

Memorandum of Understanding between the Higher Education Funding Council for Wales (HEFCW) and Y Coleg Cymraeg Cenedlaethol (Y Coleg)

Introduction

1. HEFCW wishes to develop and sustain internationally excellent higher education in Wales, for the benefit of individuals, society and the economy in Wales and more widely. HEFCW regulates fee levels in higher education, and ensures a framework is in place for assessing the quality of higher education and scrutinising the performance of higher education and other designated providers. We use resources from the Welsh Government and others to secure higher education learning and research of the highest quality, make the most of the contribution of higher education to Wales' culture, society and economy.
2. HEFCW works with Y Coleg to increase Welsh medium provision in higher education by investing in opportunities funded by Y Coleg which include new staff and provision, a focus on key target areas, and support for the take-up of the Welsh Language Skills Certificate.
3. The Coleg was established in 2011. By working with and through the individual universities in Wales, the Coleg plans, maintains, develops, promotes and oversees Welsh-medium higher education. In December 2017, the Welsh Government announced that the Coleg's responsibilities would be extended to the post-16 sector, including further education and work-based learning.
4. The Coleg's main aim is to increase, develop and expand opportunities to study through the medium of Welsh at universities. It works with Welsh universities, colleges and other providers to develop innovative and ambitious academic plans, ensure more opportunities for learners to study through the medium of Welsh, develop and train lecturers and educators, as well as funding first-rate provision and resources for students wishing to study through the medium of Welsh. The Coleg is also increasingly involved in marketing Welsh-medium education and encouraging students to join the Coleg.

Purpose and basis of the memorandum of understanding

5. This document is intended to provide a framework for working relationships between HEFCW and Y Coleg ('the organisations'), to ensure efficient and effective cooperation. It commits them to working together to:
 - avoid duplication of effort on the part of either of the organisations or providers;
 - identify and pursue activities that are of mutual interest, to address their responsibilities;
 - ensure that the respective expertise of the organisations involved is mutually recognised and used in partnership whenever appropriate;
 - take each other's interests into account, where appropriate, in policy and procedural development.

6. It establishes relationships for consultation and co-operation based on a common understanding of each organisation's responsibilities, and a joint wish to make best use of finite resources for mutual benefit.
7. The organisations recognise, and have regard for, the respective roles and responsibilities as appropriate. They also recognise the independence of their remits and how the aims and objectives of the organisations complement one another.
8. Both parties will ensure that any information classed as personal data (including sensitive personal data) within the meaning of the Data Protection Act 1998, and special categories of data under the General Data Protection Regulation (GDPR), is used in compliance with the DPA, and from 25 May 2018 with the GDPR, and not take any steps that could put at risk the confidentiality or security of the information.

Working in partnership

9. HEFCW and Y Coleg will identify the areas where their roles and independent functions inter-relate, and agree strategies and actions within these to:
 - develop a shared understanding of the roles and contributions of each body in improving the quality of education and training;
 - through our annual assurance processes we encourage institutions to increase their targets for both 5 and 40 Welsh medium credits undertaken by students;
 - influence higher education provision through the medium of Welsh;
 - share information, as identified in **Schedule 1**;
 - foster civic engagement;
 - facilitate continuous improvement and the sharing of good practice in Wales.
10. HEFCW and Y Coleg work in partnership to enhance Y Coleg's relationships with higher education institutions and to promote Welsh medium opportunities. This includes Welsh medium employability and working to raise the aspirations of pupils studying through the medium of Welsh, to continue studying in Welsh at higher education level.

Management, monitoring, reporting and confidentiality arrangements

11. This Memorandum shall take effect from the date of signature by both organisations and continue until either organisation gives notice that it wishes to terminate the agreement. The Memorandum of Understanding will be reviewed annually and may be modified at any time by joint agreement of the organisations.
12. The organisations shall meet at least three times a year to discuss matters relating to this Memorandum.

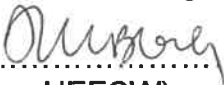
13. Management of the Memorandum will be conducted by officers on behalf of HEFCW and Y Coleg at the date of signature as detailed below:


HEFCW	Dr Cliona O'Neill	(029) 2085 9731	cliona.oneill@hefcw.ac.uk
Y Coleg	Dr Ioan Matthews	01267 610400	i.matthews@colegcymraeg.ac.uk

14. The named contacts shall agree detailed arrangements for regular communication and exchange of information between the HEFCW and Y Coleg, which shall include annual review meetings.
15. The arrangements detailed in this Memorandum will be monitored by the named contacts. Each contact will be responsible for notifying the organisation of which s/he is an officer of any concerns. Such concerns may lead to the termination of this Memorandum.
16. Each organisation will observe confidentiality as required in relation to shared information which is not in the public domain.

Legal effect of the memorandum of understanding

17. It is recognised and accepted that this Memorandum does not create any rights, liabilities or obligations which would have binding effect in law.

Signed..........
(Chief Executive, HEFCW)
Dated.....2014.11.8.....

Signed:..........
(Chief Executive, Y Coleg)
Dated.....20.11.18.....

Schedule 1: Protocol for partnership working between HEFCW and Y Coleg

1 Introduction

- 1.1 This protocol sets out the means by which the HEFCW and Y Coleg will share information.

2 Partnership working

- 2.1 There will be an annual Chief Executives' meeting, and at least two other termly meetings, to provide opportunities to discuss areas covered by the Memorandum. HEFCW will also attend Y Coleg's Board meetings as an observer and is invited to Y Coleg's annual Court.
- 2.2 In order to share information effectively, reduce burden on institutions, and encourage a perception that the organisations act in a coherent and integrated manner, both organisations will do the following:
- discuss their activities in relation to areas of common interest at the liaison meetings;
 - notify the other party of any issues of interest identified, as they arise;
 - notify the other parties of any issues of mutual interest arising at the liaison meeting, or via electronic communications where earlier notice would be beneficial to either party;
 - recognise and respect where either organisation may be limited in its actions due to contracts and commercial interests;
 - include the other party in any consultation on the development or amendment of relevant processes, policies or procedures as these issues arise;
 - invite the other parties to key conferences, events and relevant training as they arise.