

HEFCW Specific Designation Monitoring Guidance

This guidance sets out the monitoring process for **providers that had courses specifically designated for student support in Wales for new entrants in 2019/20.**

This guidance provides information on HEFCW monitoring processes to ensure providers comply with Welsh Government requirements for specific designation, assuring Welsh Government that designation can continue from 2020/21.



Introduction

1. This guidance sets out the monitoring process for **providers that had courses specifically designated for student support in Wales for new entrants in 2019/20**.
2. This guidance provides information on HEFCW monitoring processes to ensure providers comply with Welsh Government requirements for specific designation, assuring Welsh Government that it is appropriate for designation to continue from 2020/21.
3. Specific designation is the process by which higher education providers that are not automatically designated for student support by Welsh Ministers can apply for designation of specific courses for purposes of student support on a course by course basis. **Specific designation in Wales only relates to providers that want students who are ordinarily resident in Wales¹ to access student support for specific courses.**
4. Throughout this monitoring guidance sections of the Welsh Government policy have been replicated in shaded boxes with italics. The text following these boxes sets out how HEFCW will meet Welsh Government's policy requirements.
5. Currently, the following types of higher education providers already have courses designated by Welsh Ministers to allow for students who are ordinarily resident in Wales to apply for student support of their higher education courses:
 - institutions in Wales with a fee and access plan approved by HEFCW;
 - Welsh funded institutions (for part-time courses only);
 - institutions in England that are registered with the Office for Students in the approved (fee cap) category;
 - Scottish funded institutions;
 - Northern Ireland funded institutions;
 - higher education providers (**only** for those courses listed) included on the list of designated courses on the Student Finance Wales website².
6. Higher education providers with courses designated by other UK administrations, or other UK regulators, **should not** assume that they are designated by Welsh Ministers for students ordinarily resident in Wales to apply for student support.

Further information

7. If providers are unclear about their designation status or have any further queries about this guidance they should contact HEFCW for clarification (cyngorrheoleiddio@hefcw.ac.uk or regulationadvice@hefcw.ac.uk).

¹ EU domiciled students studying in Wales can also access student support for their specific courses

² [Student Finance Wales, Designated Courses](#)

Guidance on HEFCW's process for monitoring

8. HEFCW must give assurances to Welsh Ministers that all providers that have specifically designated courses meet the criteria set out in Welsh Government policy.³ In order to achieve this we will invite all providers that were either monitored by HEFCW last year, or have been designated by Welsh Ministers following a process administered by HEFCW in the past 12 months, to submit information to confirm they still meet those criteria.
9. Providers that have courses only designated for continuing students and wish to admit new entrants will have to reapply for designation through the process for providers that do not have courses already designated for new entrants.
10. The monitoring requirements have been amended to reflect that all providers have submitted information to us in that last 12 months. Information requested will largely remain focused on new information not previously provided to HEFCW. One area which we believe needs to be strengthened is with respect to providers demonstrating their contribution to the public good. We will be requesting that all providers to complete a template provided to be clearer about what information we require in order to inform our recommendation to Welsh Government regarding specific designation.
11. Providers are invited to submit their application form attached as **Annex B**, along with the supporting course list attached at **Annex C**, by Friday 17 January. All submissions should be uploaded to <https://www.hefcw.ac.uk/uploadfap.aspx>.
12. Other than where explicitly stated, where information has been provided to HEFCW previously please refer and confirm no changes have been made. The provider should submit only new information and documents that have been amended since the previous submission.

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Applications should be sent to HEFCW, which has developed underpinning guidance to support the process. HEFCW will assess each application against the criteria outlined above and will then advise the Welsh Ministers on whether to award specific course designation. HEFCW will not assess incomplete applications and it is the responsibility of applicants to ensure that their applications are complete. (Para 35)

Specific designation status for individual courses will be granted on a rolling academic year basis. Providers will be required to demonstrate they continue to meet the criteria on an annual basis via the HEFCW monitoring process. HEFCW's guidance will provide further details. (Para 41)

HEFCW will be responsible for monitoring providers' compliance with the specific course designation criteria following the designation of courses. HEFCW will also

³ <https://www.studentfinancewales.co.uk/media/196461/specific-course-designation-policy-document-english.pdf>

provide advice to the Welsh Ministers on the ongoing compliance of institutions with the criteria for specific designation. (Para 42)

