans in 2018/19 will include currently regulated institutions with approved plans as well as institutions not previously regulated and without approved fee and access plans.
27. **It is for providers to opt into the regulatory system of fee and access plans.** An institution that wishes its qualifying courses to be automatically designated for Welsh Government student support is required to have a fee and access plan approved by HEFCW. The obligations on a regulated institution's governing body include:
 - i. ensuring that regulated course fees do not exceed the applicable fee limit;
 - ii. complying with any direction lawfully given by HEFCW;
 - iii. taking into account any HEFCW guidance when complying with a direction issued by HEFCW in relation to compliance with fee limits;
 - iv. complying with the general requirements of an approved fee and access plan;
 - v. cooperating with HEFCW in exercising its duties to monitor and evaluate the compliance and effectiveness of a plan;
 - vi. taking into account HEFCW guidance on quality;

- vii. taking into account advice in relation to provision which is, or is likely to become, inadequate in terms of quality;
- viii. cooperating with HEFCW's duty to assess the quality of its education and education provided by an external provider on its behalf;
- ix. complying with any requirement imposed by the financial management code;
- x. complying with a direction in respect of failure to comply with the code;
- xi. taking into account any guidance contained in the financial management code;
- xii. cooperating with HEFCW's functions in respect of failure to comply with the code; and
- xiii. cooperating with HEFCW's duties to monitor compliance with the code.

Categories of provision

28. Under the 2015 Act, the new regulatory framework covers two categories of provision:
- i. higher education provided directly by a regulated institution; or
 - ii. higher education provided *on behalf of* a regulated institution (by another body).
29. HEFCW will take account of how both parties define partnership arrangements, but it is ultimately for HEFCW to confirm whether the provision is provided by, or on behalf of, a regulated institution. Partnership arrangements inform HEFCW of provision covered by the fee and access plan and clarify for the partner, its applicants and students, whether the partner's provision should be covered by the plan. HEFCW takes account of partnership arrangements in its assessment of quality, financial viability and the organisation and management of financial affairs.
30. The following paragraphs contain a broad outline of the concepts relating to these categories of provision. For a fuller treatment of these concepts, please refer to HEFCW's [Guidance on Partnership Arrangements](#).⁵
31. Where higher education is provided directly by an institution, the 2015 Act requires that the institution has an approved fee and access plan for its qualifying courses to be eligible for Welsh Government student support.
32. Where higher education is provided on behalf of an institution by another body, the institution on whose behalf the higher education is provided is responsible for applying for a fee and access plan (if that institution is in Wales).
33. HEFCW's [Guidance on Partnership Arrangements](#) confirms that degree awarding institutions and institutions whose higher education courses are

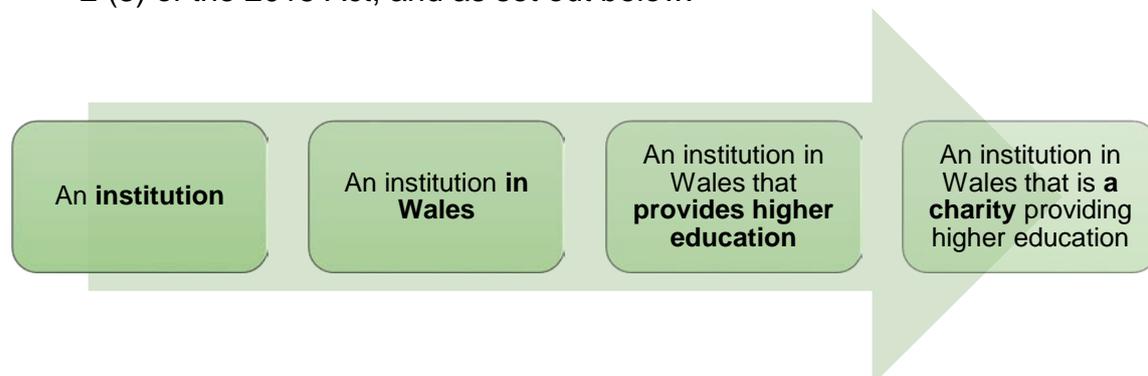
⁵ See paragraph 13 of the Guidance on Partnership Arrangements.

validated by an appropriate awarding body are considered to provide higher education directly.

34. Bodies delivering higher education under franchise arrangements will be considered to be providing higher education on behalf of another body (the franchisor).
35. In determining whether higher education is provided directly by applicants, or on behalf of another body, HEFCW will consider which body has control over the qualifying course(s). Factors in assessing this include the body that has responsibility for the overall content and delivery of the qualifying course(s), quality assessment arrangements and contractual responsibility to the student.
36. Subsidiaries of institutions in Wales that have control over a qualifying course will be considered to provide that course directly. These providers will require a fee and access plan to be approved by HEFCW if they wish to gain automatic designation.
37. Subsidiaries of institutions in Wales which do not have control over a qualifying course will be considered to be providing that course on behalf of another body: in most cases their 'parent' institution (in the same way as if they were providing higher education under a franchise agreement). These bodies (under franchise or subsidiary arrangements) should be included under the 'parent' institution's fee and access plan.
38. Where the partner body is providing higher education on behalf of a regulated institution, the partner must be a separate legal entity and a charity in order for the provision to be eligible for student support.
39. There will be situations where an institution provides higher education directly *and* provides higher education on behalf of another body. For example, an institution may provide its own qualifying courses directly, and also provide qualifying courses on behalf of another body under a franchise arrangement. In these situations, only the courses it provides directly come within the scope of its fee and access plan, not the courses it provides under the franchise arrangement (which will be the responsibility of the franchisor and set out in its plan).
40. Where higher education is provided on behalf of a regulated institution, the regulated institution is responsible for the Welsh Government student financial support and management of data through the Student Loans Company (SLC) student record system.
41. **Appendix B** provides a diagram setting out issues to consider in relation to control over a qualifying course when considering which body is responsible for submitting a fee and access plan to HEFCW.

Eligibility to apply for a fee and access plan and evidence to be provided to HEFCW

42. Applicants must demonstrate that they meet all criteria according to section 2 (3) of the 2015 Act, and as set out below.



Criteria for being an institution

43. The 2015 Act does not specifically define the term ‘institution’. Examples of organisations HEFCW regards as institutions include: universities formed by Royal Charter, Higher Education Corporations and Further Education Corporations. These bodies do not need to provide evidence of being an institution. We also consider some bodies providing training for members of the school workforce to be institutions. HEFCW requires all other applicants to provide information to demonstrate that they are an institution as set out in the sections below.
44. HEFCW will determine if applicants satisfy the requirements of being an institution on a case-by-case basis. A provider which is a charity providing higher education in Wales, but which would not otherwise be regarded as an institution, must apply to the Welsh Government if it wishes to be designated as an institution. Applicants must have this status confirmed before a fee and access plan is submitted to HEFCW. Providers not otherwise regarded as an institution, should contact the Welsh Government for advice on designation as an institution.
HEPolicy@Wales.gsi.gov.uk .

Criteria for being an institution in Wales

45. HEFCW will regard an institution as being in Wales by taking account of a range of information. HEFCW’s consideration of the location of an applicant’s activities will be informed by evidence provided in the application: see The Higher Education (Designation of Providers of Higher Education) (Wales) Regulations 2015. An application should include:
- i. the applicant’s name;

- ii. the applicant's principal address and legal address where they are different⁶;
 - iii. the applicant's [UK provider registration number](#);
 - iv. any other names under which the applicant operates;
 - v. where learning and teaching activities are located. (See definitions in [Higher Education Students Early Statistics Survey](#) (HESES) Annex C);
 - vi. link to the applicant's webpages relating to the applicant's learning and teaching activities;
 - vii. where the majority of full-time equivalent (FTE) student numbers are located. Applications must state the total FTE numbers attending courses delivered in Wales compared to the total number of all FTE students attending courses delivered outside Wales.
46. HEFCW will determine the location of students in the following order of priority, in order to calculate the FTE inside and outside Wales. For students recorded on the HESA student record:
- i. if a student is distance learning, they will be counted at the location of their home address;
 - ii. if they are franchised to a partner body, they will be counted at the location of the franchisee;
 - iii. if they are attending a subsidiary, they will be counted at the location of the subsidiary;
 - iv. otherwise they will be counted at the location of the campus they are recorded as attending.
47. All students returned on the Aggregate Overseas Record (AOR) will be counted as being outside Wales. This is consistent with the [HESES](#) survey⁷ definition used for determining distance learning students' fundability status. As the FTE of students is not returned on the AOR, we will use an estimate of the FTE calculated using student numbers.

Criteria on being an institution in Wales providing higher education

48. HEFCW will consider an institution in Wales as providing higher education if its provision includes a higher education course or courses, regardless of mode, listed in [Schedule 6 to the Education Reform Act 1988](#) and set out in the Welsh Government guidance to HEFCW paragraphs 3.12 and 3.13. HEFCW will require applications to provide the following information to enable it to assess whether they are providing courses of higher education:
- i. a description of the higher education provided by the applicant in Wales;

⁶ Case law suggests that the term 'principal office' means a place where the business of a body corporate is managed and controlled as a whole - as referred to in *Halsbury's Statutes of England and Wales*, 4th ed., Vol 8, 1999 Reissue at page 366. HEFCW will normally use this meaning when referring to a principal address.

⁷ [HESES](#): Higher Education Students Early Statistics Survey is an annual survey of higher education institutions about students on recognised higher education courses. See HEFCW circular [W16/40HE](#), Annex C.

- ii. a description of the qualification aims in Wales;
 - iii. the numbers of students in Wales that are taking the higher education courses at the date of application and the numbers that were taking the higher education courses for three years previously;
 - iv. the location or locations of the higher education provision in Wales;
 - v. link to the applicant's webpages relating to the applicant's learning and teaching activities.
49. For a regulated institution that provides higher education under validation arrangements, HEFCW reserves the right to require copies of validation arrangements to confirm the validation arrangements and overall responsibility for the content and delivery of qualifying courses.
50. Subsidiaries of institutions in Wales that have overall control over qualifying courses may be required to provide evidence to HEFCW of an internal agreement with the awarding institution (usually its 'parent' institution) to confirm that the subsidiary has overall control of the qualifying courses.
51. Where an institution has higher education provided on its behalf, HEFCW reserves the right to require copies of relevant agreements with the other body. Where the other body is a franchisee, a franchise agreement will be required. Where the other body is a subsidiary an internal agreement will be required.
52. Copies of these agreements, if required, should enable HEFCW to understand the nature of the relationship, the impact on quality and financial viability and to confirm control over the qualifying course(s).

Data used to evidence being an institution and being an institution in Wales providing higher education

53. Where applicants provide information on being an institution in Wales providing higher education, the data provided should be the most current, verifiable data.

Criteria on being an institution in Wales that is a charity providing higher education

54. Fee and access plan applicants must be charities. All Chartered Universities in Wales and all Higher Education Corporations in Wales are registered charities. All Further Education Corporations are exempt charities. Other applicants will need to provide their charity registration number and the name and address of their registered charity regulator. If applicants are not registered with a charity regulator, they must provide reasons for this, together with a copy of their governing document.

Timeframes for applications to be approved or otherwise by 31 July 2017

55. Institutions intending to publish a 2018/19 fee and access plan in line with most institutions in England and Wales, by late July/early August 2017, should submit fee and access plan applications by **19 May 2017** to enable HEFCW to administer the fee and access process by late July/early August 2017. Fee and access plan applications outside of this timeframe should contact HEFCW to discuss their proposed applications and agree a process timeframe.

Requirements of a regulated institution

56. Applicants seeking entry into the regulatory system must provide information relating to their: financial viability; arrangements for the organisation and management of financial affairs; and the quality of education provided by them, and on their behalf.

Currency and sufficiency of information provided to HEFCW

57. Where HEFCW holds sufficient, up to date information, we will use it, subject to the governing body's permission to do so, with applicants also being able to submit new, additional or more recent information to inform our assessment processes. Where HEFCW does not have sufficient, up-to-date financial or quality information or data, applicants are required to provide this in support of their applications. HEFCW will consider this in approving or proposing to reject a plan.

Evidencing eligibility

58. HEFCW reserves the right to visit applicants to better understand eligibility related to the organisation and management of financial affairs and the quality of education provided by, or on behalf of, applicants where information provided by applicants is unclear or insufficient.

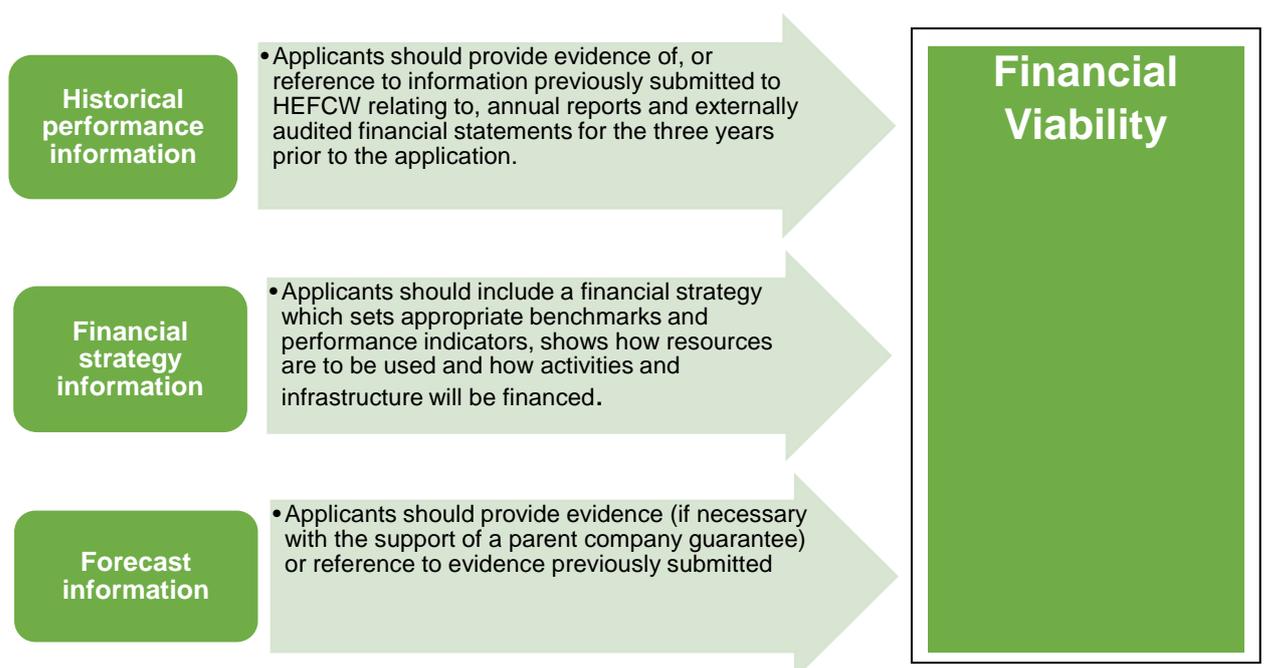
Financial viability

59. An institution must provide information to HEFCW about its financial viability, including evidence that it has a low-risk of failure on financial grounds over the medium term. The evidence should be sufficient to give HEFCW reasonable confidence that students will not be at risk of being unable to complete their course as a result of financial failure.
60. Applicants should provide full details of their corporate group structure, including details of all group companies or organisations, including subsidiaries, parent/holding companies and associate or joint ventures.
61. As appropriate, the assessment of financial viability may take into account the financial arrangements of any group structure (including subsidiaries,

parent/holding companies, or associate and/or joint ventures) where it is considered relevant to financial viability.

62. Fee and access plan applicants must provide information, which illustrates:

- i. **Historical performance** - a track record of financial performance evidenced by annual reports and externally-audited financial statements for the three years prior to the application. The accounts must be audited each year by a registered auditor. This must not be the same firm and/or individual that prepared the accounts, to ensure that HEFCW can have full confidence in the audit. The basis of the accounts will be Generally Accepted Accounting Practice in the UK (UK GAAP) (or successor requirements) or International Financial Reporting Standards (IFRS) if appropriate.
- ii. **Financial strategy** - a financial strategy that reflects the overall strategic plan available at the point of submitting an application for a fee and access plan, sets appropriate benchmarks and performance indicators, shows how resources are to be used, and how activities and infrastructure will be financed. This should include how applicants assess and review their sustainability, including the use of sustainability assessments.
- iii. **Forecasts - applicants must be able to provide evidence, if necessary with the support of a parent company guarantee, that they have:**
 - adequate cash flow to remain solvent, that is, sufficient liquidity to pay debts as they fall due; and
 - an adequate balance sheet that maintains a net total assets position such that the applicant would not incur deficits if these would result in a net total liabilities position.



63. Applicants should submit links to their current strategic plan plus full financial forecasts for the current year (2016/17) and the following three years. The evidence should include a commentary on the assumptions being made and how any financial risks are being managed. Where applicants have submitted forecasts to HEFCW in July 2016 HEFCW may use these, with the governing body's permission to do so. However, where HEFCW is permitted to use these forecasts, applicants will need to:
- confirm that, given any changes in financial assumptions, both the 'adjusted operating cash flow' and 'surplus/(deficit) for the year' figures for all years of the forecast remain materially unchanged; or
 - provide a detailed explanation of the changes in assumptions since the forecasts were submitted, including key figures (e.g. changes resulting from 2016/17 actual recruitment and indicators of 2017/18 recruitment, reductions in HEFCW funding, changes in grant income, changes in operating costs etc.); or
 - submit a revised financial forecast return, based on circular [W16/20HE](#). Note that this return should update the forecast figures, but we do not necessarily need the full forecast narrative, provided that a detailed summary of the main movements is supplied.
64. Financial tables and guidance on the completion of the forecast information is available in the HEFCW Requests for Forecasts 2016 circular [W16/20HE](#). Applicants who have not previously completed HEFCW's forecast model may request the Microsoft Excel model by emailing assurance@hefcw.ac.uk.
65. HEFCW's assessment of applicants' financial performance and sustainability will not be used in isolation to determine whether it meets this requirement. The financial sustainability assessment will be an overall judgement that also takes into account the context of the applicants' financial position and their strategic plan.

The organisation and management of financial affairs

66. Applicants will need to provide evidence that they are well-managed with sound management practice in place and the capacity to develop in line with their strategic plan and the financial strategy that supports their fee and access plan.
67. An applicant must provide information to illustrate that it:
- i. has financial management processes that are well-governed and controlled adequately and effectively;
 - ii. plans and manages activities to remain viable;
 - iii. has robust and comprehensive systems of risk management and internal control;
 - iv. has effective arrangements for the management and quality assurance of data used for internal decision making;

- v. has regular, reliable, timely and adequate information to monitor operational and financial performance;
 - vi. reports information regularly, comprehensively and correctly to appropriate senior management and those charged with governance;
 - vii. manages its estate in a sustainable way in line with an estates strategy;
 - viii. is able to meet all the necessary data capture and reporting requirements for HEFCW including those administered by the Higher Education Statistics Agency (HESA) and other bodies as required by HEFCW. Examples include:
 - the latest external data audit;
 - the annual HESES survey;
 - student, student destination, staff, estates, finance and business and community interaction data provided to HESA; and
 - the annual assurance return.
68. In assessing the data management capabilities consideration will be given, where applicable, to an applicant's track record in submitting data to HEFCW or other bodies including HESA, the Welsh Government and the Student Loans Company and their compliance with the [code of practice for higher education data collections](#) in preparing data for submission.
69. Applicants must provide evidence that they can comply with the principles of the Higher Education Code of Governance⁸ (Committee of University Chairs, December 2014) unless adherence to alternative, equally robust governance principles can be evidenced. HEFCW recognises that the Code is voluntary and institutions may be able to apply alternative governance practices to achieve similar outcomes. However, HEFCW considers that the principles and intended outcomes (referred to as 'the Elements') of the Code are sound. Where it is not possible to evidence compliance with the Code, HEFCW will require an explanation that describes equally robust alternative arrangements that are in place or demonstrates that there are appropriate and reasonable grounds for non-adherence.
70. If applicants do not already comply with the Higher Education Code of Governance, they should discuss with HEFCW, before applying for a fee and access plan, how they might provide evidence of equally robust alternative arrangements.
71. Applicants will need to take account of all relevant guidance on the responsibilities of trustees and effective trusteeship. This guidance is available on the Charity Commission⁹ website.
72. Applicants must provide evidence that they:
 - i. comply with the statutory requirements relating to external audit; and
 - ii. are owned, managed and run by 'fit and proper persons' by providing:

⁸ [Higher Education Code of Governance \(Committee of University Chairs\) December 2014](#)

⁹ <https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3>

- evidence of the organisation's identity and that of key individuals (for example, the Governing Body, Vice Chancellor, Principal, directors, shareholders, trustees), along with their skills and experience; and
- confirmation that directors / trustees (as relevant) are eligible to act as either directors or trustees and have not been disqualified from acting as directors or trustees.