Institutions are expected to comply in a timely manner with the reasonable request for information by HEFCW in relation to designated courses. HEFCW will report to the Welsh Ministers if information requested by HEFCW is not forthcoming from providers or is delayed. (Para 43)

The Student Support Regulations allow the Welsh Ministers to suspend or revoke the specific designation of courses. In doing so, the Welsh Ministers will take account of all relevant factors. Those factors will include the advice they receive from HEFCW about the ongoing compliance with the criteria specified in the policy and any refusal to provide information reasonably requested by HEFCW. (Para 46)

The Welsh Ministers may suspend or revoke a designation where ongoing compliance with the criteria is not met or where information requested by HEFCW is not provided or where there is a delay in providing that information. (Para 47)

The Welsh Ministers may suspend student support payments to the provider in circumstances such as those listed in paragraph 42 above. Such action may be taken in cases where fraud, misrepresentation or other wrongdoing by providers and/or students are under investigation or proven. (Para 48)

13. Please note that the application process may take up to three months from the submission of a complete application to a final decision. However, decisions by other regulatory bodies and the quality of submissions from providers may prohibit us from meeting these timescales.
14. If monitoring information is not submitted it will impact on a course's designation status for 2020/21.
15. Welsh Government's specific designation policy includes a diagram detailing the process of an application for designation. This diagram is also included as **Annex A**.
16. The governing body, board or equivalent of the higher education provider is responsible, and must approve the monitoring, for submission to HEFCW. The application must include named contacts for HEFCW to liaise with as well as the senior person in the organisation with oversight of specific designation if different.
17. HEFCW will consider the information submitted and will expect the provider to have staff available to discuss the monitoring. If HEFCW requires further information, providers may be asked to submit further evidence to supplement the monitoring information. This may result in delays to the application. HEFCW officers will support providers through this process.
18. Once the provider has submitted to HEFCW all the information required for assessment, and following due consideration, HEFCW will make a recommendation to Welsh Ministers on whether or not designation should

continue. This could relate to particular courses or all the courses that are currently designated.

19. Informed by HEFCW, the Welsh Government will write to the provider to notify it of its decision. If the Welsh Ministers are not minded to continue designating the course, the Welsh Government will provide reasons for the decision. Providers will be offered an opportunity to provide additional information to Welsh Government which may or may not affect its decision. The process for this will be signalled by Welsh Government at the relevant time on a case-by-case basis. In these instances, the courses will remain designated for continuing students but will no longer be designated for new students.
20. It is the responsibility of providers to ensure that no information is published that suggests student support would be available for new students who are ordinarily resident in Wales until the provider has received confirmation that the designation will continue from 2020/21. This could include recruitment documents and website pages. All students continuing to study on existing courses are protected.
21. Once the whole monitoring process has been completed and Welsh Government has informed providers of the Ministers' decision, the list of specifically designated courses will be updated and published by Student Finance Wales.

Guidance to completing the monitoring form

22. This section of the document sets out HEFCW's requirements for providers looking to evidence it meets each criteria of the Welsh Government's specific designation policy. This information must be provided in the form attached at **Annex B** as guided by the text in the form unless stated otherwise.

A. Full details of the higher education provider

23. HEFCW will require confirmation of the full details of the higher education provider for purposes of maintaining an accurate and up-to-date list of specifically designated courses. This list will be maintained and shared with the SLC.

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An application from a provider which at the time it makes an application for designation is under investigation by any of the following agencies will not normally be approved before that investigation concludes:

- *by the Welsh, UK, Scottish or Northern Ireland governments or by the regulator in these countries, by the body responsible for validating its awards, or by the Student Loans Company in connection with a matter relating to its provision of higher education;*
- *by an organisation or agency responsible for the quality of higher education provided;*
- *by its charity regulator; or*
- *in connection with an alleged criminal offence (para 44)*

The outcome of an investigation may be taken into account by the Welsh Ministers when making a decision as to whether to designate a course. (para 45)

24. HEFCW will also require confirmation from the provider that it is not currently under investigation from any government or government agency or types of organisation listed above. HEFCW has memoranda of understanding in place with the Office of the Independent Adjudicator (OIA), Quality Assurance Agency for Higher Education (QAA), the Charity Commission and Estyn. Close working between HEFCW and these organisations will contribute to highlighting issues of concern. We will liaise with the Office for Students where necessary.
25. Information HEFCW requires about the provider includes:
- the provider's name;
 - the provider's principal address, and legal address where they are different;
 - the provider's UK provider registration number (UKPRN);
 - Charity commission number (where relevant);
 - any other names under which the provider operates;
 - confirmation that the provider is not under investigation; or
 - details of any ongoing investigations including the organisation undertaking the investigation and the reasons for the investigation.