Quality of education provided by, or on behalf of, an institution

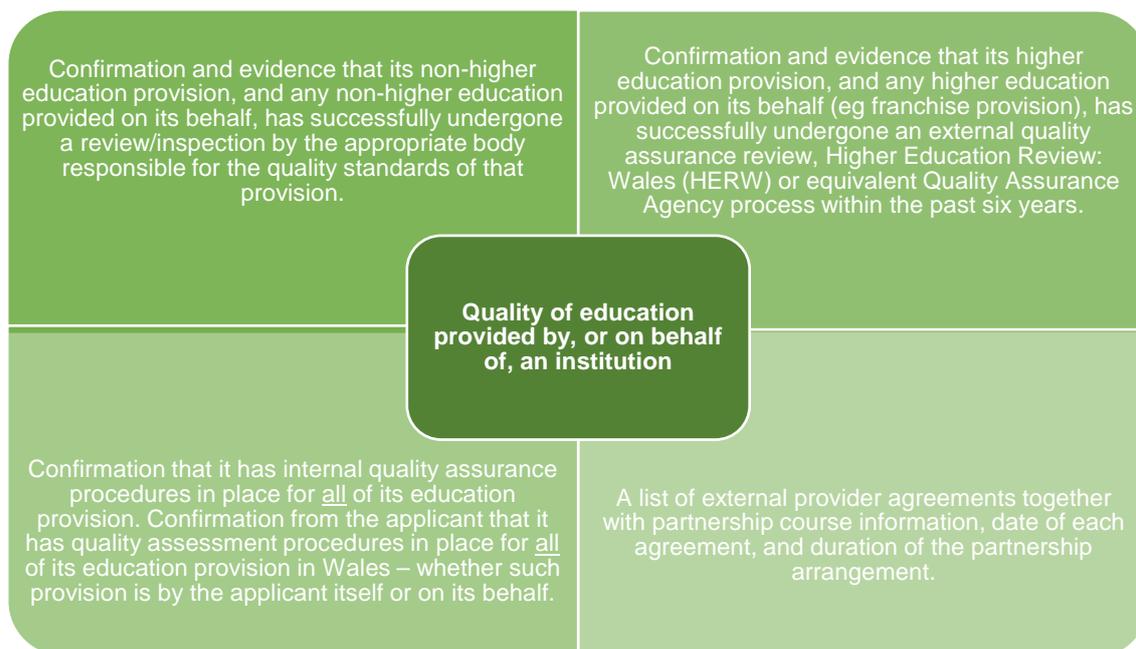
73. HEFCW is responsible for the assessment of the quality of all education provided, both by regulated institutions and on behalf of regulated institutions. For the purposes of assessing quality of education under the 2015 Act, education provided outside Wales is to be considered as provided in Wales if it is provided as part of a course that is provided principally in Wales.
74. The quality of education is deemed to be inadequate if it is not adequate to meet the reasonable needs of those receiving the education or undertaking the course. Currently, the reasonable needs for higher education quality are considered to be met if a provider obtains satisfactory judgements in its external quality assurance review (or previous Quality Assurance Agency (QAA) review)¹⁰. This ensures quality assessment is rigorous. In every case, a regulated institution receiving a 'Requires Improvement' or 'Does not Meet' outcome will be deemed to have, or to be at risk of having, inadequate quality. The reasonable needs for non-higher education are considered to be met if the provider has a successful review/inspection by the appropriate body responsible for the quality standards of that provision (e.g. [Estyn](#), [Pearson](#), etc).
75. Institutions which are applying to be regulated must ensure that any agreements they make for the provision of higher education on their behalf (for example, franchise arrangements), must be signed (or have had an addendum added) after 1 September 2015, to confirm that the provision comes under the 2015 Act.
76. For 2018/19 fee and access plan applications, HEFCW requires applicants to provide *all* of the following:
- confirmation from the applicant that it has internal quality assessment procedures in place for all of its education provision– whether such provision is by the applicant itself or on its behalf. This means higher education provision, and non-higher education provision, e.g. school, further or professional education. It also covers education the applicant provides directly or via other providers.
 - confirmation and evidence that its higher education provision, and any higher education provided on its behalf (eg franchise provision),

¹⁰ See information provided on HEFCW's [quality assessment framework webpages](#)

has successfully undergone an external quality assessment review, *Higher Education Review: Wales* ([HERW](#)) or equivalent external quality assessment review process within the past six years. Applicants that need to undergo a *Higher Education Review: Wales* should contact the Quality Assurance Agency. (If an existing regulated institution is in the process of working through review outcomes to address issues identified, in accordance with normal procedures, they may apply for a fee and access plan in the twelve months following the review. HEFCW will need to have confirmation that issues identified have been resolved before a further fee and access plan can be approved);

- iii. confirmation and evidence that its non-higher education provision, and any non-higher education provided on its behalf, has successfully undergone a review/inspection by the appropriate body responsible for the quality standards of that provision. (If an existing regulated institution is in the process of working through review/inspection outcomes to address issues identified, in accordance with normal procedures, they may apply for a fee and access plan);
- iv. a list of external provider agreements together with partnership course information, confirmation that the agreements post-date 1 September 2015 (or have an addendum added after 1 September 2015) to confirm the arrangements fall under the 2015 Act, and duration of the partnership arrangement¹¹.

¹¹ As noted above in the section relating to criteria on being an institution in Wales providing higher education, HEFCW reserves the right to require copies of the relevant agreements. HEFCW will keep requirements regarding quality under review, and so may update these in future years.



Exit from the regulatory system for automatic course designation

77. There are three ways in which a regulated institution can exit the regulatory system including:
- i. not continuing to provide higher education, not being principally or wholly in Wales, or not remaining a charity;
 - ii. not having an approved fee and access plan in place¹²; and
 - iii. HEFCW withdrawing its approval of a regulated institution's fee and access plan.
78. HEFCW has a statutory duty to withdraw approval of a fee and access plan where it is no longer satisfied that an institution meets the definition of a regulated institution. HEFCW also has powers to withdraw its approval of a fee and access plan in other circumstances.
79. Where a regulated institution exits the system:
- i. HEFCW's powers in relation to the quality of education provided by, or on behalf of, the institution continue to apply in relation to the institution's designated courses;
 - ii. HEFCW may give the governing body of an institution a direction or take (or not take) specific steps for the purpose of dealing with or preventing a failure to comply with a general requirement of an approved fee and access plan if at the time of the failure the fee and access plan was in force;

¹² HEFCW will invite fee and access plans annually, until further notice.

- iii. the institution's governing body will be required to ensure that fees for academic years starting within the period to which its fee plan related continue to comply with the applicable fee limit; and
- iv. the institution's governing body is required to ensure that students do not to lose fee protection and that fees for academic years starting within the period of its most recent fee and access plan continue to comply with the relevant fee limit for the duration of a student's course.

Period to which a plan relates and the duration of a plan

- 80. Fee and access plans must specify the period when they will be in force (see section 4(1) of the 2015 Act). HEFCW works to an academic and planning year for many purposes, including fee and access planning, which is 1 August until 31 July. Aligning fee and access planning with HEFCW's annual planning cycle enables higher education providers in Wales to be agile in responding to policies, practices and students' needs and to publish fee levels at the same time as other UK higher education institutions.
- 81. A fee and access plan will be considered to be 'in force' from the date it is approved and it has 'effect' from the academic year to which the fee and access plan relates. For example, a 2018/19 plan will be in force from the date of HEFCW's approval, July/August 2017, and in effect in the academic year 2018/19.
- 82. The Welsh Government guidance sets out the expectation that the fee and access plans will only be for one year, in the short-term. The 2015 Act provides for a fee and access plan to be for a maximum of two years. The Welsh Government may develop future regulations, following consultation, for a longer fee and access plan period, possibly up to five years.

Fee limits, levels of investment and transparency for students

- 83. Fee limits must not exceed the maximum amount prescribed in legislation, currently £9,000 per annum. For further information see the [Higher Education \(Amounts\) \(Wales\) Regulations 2015](#), and note that some courses have lower maximum fees (regulations 4 to 6 provide further information). Details of course fees to be charged in 2018/19 must be included in the fee and access plan. HEFCW expects that fee and access plans should provide clear information to potential students and students about their aggregate fees and the basis for any potential fee increases for the duration of their course¹³.

¹³ See Welsh Government guidance to HEFCW on fee and access plans and aggregate fees including paragraphs 4.20, 4.24, 5.4, 8.1

84. In all matters related to fees, including indicating any inflationary increases up to the maximum fee limit as defined by the Welsh Government, an institution must comply with [Competition and Markets Authority \(CMA\) guidelines for higher education](#) and HEFCW strongly encourages institutions to confirm publically that their fee and access plan complies with these guidelines.

Levels of fee income and investment

85. Under the previous fee plan system, a higher education provider was required to invest a reasonable percentage of fee income above the basic fee level (which was £4,000 a year) in supporting equality of opportunity and promotion of higher education. Under that system, HEFCW's expectation was that the percentage of fee income invested above the basic fee level should be at least 30%. From 2017/18 onwards, a fee and access plan must account for income received from the whole student fee up to the current Welsh Government maximum of £9,000.
86. A fee and access plan must set out fee levels, total anticipated fee income and the intended total fee amount to be invested in the promotion of equality of opportunity and the promotion of higher education, in line with Welsh Government fee and access plan guidance. Investment should be identified in the categories set out in the application template. We recognise that applicants may not invest in all categories or invest in them equally.
87. In 2017/18 fee and access plan guidance HEFCW calculated that 30% of income above the *basic fee level* invested by higher education providers in 2016/17 would equate to between 14% and 17% of *total fee income* to be invested in fee and access plan commitments in 2017/18. HEFCW expects all applicants that previously submitted plans in 2017/18 to invest at least the same proportion of total income in 2018/19, in line with Welsh Government expectations. HEFCW will provide for institutions with approved 2017/18 plans individualised Annex Aii Excel templates with their 2017/18 investment information, to enable them to compare investment levels in 2018/19 with 2017/18 levels. Validation built into the submission template will flag up instances where the level of investment does not meet our expectations. For other applicants HEFCW expects an investment of between 14% and 17% of total fee income, to be agreed with HEFCW in the light of their fee and access plan commitments and progress. This percentage range will be the reference point for dialogue with institutions.
88. HEFCW's assessment of a fee and access plan will take into account the extent of an institution's investment in, provision and targets for, supporting its fee and access plan objectives. Welsh Government guidance expects HEFCW to be robust in expecting more from previously regulated institutions whose record suggests potential, but insufficient action, to increase their proportion of students from under-represented groups. In

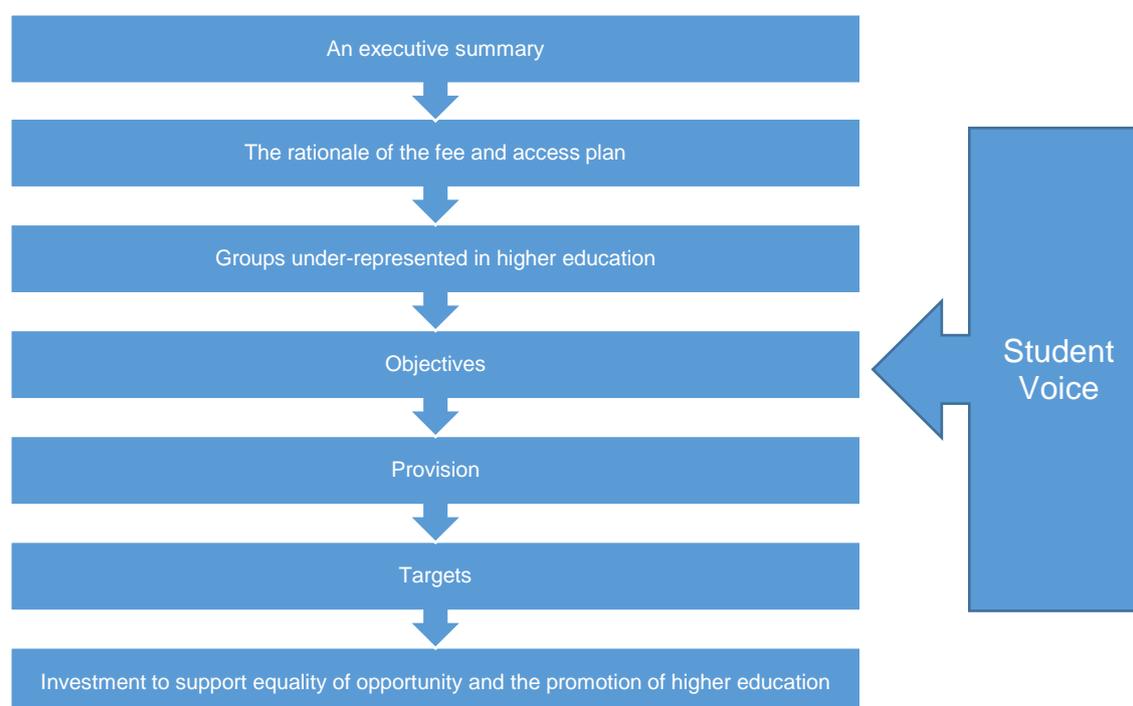
such instances, HEFCW's focus will include financial support for students and outreach activity¹⁴.

89. Where an institution: does not fully achieve its fee and access plan commitments; does not demonstrate sufficient ambition in pace and rate of progress; and/or charges maximum fee levels, HEFCW may set an expectation of higher rates of investment in future years, within a range of 15% to 20% of total fee income.
90. A failure to meet the general requirements of an approved fee and access plan may also result in intervention by HEFCW under the terms of the statement of Intervention.

¹⁴ See Welsh Government guidance to HEFCW on fee and access plans paragraph 5.6

Section Two: the focus and contents of fee and access plans

91. This section provides information on aspects of fee and access plans that applicants should address to demonstrate fully their support for equality of opportunity and the promotion of higher education. It highlights the importance of taking account of the student voice in developing and monitoring plans and confirms that under-represented groups should be the focus of supporting equality of opportunity and that access and retention are key priorities. Information is provided on presenting a strategic approach to fee and access planning underpinned by a coherent rationale, clear objectives, detailed provision and measurable and challenging targets.



Audience for plans

92. The published sections of plans contribute to institutions' corporate marketing documents. Key audiences include HEFCW, Welsh Government, students and potential students, researchers and the media. Plans should be accessible and informative for all audiences.
93. Applications should include an executive summary setting out the main features of the plan and highlighting key priorities. Executive summaries must provide a clear and succinct overview with sufficient information for readers to begin to understand applicants' strategic intentions.

94. Applicants may submit to HEFCW corporately-branded sections of their applications as part of the initial submission. Branding the publishable sections at an early stage will enable institutions to upload them to their websites more quickly, following receipt of HEFCW's formal approval¹⁵.

The student voice

95. Fee and access plan applications should clearly articulate the full extent of institutions' engagement with their student bodies, including students' involvement in developing, assessing and monitoring fee and access plans. Fee and access plan applications should set out how the student voice and student partnership arrangements contribute to governance and quality in the institutional context. Plan applicants should take account of their Student Charter or equivalent commitments. The [Wise Wales statement on partnership for higher education](#) sets out principles of good practice, [Breaking down the barriers to student opportunities and youth social action](#) provides a framework and toolkit for student partnership engagement, and the [Guide to providing information to prospective undergraduate students](#) helps higher education providers follow good practice in supplying easily accessible information for prospective students to use in their decisions about higher education study. HEFCW encourages all applicants to reflect these principles and approaches in their applications.

Access and retention

96. The 2015 Act refers to 'fee and access plans'. The name change (formerly a 'fee plan') emphasises the contribution a plan should make to 'access' to higher education as that relates to equality of opportunity and the promotion of higher education. Fee and access plans are also expected to include provisions to support retention¹⁶. This emphasis on supporting access to and through higher education aligns with HEFCW's definition of widening access as set out in [HEFCW's corporate documents](#) available on the HEFCW website.

Supporting equality of opportunity and the promotion of higher education

97. Regulations 5 and 6 of the [Higher Education \(Fee and Access Plans\) \(Wales\) Regulations 2015](#), state that applicants must set out the fee and access plan objectives of the institution as they relate to equality of opportunity and the promotion of higher education and specify the level of fee income to be invested in the objectives. Welsh Government guidance to HEFCW provides some clarification on what might, and what must, fall

¹⁵ See Section Three for information on sections of the approved plan to be published.

¹⁶ Supporting retention, see reference to retention in Higher Education (Fee and Access Plans) (Wales) Regulations 2015 paragraph 6 (b).

within these terms (see paragraphs 4.18 and 4.19). The term 'students under-represented in higher education' is described more fully below.

98. The Welsh Government provides the following examples of provision to clarify its expectations. Equality of opportunity provision **must** include the following provisions. Equality of opportunity provision relates specifically to groups under-represented in higher education.

Equality of opportunity to support groups under-represented in higher education

- i. promote and safeguard fair access to higher education, including identifying individuals with the greatest potential from under-represented groups;
- ii. attract and retain students and potential students from under-represented groups;
- iii. raise the educational aspirations and skills of people from under-represented groups to support success in higher education;
- iv. support and increase retention, progression and completion, particularly people from low participation neighbourhoods, looked after children, care leavers and carers;
- v. improve the higher education experience for groups under-represented in higher education;
- vi. provide to under-represented groups effective information, before and during their studies;
- vii. provide high quality academic and welfare support to groups under-represented in higher education; and
- viii. support the progress to employment or further study of groups under-represented in higher education.

99. Promotion of higher education provision includes the following:

Promotion of higher education

- i. more effective engagement with private, public or voluntary bodies and communities in Wales;
- ii. improve the quality of learning and teaching, with reference to the quality of the student experience;
- iii. strengthen the employability of Welsh graduates;
- iv. promote Welsh higher education more effectively internationally;
- v. deliver sustainable higher education; and
- vi. raise awareness of the value of higher education to potential students.

100. Fee and access plan applications **must** include provision to:

- i. attract applications from groups under-represented in higher education;
- ii. retain individuals from groups under-represented in higher education;
- iii. provide financial assistance to students;
- iv. make available to students or prospective students information on financial assistance;

- v. inform prospective students of the aggregate amount of fees to be charged for the completion of the course before the prospective student commits to the course;
- vi. monitor compliance with the provisions of the plan; and
- vii. monitor progress in achieving the objectives set out in the plan.

Groups under-represented in higher education

101. We recognise that there are several ways of defining ‘groups under-represented in higher education’. Definitions might include under-representation within the institution’s student body and under-representation in the higher education system in Wales more generally. Individuals with protected characteristics, as defined by the Equality Act 2010 may be under-represented in higher education.
102. Applicants’ evidence-based assessment and definition of under-represented groups should inform its fee and access plan objectives, investment, provision, targets and provide a coherent narrative of support for the under-represented groups identified.
103. We would expect to understand clearly how applicants identify under-represented groups. In identifying under-representation, we encourage applicants to consider the number of groups fee and access plan investment can reasonably and effectively support. In 2017/18 plans some institutions identified a small number of groups, while others identified a wide range of groups. Too precise targeting may require applicants to focus their fee and access plan provision and investment very narrowly, thereby limiting support for other priority groups, conversely too wide a focus may not provide key groups with sufficient support.
104. Applicants’ equality of opportunity-related objectives and provision **must** relate only to groups under-represented in higher education with the aim of removing the barriers to higher education that they experience¹⁷.
105. HEFCW’s corporate documents, including its Widening Access Strategic Approach, references groups which it considers to be under-represented in higher education in Wales. We recognise that not all individuals within these groups face disadvantage in accessing and succeeding in higher education and plans will want to take this into account. In making the case for the under-represented groups identified in a plan, applicants will need to analyse their admissions and retention profiles, and the student body profile, to target resources appropriately. HEFCW’s definitions include people of all ages from: disadvantaged communities, such as Communities First cluster areas¹⁸, the Welsh Index of Multiple Deprivation areas and low

¹⁷ Under-represented groups as defined by the 2015 Act and Welsh Government Guidance to HEFCW on fee and access plans are ‘groups that are under-represented in higher education’.

¹⁸ HEFCW will retain a commitment to working in Communities First cluster areas until further announcements from the Welsh Government about the future of the Communities First Programme, or any successor programme.

participation areas; people with protected characteristics; and people studying through the medium of Welsh.

106. Effectively targeting individuals from groups under-represented in higher education, will include identifying 'hard to reach' learners. HEFCW considers that hard to reach learners would include people of all ages within the under-represented groups listed above, plus people:

- i. living in workless households;
- ii. experiencing 'in work poverty';
- iii. seeking asylum;
- iv. receiving an Educational Maintenance Allowance (EMA);
- v. being eligible for free school meals;
- vi. acting as carers;
- vii. having a care background;
- viii. being estranged from their families; or
- ix. having a background of criminal convictions.

107. Institutions should consider part-time and mature students in relation to the learning and teaching they provide and provided on their behalf. When considering fee and access plan applications, HEFCW will take into account overall approaches to supporting under-represented groups.

The strategic approach to fee and access plan development

108. In developing plans, applicants should take account of HEFCW's corporate documents and other widening access- and student experience-related publications, as well as HEFCW's Strategic Equality Plan and objectives.

109. Applicants should set out clearly how relevant institutional strategic documents inform the development of their fee and access plans and how the plans align with appropriate strategic objectives. For institutions, strategic corporate documents include Strategic Engagement and Planning documents (SPEDs) or their equivalent, strategic equality plans or similar and Welsh language strategies/standards and/or commitments.

110. In assessing applications, HEFCW will want to understand the relationship between fee and access plan objectives and identified groups under-represented in higher education and the priorities set out in institutions' relevant, broader strategic documents.

The fee and access plan rationale

111. Applicants should explain fully the rationale for the fee and access plan. Where applicants have had fee and access plans in place previously (including plans formerly known as 'fee plans'), a critical review of the data, including reference to regional, Wales or UK reports and/or other evidence, outcomes and lessons learnt from previous plans, should inform the

rationale. HEFCW will want to understand how the rationale informs the 2018/19 application. Where only limited data and information was provided in previous plan submissions, HEFCW will look to see how the rationale has been developed or changed in 2018/19 applications.

112. Research and data on the effectiveness of the intervention strategies employed should inform the development of strategies. A rationale may identify the benefits of supporting collaboration and/or regional coherence agendas. A rationale should be provided for the levels of investment in categories of provision, as noted in the following section.
113. HEFCW expects that applicants will set out clearly the relationship between the critical review, rationale for the plan, objectives, provision and targets to demonstrate fully support for equality of opportunity and the promotion of higher education. Plans should have a strong and coherent narrative to enable HEFCW and other interested parties to understand the direction of travel, anticipated pace of change and progress to be made.

Arrangements with partners providing higher education on behalf of applicants that support equality of opportunity and the promotion of higher education provision

114. Applicants should reflect in their plans all full-time undergraduate higher education learning and teaching provision they make, or that is made on their behalf (e.g. through partnership arrangements) which supports equality of opportunity and the promotion of higher education. All such provision should be reflected in the objectives, provision and targets.
115. HEFCW recognises the dynamic nature of new and developing partnership arrangements. Proposed changes to an approved fee and access plan, resulting from new developments must be approved by HEFCW in advance of being implemented, as this will constitute a variation to the plan.

Objectives, provision and investment to support equality of opportunity and the promotion of higher education

116. Applicants should indicate how the objectives, provision and investment they propose underpin the plan's rationale and relates to, and supports, equality of opportunity and the promotion of higher education. HEFCW recognises that it might be neither beneficial, nor meaningful, to identify a wide-range of objectives in all fee plan areas. However, HEFCW and governing bodies will want to be satisfied that there are sufficient objectives to provide a full account of, and return on, the level of public investment to which the plan relates.
117. Applicants should set out the amount of fee and access plan income they will invest in different categories of provision and cost the provision by

category¹⁹. We recognise that applicants may not invest in all categories or invest equally across categories. Identifying investment by the categories provided will enable HEFCW to report at a national level on investment by Welsh Government measures. It is likely that each institution will cost provision differently, however, we anticipate that cost trends over time will contribute to HEFCW's understanding of applicants' focus and priorities.

118. A reasonable level of subscription to networks or services that directly support widening access, equality of opportunity and the promotion of higher education can be included in applications and such expenditure should be categorised under a separate heading in the application template. HEFCW will assess investment in these areas to ensure it remains reasonable and proportionate.
119. Provision that is of a more routine nature offers a limited means of demonstrating applicants' aspirations to make a significant and targeted contribution to supporting and promoting equality of opportunity and higher education. Such activity might include coordinating conferences, enrolling students on well-established programmes or general, untargeted, marketing and recruitment. HEFCW encourages applicants to consider whether such activity is best placed within fee and access plans or, more appropriately, resourced from other fee income.
120. A fee and access plan application should set out the rationale for, and provide information about, packages of financial support to be made available to students, for example, hardship funding, bursaries and/or other financial support which might have replaced financial contingency funding, which ended in July 2015. Where institutions have provided similar support in previous years, they should account for any changes in investment levels. Plan applicants should explain how they will evaluate the impact of their financial support packages in terms of access and retention.
121. HEFCW want to retain and enhance existing and emerging activity and practice in supporting widening access, equality and diversity and promoting higher education in Wales. Such activity which may support groups under-represented in higher education includes, but is not limited to:
 - i. all-age recruitment from Communities First cluster areas²⁰ and areas in the bottom quintile of the lower super output areas of the Welsh Index of Multiple Deprivation (WIMD);
 - ii. participation and success in HE inventions supporting all-age groups under-represented in higher education, including those from UK low participation areas;

¹⁹ The categories of provision are listed in the fee and access plan application template **Annex Ai** and are based on the Welsh Government measures set out in paragraphs 4.18 to 4.20 of Welsh Government Guidance to HEFCW on fee and access plans.

²⁰ HEFCW will retain a commitment to working in Communities First cluster areas until further announcements from the Welsh Government about the future of the Communities First Programme, or any successor programme.

- iii. attainment-raising activities to improve differential outcomes particularly for students from disadvantaged backgrounds and with protected characteristics;
- iv. articulation and progression pathways into higher education including from further education and higher education, higher education in further education and Welsh medium higher education;
- v. fair admissions, and Wales as the destination of first choice, for higher education including to students from Wales and the UK;
- vi. higher-level learning and skills, retention and student success;
- vii. flexible learning opportunities, including part-time study, workplace learning and technology-enhanced learning;
- viii. approaches which increase access to, and widen participation in, internationalisation opportunities, including international study, placement and volunteer experiences.
- ix. fair access to the professions (including access to medicine and science, technology, engineering, mathematics provision), high level skills and the priority sectors contributing to economic prosperity;
- x. UK and national duties and Welsh Government priorities relating to tackling poverty, raising educational aspirations and attainment, supporting mental health and wellbeing; social mobility and social justice;
- xi. widening access sustainability;
- xii. collaborative, cross-sectoral, multi-agency approaches regionally and nationally; and
- xiii. the evidence base to support widening access and impact assessment demonstrating effective practice and success in widening access to higher education.

122. HEFCW encourages fee and access plan applicants in Wales to collaborate in delivering provision that is beneficial to individuals, local communities and regions. Such collaboration may include support for the Reaching Wider regional Partnerships' structures and/or provision. Where provision, included in applications, is funded from sources other than fee and access plans, applicants should identify the source of funding. HEFCW recognises that collaboration may result in prospective students applying to study at partner institutions or more widely.

Target setting

123. A fee and access plan should contain SMART²¹ institutional targets that contribute directly to demonstrating applicants' commitment to increasing and/or maintaining the number of students from under-represented groups in higher education and other fee and access plan objectives, as appropriate. Targets should demonstrate the level of ambition, pace of progress and distance to be travelled by applicants. Performance, as identified by targets, should be related to levels of provision and investment.

²¹ specific, measurable, achievable, realistic, time-bound

124. SMART targets should inform HEFCW's or governing bodies' assessment of progress and/or account for effective investment. Applicants should set targets underpinned by the most recent data available to ensure that target baselines transparently articulate the distance to be travelled.
125. Where appropriate, applications may include collaborative targets. Collaborative targets may increase engagement with potential applicants, secure economies of scale, or avoid unnecessary duplication. HEFCW encourages the alignment of investment and planning underpinned by collaborative targets, including with the Reaching Wider Programme where it supports equality of opportunity and promotes higher education.
126. Targets should be focused on applicants' assessment of areas where improvements in equality of opportunity and the promotion of higher education should be made. In areas where achievement or progress is already strong, it will be more useful to focus targets on other areas where improvement or enhanced performance is necessary.
127. In relation to equality of opportunity, there should be a clear line of sight between under-represented groups identified and targets that will measure progress in improving their representation in HE. In considering targets for under-represented groups, applicants may wish to include targets relating to attracting, retaining and/or supporting people with protected characteristics where they are under-represented in their institution or in higher education more generally, and to note how this aligns with Strategic Equality Plans or equivalent commitments to equality and diversity.
128. In setting Welsh medium targets HEFCW strongly recommends applicants discuss targets with the Coleg Cymraeg Cenedlaethol as this is a policy priority for Welsh Government.
129. Improving equality of opportunity is a long-term agenda and HEFCW recognises the tension of balancing longer-term aspirations with a requirement to report on targets annually. Targets should be achievable within one year or milestone targets for 2018/19, contributing towards a longer-term target, to enable progress to be reported through annual monitoring by December²² following the period for which the plan was in force.
130. Some targets maybe difficult to use within the reporting timeframe outlined above. For example, the destination of leavers from higher education survey may change, following consultation. Applicants will want to ensure that targets set will be measurable and meaningful at the point of monitoring and evaluation.

²² HEFCW will continue to review the fee and access plan annual monitoring cycle December 2019 is an indicative date for annual monitoring of 2018/19 fee and access plans.

131. Applicants' targets must be derived from auditable sources. A clear audit trail should be maintained to support the calculation of the baseline target and what has been achieved for subsequent monitoring.
132. Targets contribute to providing an account of, and return on, the level of public investment underpinning the plan. HEFCW recognises that the level of public investment differs between institutions, as will the quantity of targets. HEFCW will consider the reasonableness of targets in its assessment of plans.
133. Applicants should pay close attention to target setting. Failure to demonstrate effectively that the institution secures and retains reasonable numbers of under-represented groups may impact on the percentage of fee income an institution will be expected to invest in fee plan commitments in future years.

Section Three: HEFCW's 2018/19 fee and access plan process

134. Section three provides information on the authorisation and submission of a fee and access plan. It outlines HEFCW's fee and access approval and rejection process, the requirement to publish a fee and access plan, variations to a plan, monitoring and evaluation processes, impact and sustainability considerations and HEFCW contacts for information and advice on the fee and access plan process.

2018/19 fee and access plan application templates

135. The 2018/19 fee and access plan application template is provided in two parts: **Annex Ai** and **Aii**. **Annex B** provides supplementary advice on completing the templates. Applicants should address all sections of **Annexes Ai** and **Aii**.

136. **Annex Ai** collects, in a Word template, regulatory information about the fee and access plan applicant, information on supporting equality of opportunity and the promotion of higher education and the governing body's authorisation of the application.

137. **Annex Aii** collects, in an Excel template, information about income and investment levels, course fee levels and associated student numbers, partnership arrangements and institutional targets. Individualised Excel templates will be provided to institutions with an approved 2017/18 plan that will contain investment information taken from the 2017/18 fee and access plan submission for those applicants to update. For institutions applying for a fee plan for the first time, HEFCW will provide a standard template, without the investment information.

Authorisation of fee and access plans

138. The governing body of an institution is responsible for applying for a fee and access plan. The governing body must approve the final fee and access plan application for submission to HEFCW, following a process of engagement with the student body. HEFCW may not approve a plan that does not fully demonstrate that it has been through the stages outlined above. HEFCW will require a governing body to approve the final re-submission of a plan, where the plan has been amended following discussions between HEFCW and the institution. The date for revised submissions may be towards the end of July or early August annually. Delays in the governing body confirming its approval at this stage in the process may impact on HEFCW's ability to approve a fee and access plan within the planning timeframe set out in this document. Therefore,

applicants should ensure their processes are sufficient to secure delegated authority from their governing body in these circumstances.

Submission of a fee and access plan application

139. Completed fee and access plan applications should be uploaded to our secure site at <https://www.hefcw.ac.uk/uploadfap.aspx> by **19 May 2017**. All file names should be clearly labelled with the applicant name, a description of the file and the date of submission. Please note that there is a maximum file name length of 255 characters. Please submit **Annex Ai** in Word format and **Annex Aii** in Excel format as supplied. If applicants are unable to submit a signed Word version of **Annex Ai**, please also submit a signed PDF version. As noted above, any delays in governing body confirmation of its approval may impact on HEFCW's ability to approve a fee and access plan within the planning timeframe set out in this document.

HEFCW's fee and access plan approval and rejection process

140. HEFCW cannot approve a fee and access plan unless it is satisfied that the applicant meets all the regulatory requirements as set out in Section One of this guidance.
141. Following receipt of a fee and access plan application, HEFCW will discuss informally any issues in the plan directly with the applicant.
142. Where fee and access plans are submitted as part of the annual submission process, HEFCW will aim to notify applicants of the outcome of the assessment process, normally by late July/early August, after which it will list institutions with accepted plans on its website and inform the Student Loans Company. Any institution that does not have an approved fee and access plan in place following HEFCW's normal assessment process may continue its dialogue with HEFCW and/or be subject to the processes set out below, and described in the diagram in **Appendix C**, relating to HEFCW's processes for intending to reject a plan.

HEFCW criteria for the assessment of fee and access plans

143. The following criteria will be used in the assessment of fee and access plans:

Part One – regulatory requirements

144. The robustness of evidence provided relating to the applicant's eligibility to enter the regulatory system as it relates to:
- i. being an institution in Wales
 - ii. providing higher education;
 - iii. being a charity;

- iv. its financial viability,
- v. its effective organisation and management of its financial affairs;
- vi. the quality of the education provided by it or on its behalf; and
- vii. the fee limits not exceeding the maximum applicable fee limit specified in the legislation.

Part Two – focus and contents of plans

- i. the extent to which the plan builds on an evaluation of relevant previous practice in the institution or more broadly to address any weaknesses or areas for improvement when removing barriers to higher education for groups under-represented in higher education;
- ii. the extent to which the plan safeguards fair access;
- iii. the extent to which the plan addresses equality of opportunity and the promotion of higher education;
- iv. the extent to which the plan covers under-represented groups and the rationale for selecting those groups;
- v. the extent to which the plan addresses the recruitment and retention of the underrepresented groups selected;
- vi. alignment with the strategic objectives of the institution;
- vii. the level of ambition as evidenced by the targets set and/or distance to travel in securing an increased proportion of students from under-represented groups, particularly in relation to financial support and outreach;
- viii. the provision of financial advice to potential students and students;
- ix. the amount of student support provided from fee income; and
- x. the level of the fee and the proportion and distribution of fee income spent to deliver equality of opportunity and the promotion of higher education.

Part Three

- i. the governing body's signed approval of the submitted plan.

145. HEFCW will confirm that a fee and access plan is approved by writing to an institution's governing body. If HEFCW is unable to approve a plan it will write to the governing body (sent to the Chair of the governing body and Clerk to the governing body and copied to the Accountable Officer) to set out the reasons for its proposed rejection of the plan.

Notice of HEFCW's intention to reject a fee and access plan

146. HEFCW will not approve a fee and access plan where:
- i. regulatory information provided by the applicant is considered to be inadequate²³;

²³ Information regarding being an institution in Wales, providing higher education and being a charity that is financially viable with sound arrangements for the organisation and management of its financial affairs and quality of all the education provided by, or on behalf of, it.

- ii. the applicant's fee limits exceed the maximum applicable fee limit specified in the legislation; or
 - iii. the institution's governing body has not signed its approval of the submitted plan.
147. HEFCW may not approve a fee and access plan where it considers HEFCW's criteria for the assessment of the focus and contents of plans, listed above, are not adequately met.
148. If HEFCW proposes to reject a fee and access plan it must provide the applicant's governing body with a warning notice. The diagram in **Appendix D** sets out the stages of the notice process.

Stage One

149. The warning notice, stage one, will:
- i. Set out the proposed rejection of the fee and access plan;
 - ii. Set out HEFCW's reasons for proposing to reject the fee and access plan;
 - iii. Inform the governing body that it may make representations to HEFCW about the proposed rejection of the fee and access plan; and
 - iv. Specify the period (40 days) from the date of the warning notice within which, and the way in which, representations may be made.
150. From the date of the warning notice, applicants have up to 40 days to make written representation to HEFCW, with all representations to be sent to the HEFCW Chief Executive.
151. Where representations are received, HEFCW will undertake to review the representations and decide whether to issue a notice of rejection of the fee and access plan within 40 days of receipt of the representations, except where the submission of additional information is required in order for HEFCW to be able to adequately consider the representations. In such instances, the additional information will be requested within 28 days of receipt of the representations and should be submitted by the institution within 28 days of this HEFCW request, in order for a decision to be made within 60 days of receipt of the original representations. Where representations are received, no Notice of Rejection of Proposed Fee and Access Plan will be issued until after the completion of this process.
152. Following completion of stage one, HEFCW may decide to approve the proposed fee and access plan and no further action is required.

Stage Two

153. Where, following completion of stage one, HEFCW considers it is unable to approve the proposed fee and access plan, a notice of rejection will be issued. The notice will:
- i. set out HEFCW's reasons for rejecting the proposed fee and access plan;

- ii. inform the governing body that it may apply for a review of the decision to reject the proposed fee and access plan; and
 - iii. include any other prescribed information set out under the 2015 Regulations, that is: the date of issue of the notice; an explanation of when the notice is to be treated as having been given; the grounds on which an application for review may be made; the procedure that a governing body must follow in order to apply for a review; and the name and address of the review panel to whom an application for a review must be made.
154. Regulations state that a notice is to be treated as having been given on the day that the first of these events occurs:
- i. the governing body notifies HEFCW in writing that it accepts the notice;
 - ii. the time limit to apply for a review has expired and the governing body has not applied for a review;
 - iii. a review has concluded and HEFCW has notified the governing body in writing that the notice has effect.
155. Regulations state that applications for review must be made to the review panel in writing within 40 days of the notice rejecting the proposed fee and access plan. The application for review must specify the grounds for the review and include: a copy of the notice to be reviewed (including all information provided with and/or in it by HEFCW) and information in support of the application.
156. The grounds on which an institution's governing body may apply for a review of a notice rejecting its proposed fee and access plan are as follows:
- i. the governing body presents a material factor for consideration to which, for good reason, it has not previously drawn HEFCW's attention; and/or
 - ii. the governing body considers that HEFCW has disregarded a material factor which it should have considered; and/or
 - iii. the governing body considers that the decision to reject the proposed fee and access plan is disproportionate in view of all the relevant facts which were considered by HEFCW.
157. It should be noted that an application for a review cannot be made where the institution's governing body has notified HEFCW in writing that it accepts the notice rejecting the proposed fee and access plan.
158. The review is to be carried out by a review panel, constituted of a person, or panel of persons, appointed by the Welsh Ministers. Upon receiving an application for a review, the review panel will provide the governing body and HEFCW with an anticipated timetable for completing the review. The review panel will also give HEFCW details of the notice rejecting the proposed fee and access plan to be reviewed, details of the grounds on which the review application has been made and a copy of the information supplied by the governing body in support of the application for review.

159. The review panel may make a written request for further information from HEFCW or the governing body for the purposes of the review. Any request for further information made by the review panel will be sent to HEFCW and the governing body at the same time. HEFCW or the governing body will be required to provide any information requested by the review panel within 28 days of the date of the request. The review panel will not be obliged to consider any information received after the expiry of this period.
160. The review panel will provide a copy of any information received within the 28 day period to the governing body (if the information was provided by HEFCW) or to HEFCW (if the information was provided by the governing body). The review panel will also consider whether it is appropriate to allow representations from either HEFCW or the governing body in respect of any further information submitted to it in response to its request for such information. If the review panel considers it appropriate to allow representations, it will notify HEFCW and the governing body accordingly.
161. The review panel will take account of all information submitted, and representations made, by HEFCW and the governing body in reaching its decision. The review panel will prepare a written report that is dated and sent to both HEFCW and the governing body at the same time.
162. HEFCW will take account of the review panel's report and reconsider its decision to issue the notice rejecting the proposed fee and access plan. HEFCW will then notify the governing body in writing within 40 days of the date of the review panel's report as to whether or not the notice rejecting the proposed fee and access plan has effect, and provide reason for that decision. If the outcome of the review is that the notice should have effect that decision will be binding on the governing body of the institution.

Stage Three

163. Where the governing body accepts the notice rejecting the proposed fee and access plan, the time limit for applying for a review has expired without an application being made or the review panel upholds the notice, HEFCW will reject the proposed fee and access plan.

The requirement to publish an approved plan

164. Successful applicants must publish their approved plans on their websites²⁴. HEFCW expects that publication would be within one week of formal approval by HEFCW. Published plans must be easily accessible to prospective students, students and other interested parties. The published text **must** not vary from the text in the plan as approved by HEFCW.

²⁴ This guidance indicates that the regulatory information (section one) of the fee and access plan is for HEFCW and not for publication.

165. The sections of the approved plan that **must** be published are:
- i. Section Two (Focus and Contents) of approved plans;
 - ii. the governing body's authorisation page (Section Three) starting with the section heading: '*Authorisation of the 2018/19 fee and access plan application for submission to HEFCW...*' Institutions should publish the final approved governing body signature and date, rather than any earlier approvals; and
 - iii. Tables A, B, C, D and G of **Annex Aii**, and they may publish E and F should they wish to.
166. There is no need to publish any HEFCW guidance notes, which form part of the template.

Monitoring and evaluation of fee and access plans

167. The Welsh Government expects fee and access plan applications to be informed by institutions' own monitoring and evaluation of previous plans (see Section Two: The Fee and Access Plan Rationale). HEFCW expects institutions to monitor and evaluate the impact and effectiveness of fee and access plans annually.
168. Applicants must consider their monitoring and evaluation processes at an early stage and before approved plans come into effect. For regulated institutions, with approved plans in 2017/18, evaluation processes must be in place from at least 2017/18. An institution should monitor its progress to inform its reporting to HEFCW. The development of a fee and access plan should be informed by the intelligence gathered by an institution as part of its monitoring and evaluation of previous plans. Monitoring which informs evaluation will contribute to HEFCW's annual assessment of fee and access plans.
169. HEFCW recognises that effective evaluation requires resource. Reasonable evaluation costs can be included in the fee and access plan application funding categories and in a description of provision under the plan. Where resources are allocated to support evaluation, HEFCW will want to understand the evaluation activities to be undertaken. All regulated institutions should develop and review their fee and access plan evaluation framework to assure themselves and HEFCW that the plan will deliver meaningful outcomes and meet ambitious targets. It might not be appropriate to evaluate all aspects of a fee and access plan every year, but we would want to understand the institution's evaluation plans. We reserve the right to sample evaluation frameworks and evaluation planning to inform our own evaluation processes, our reporting to Welsh Government and in order to identify and share effective practice.
170. HEFCW will monitor and evaluate the effectiveness of individual agreed fee and access plans, and plans collectively, in supporting equality of opportunity and promoting higher education. The Welsh Government

considers that monitoring and evaluation will become an increasingly important component of HEFCW's regulatory role. HEFCW's monitoring and evaluation outcomes will:

- i. inform its future good practice information and advice;
- ii. contribute to our assessment of effective fee and access plan activities and investments with the aim of improving plan outcomes;
- iii. inform future fee and access plan guidance; and
- iv. contribute to HEFCW's annual reporting to Welsh Government.

171. The 2015 Act enables Welsh Ministers to issue guidance to HEFCW on its fee and access monitoring and evaluation functions.

172. HEFCW will assess the success, or otherwise, of fee and access plans following the submission of fee and access plan monitoring reports annually, in December following the period for which the plan was in force. If appropriate, external advice may be sought in the assessment process.

173. HEFCW expects to report to Welsh Ministers annually on how it has exercised its functions by virtue of the Act. HEFCW will report to the Welsh Government in March 2020, including on fee and access plans that were in effect during academic year 2018/19.

Variation of a fee and access plan

174. While fee and access plans are in force, regulated institutions are required to inform HEFCW immediately of any changes to their charitable status, principal location or activities that may impact on their satisfaction of the criteria under Section 2(3) of the 2015 Act.

175. Where there are any changes to approved fee and access plans and their commitments, regulated institutions should discuss the implications of these changes with HEFCW and their student representatives at the earliest opportunity and in advance of any changes being made. Such changes may include, but are not limited to: changes to tuition fees; new or revised arrangements for higher education provided on behalf of institutions; or where a body providing learning and teaching on behalf of institutions ceases to be a charity while the fee and access plan is in force. Changes to fee and access plans that alter the plans will require HEFCW approval.

176. Any financial commitments to students made in plans approved by HEFCW, must be honoured.

177. Where a plan is varied after publication, an institution should publish a revised plan following approval by HEFCW. Where a variation to a plan is not approved by HEFCW the existing published plan will stand.

Meeting the general requirements of an approved fee and access plan

178. A failure to meet the general requirements of an approved fee and access plan may result in intervention by HEFCW under the terms of the statement of Intervention.

HEFCW's impact assessment

179. As a public authority, HEFCW has responsibilities under the Equality Act 2010 and Public Sector Equality Duty to give due regard to equalities issues when developing and implementing its policies. In addition, HEFCW has duties under the Well-being of Future Generations (Wales) Act (2015) (Future Generations Act) and duties in relation to the Welsh language²⁵. HEFCW is not a regulator of compliance with legal obligations under the Equality Act 2010. Fee and access applicants should note that, in the context of equalities, the Welsh Government guidance to HEFCW on fee and access plans (paragraph 4.18) states that groups under-represented in higher education may include individuals who share protected characteristics²⁶, as recognised by the Equality Act.

180. HEFCW included specific equalities-related questions in its broad consultation on the 2017/18 fee and access plan guidance, on which this guidance is based. HEFCW encouraged consultation responses to identify any potentially negative impacts on equality and diversity, the Welsh language and the well-being goals, as set out in the Future Generations Act. HEFCW reviews data and evidence related to protected characteristics and the Welsh language, where it is available to HEFCW. HEFCW continues to welcome additional evidence to inform its fee and access plan policy development and implementation.

181. HEFCW is committed to providing a high standard of service to the public in Welsh and English, in accordance with the principle of treating the Welsh and English languages equally. Our standards of service are consistent with our [Welsh Language Scheme](#). Further information is available on our website.

182. Opportunities to study through the Welsh language are a distinctive and important part of higher education in Wales. HEFCW supports the development of Welsh medium higher education and works with higher education providers to increase enrolments on Welsh medium courses. In developing fee and access plans, applicants should take account of Welsh medium provision.

²⁵ Welsh language standards regulations, which apply to HEFCW, were published in early 2017.

²⁶ Protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnerships, race, religion and belief and non-belief, sex and sexual orientation.

Further information and advice

183. The 2015 Act enables HEFCW to provide information and advice to the governing body of a regulated institution and to prospective applicants. HEFCW's aim is to ensure that all fee and access plan applicants are fully aware of their obligations before they become a regulated institution and to minimise administrative burdens on applicants and on HEFCW at all stages of the application process.
184. A separate HEFCW email address is available for queries about any aspect of the implementation of the Higher Education (Wales) Act 2015, including fee and access plan queries. Please email queries to either: cynqorrheoleiddio@hefcw.ac.uk or regulationadvice@hefcw.ac.uk.

Appendix A: Summary of key changes made to the 2018/19 fee and access plan guidance to clarify previous guidance

1. In developing the 2018/19 fee and access plan guidance we have taken account of a review of the 2017/18 fee and access planning process, including feedback received from institutions. As a result, and where appropriate, the 2018/19 fee and access plan guidance has been updated, clarified, simplified and/or condensed to improve it. Additionally, some key changes have been made and these are set out below.
2. Some of the key changes to the fee and access plan guidance include:

Section One: Who can apply for a fee and access plan?

- i. Introduction
 - confirming that the following publications have become available since the 2017/18 fee and access plan guidance was published: [Statement of Intervention](#), [Quality Assessment Framework for Wales](#), and the [Financial Management Code](#) consultation (paragraph 5).
- ii. Categories of Provision:
 - updating information on how HEFCW takes account of partnership arrangements in relation to provision covered by the fee and access plan (paragraph 29);
 - confirming responsibility for the Welsh Government student financial support and management of data through the Student Loan Company's student record system (paragraph 40).
- iii. Data used to evidence being an institution in Wales providing higher education:
 - confirming that HEFCW will require applicants to provide *the most current*, verifiable data (paragraph 53).
- iv. Financial viability:
 - requesting applicants to include links to their current strategic plan, plus full financial forecasts for the current year (2016/17) and the associated requirements (paragraph 63);
 - confirming that applicants may submit a revised financial forecast should they need to explain any significant movements in the year (paragraph 63).
- v. The organisation and management of financial affairs:
 - clarifying that HEFCW will include in its assessment of applicants' data management capabilities compliance with the code of practice for higher education data collections (paragraph 68).
- vi. Levels of fee income and investment:
 - confirming that HEFCW will provide institutions with previously approved plans income and investment information from their

2017/18 submission in individualised 2018/19 Annex Aii templates (paragraph 90).

Section Two: the focus and contents of fee and access plans

- i. Audience for plans:
 - offering applicants the option of corporately branding the publishable sections of the application early in the planning and submission process to enable more rapid publication following HEFCW's formal approval of plans (paragraphs 92 – 94)
 - confirming that applicants should provide an executive summary setting out the main features of the plan and highlighting key priorities (paragraph 93).
 - confirming that applicants may submit to HEFCW corporately-branded sections of their applications as part of the initial submission (paragraph 94)
- ii. The fee and access plan rationale:
 - clarifying HEFCW's data and information expectations in relation to setting out plans' rationales (paragraphs 111 – 113).
- iii. Objectives, provision and investment to support equality of opportunity and the promotion of higher education:
 - clarifying expectations in relation to more routine activities (paragraph 119);
 - Changing references to 'measures' to 'categories'.
- iv. Target setting:
 - confirming that effective target-setting should enable the assessment of progress and/or demonstrate effective investment (paragraph 124);
 - confirming expectations that applicants show clearly the correlation between targets and under-represented groups identified (paragraph 127).

Section Three: the focus and contents of fee and access plans

- i. Variation of a fee and access plan:
 - clarifying the variation process (paragraph 174 – 177).

Annex Aii Excel Tables

'New fee regime' has been renamed 'post-2012/13 fee regime' throughout.

Table A:

- changing rows 33 & 45 - £k changed to £;
- changing rows 51 & 52 – including a comparison to flag where the percentage is lower than in previously submitted plans.

Table B:

- adding a column, where plans were submitted previously, to include 2017/18 expenditure for information;

- adding rows to include percentages of forecast to be spent on: equality of opportunity; the promotion of higher education; and student finance support.
- including an explanation box to allow for commentary where the proportion to be invested in student financial support in 2018/19 is less than in 2017/18, where appropriate;
- changing references to 'measures' to 'categories'.

Table C:

- requesting that where the validating body is not the submitting institution, even where the same fee level is proposed to be charged for all courses and cohorts, that provision should be returned on Table C.

Table D:

- clarifying references to charitable subsidiaries;
- relabelling of 'Addendum Provision Covered under HE Act' column so that instead of Y/N, a tick is inserted to indicate there is an addendum for those partnership agreements that started before 1 September 2015 with a request to provide an explanation where the partnership agreement was signed before 1 September 2015 and there is no addendum.

Table E:

- updating the table title;
- confirming that both charitable and non-charitable providers need to be included in this table;
- relabelling of 'Addendum Provision Covered under HE Act' column so that instead of Y/N, a tick is inserted to indicate there is an addendum for those partnership agreements that started before 1 September 2015 with a request to provide an explanation where the partnership agreement was signed before 1 September 2015 and there is no addendum.

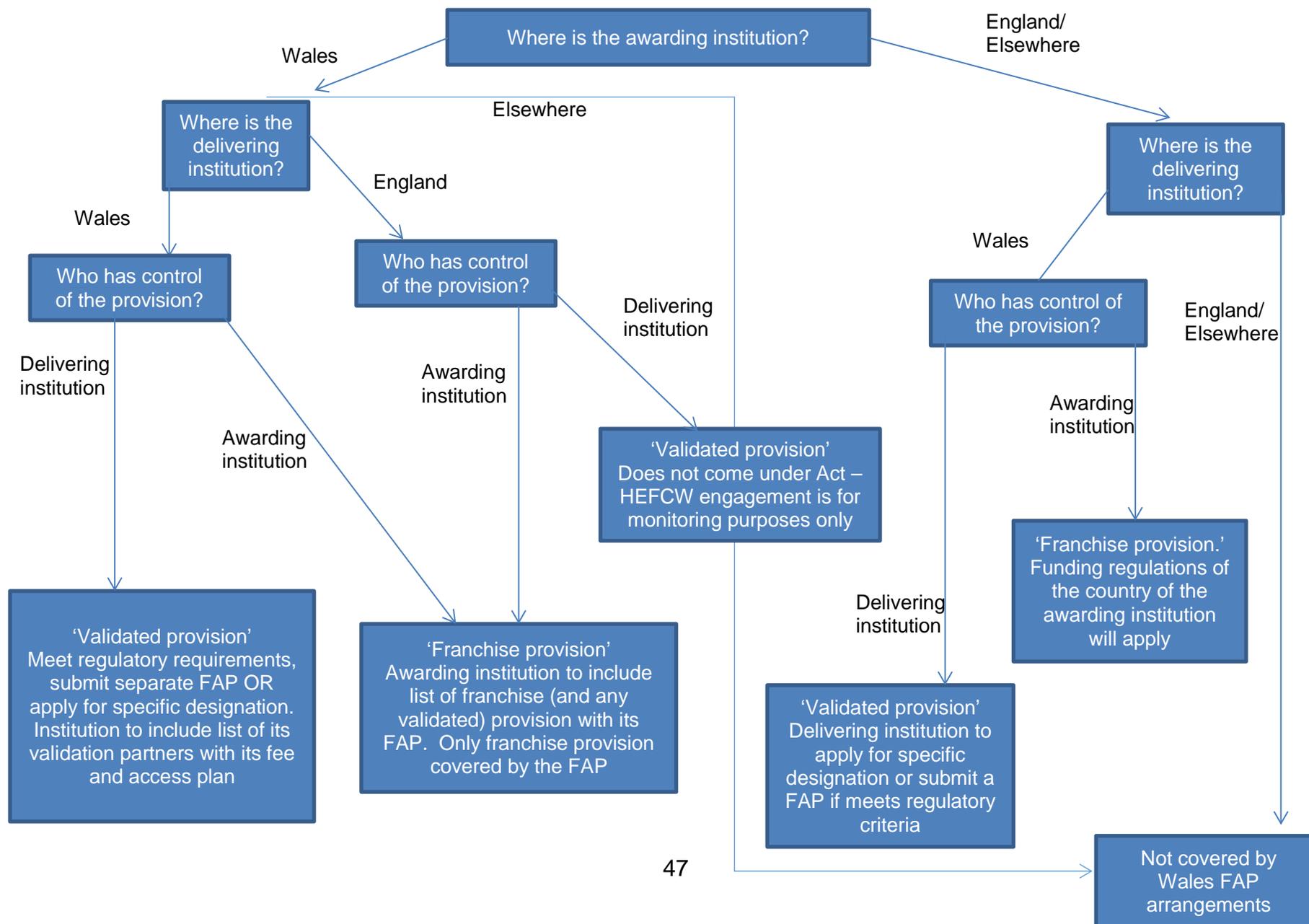
Table F:

- updating the table title;
- changing row 19 – references to 'partnership'/'partner' to 'partnership/campus'/'partner/campus';
- amending column E, 'Date of partnership agreement' to 'Date of partnership agreement/campus commencement'.
- relabelling of 'Addendum Provision Covered under HE Act' column so that instead of Y/N, a tick is inserted to indicate there is an addendum for those partnership agreements that started before 1 September 2015, with a request to provide an explanation where the partnership agreement was signed before 1 September 2015 and there is no addendum.

Table G:

- amending row 14, 'Measure type' to 'Related category of expenditure'.

Appendix B: Collaboration arrangements



Appendix C: Timetable for the 2018/19 fee and access plan process for those applicants intending to secure approval by late July/early August 2017

Activity	Indicative date ²⁷
HEFCW publication of fee and access plan guidance	31 March 2017
Applicants to submit fee and access plans.	19 May 2017
HEFCW/applicant dialogue on fee and access plans.	22 May – 31 July 2017
HEFCW to send initial and specific feedback to applicants on their fee and access plan submission data.	Week commencing 19 June 2017
HEFCW to send further and specific feedback to applicants on their updated fee and access plan submission data.	Week commencing 17 July
HEFCW to inform applicants of the outcome of their fee and access plan application.	Late July - early August 2017
Institutions publish approved plans online. HEFCW expects this to be within one week of approval.	August 2017
Fee and access plan appeals process begins.	Early August 2017
HEFCW annual monitoring of the 2018/19 fee and access plan process.	December 2019
HEFCW submits to Welsh Government a report on implementing the 2017/18 fee and access planning process including annual monitoring.	March 2019
HEFCW provides an annual report to the Welsh Ministers on how HEFCW has exercised its functions by virtue of the Act.	March 2020

²⁷ Please note dates may vary slightly to ensure HEFCW is able to implement fully the fee and access process for 2018/19 fee and access plans, including sufficient dialogue with applicants.

Appendix D: Process following HEFCW’s proposal of its intention to reject a fee and access plan