B. A list of courses to be designated for student support including relevant information

26. HEFCW will require a course list attached at **Annex C** setting out all of the courses that the higher education provider wishes to be designated for new students in 2020/21. This includes existing courses and new courses.
27. Courses designated for 2019/20 that are not included on this course list will be designated for continuing students only.
28. HEFCW will require the following information to be included on the course list:
- course title;
 - qualification aim;
 - length of course;
 - mode of study;
 - location(s) of course delivery;
 - validating organisation;
 - confirmation of control of the course;
 - dates between which the validation agreement applies;
 - annual course fees;
 - estimated student numbers by course and location per year of study including students on sandwich years and years abroad where applicable;
 - estimated student numbers of students ordinarily resident in Wales⁴ and location per year of study including students on sandwich years out and years abroad where applicable;

⁴ Including EU domiciled students studying in Wales

- date of course commencement.
29. HEFCW requires a copy of the appropriate agreement(s) with the awarding organisation for each course as evidence to support the monitoring, including the information requirements as set out in the paragraphs which follow relating to control of the course, the eligibility of the awarding body and the length of validation. Agreements must cover the course for the duration of the 2020/21 academic year and allow for students to complete their studies.
 30. We currently hold records of the appropriate agreement(s) for courses designated for 2019/20. However, the provider will need to submit the appropriate agreements for any courses not designated in 2019/20 and any courses that are subject to new partnership agreements.
 31. Where the provider is a degree awarding body in its own right then it will need to confirm the period for those degree awarding powers. Should the provider be in the process of renewing its degree awarding powers then they should provide an update.

Welsh Government Specific Designation Policy

Courses eligible for designation

Undergraduate courses

Regulations made under section 22 of the Teaching and Higher Education Act 1998 enable the Welsh Ministers to make grants or loans to eligible students in connection with their attendance on designated courses. Students ordinarily resident in Wales undertaking courses of higher education may be eligible for support to meet tuition fees and living costs from the Welsh Ministers. **(Para 12)**

An undergraduate course may be designated if it is:

- (a) *A first degree course.*
- (b) *A course for the Diploma of Higher Education.*
- (c) *A course for the Higher National Diploma or Higher National Certificate of—*
 - (i) *the Business & Technology Education Council; or*
 - (ii) *the Scottish Qualification Authority.*
- (d) *A course for the certificate of Higher Education.*
- (e) *A course for the initial training of teachers.*
- (f) *A course for the further training of youth and community workers.*
- (g) *A course in preparation for a professional examination of a standard higher than that of:*
 - (i) *examination at advanced level for the General Certificate of Education or the examination at higher level for the Scottish Certificate of Education, not being a course for entry to which a first degree (or equivalent qualification) is normally required; or*
 - (ii) *the examination for the National Certificate or the National Diploma of either of the bodies mentioned in paragraph iii, not being a course for entry to which a first degree (or equivalent qualification) is normally required.*

- (h) A course—
- (i) providing education (whether or not in preparation for an examination) the standard of which is higher than that of courses providing education in preparation for any of the examinations mentioned in paragraph vii(a) or (b) but not higher than that of a first degree course; and
- (ii) for entry to which a first degree (or equivalent qualification) is not normally required. **(Para 13)**

Courses must consist of at least one year's full-time or sandwich study or its part-time equivalent. **(Para 14)**

Postgraduate courses

Postgraduate Master's and doctoral courses may be specifically designated by the Welsh Ministers for the purpose of providing financial support to eligible students undertaking those courses. **(Para 15)**

In order to be designated, postgraduate courses must be one of the following:

- substantially provided in the United Kingdom;
- a taught programme of study, a programme of research, or a combination of both, and which may include one or more periods of work experience, and which leads, on successful completion, to the award of a postgraduate Master's degree;
- a full-time course of one or two academic years' duration;
- a part-time course which is ordinarily possible to complete in no more than twice the period ordinarily required to complete its one or two academic year full-time equivalent;
- a part-time course that does not have a full-time equivalent and which it is ordinarily possible to complete in up to three academic years. **(para 16)**

In order to be designated, postgraduate doctoral courses must meet the following conditions:

- lead, on successful completion, to a doctoral degree;
- the ordinary period of registration for the course is not less than three and not more than eight academic years' duration;
- it is substantially provided in the United Kingdom; and
- it is a course which:
 - (i) leads to a doctoral degree granted or to be granted by a body falling within section 214(2)(a) or (b) of the Education Reform Act 1988; and
 - (ii) the teaching and supervision which comprise the course has been approved by that body. **(para 17)**

*Additionally, courses leading to a postgraduate award are capable of being designated solely for the purpose of providing eligible students with Disabled Students' Allowances. **(Para 16)***

32. The list of courses will need to set out the qualification aim, the length of course and mode of study to ensure that the course is appropriate for designation. The list of courses in the shaded box above set out those types of courses that can be designated for student support.

33. Different types of courses are eligible for different types of student support and the courses must be listed in the course list under either undergraduate, postgraduate (only Masters and Doctoral courses) and postgraduate DSA only (eg postgraduate certificates and diplomas).

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Specific course designation is required for each location at which a course is offered. If providers have received designation for specified locations and subsequently wish to add additional locations then they will need to apply for those locations separately. If providers wish to remove or change a location then they should contact HEFCW for information about the process to follow for change of circumstances. (Para 36)

34. We will require all providers to confirm the location(s) of delivery of all courses that providers wish to continue to be designated and new courses to be designated from 2020/21. Where relevant this should include new locations of delivery for courses already designated.

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Applications for specific course designation must normally be made by the organisation which is responsible for the content and delivery of the course to students. However, applications for franchised courses should be made by the franchisor rather than the franchisee. This is because the franchisor retains responsibility for the course in terms of its validation, content and delivery. In both cases, the application must demonstrate fully that the criteria are satisfied by all institutions involved in the awarding of qualifications and the design, supervision and delivery of those courses. In relation to franchised courses, this will mean providing detailed supporting information from the franchisee as appropriate. (Para 34)

35. HEFCW must be satisfied that the higher education provider delivering a specifically designated course has 'control' of the course. Providers that have degree awarding powers in their own right or providers that are delivering courses under validation arrangements will be deemed by HEFCW as being in control of the course.
36. Providers delivering courses under sub-contractual arrangements, also known as franchise arrangements, will not be deemed to be in control of the course and will not be able to have courses specifically designated in their own right. In this scenario, the awarding body will be deemed to be in control of the course and must apply for course designation regardless of whether that awarding body is already designated, HEFCW will still require information about the delivering organisation.
37. HEFCW uses the following definition for validation arrangements:
"Courses made available and taught by one institution that lead, on successful completion, to a qualification awarded usually by another institution with degree awarding powers (DAPs). Normally the course will have been designed by the teaching and not the validating institution. There will be a validation agreement in

place, in which the validating institution seeks assurances about the quality and delivery of the course but leaves the teaching institution leeway as to how it teaches the course. The institution with DAPs is the validating and awarding body for the course, while the institution which teaches the course has control of the provision, and full contractual responsibility to the student for the provision of education.”⁵

38. HEFCW uses the following definition for sub-contractual arrangements:
“Courses made available by one institution, where some or all of the teaching is provided by another body under a sub-contractual arrangement. The course will usually have been designed by the first institution, which will normally impose its own requirements as to teaching and assessment. That first institution has full contractual responsibility to the student for the provision of education, even though its staff are not teaching (all of) the course. Usually, that institution will also be the awarding body for the course qualification, but exceptionally this may be a third party.”⁶

Welsh Government Specific Designation Policy

Undergraduate courses

Applicants must provide validation documents which specify the mode, length and delivery location for each course included in the application. They must demonstrate that the course is validated by an appropriate awarding body:

- *a course leading to the award of a degree by a recognised body as prescribed in the Education (Recognised Bodies) (Wales) Order 2016;*
- *the award of Higher National Diploma or Higher National Certificate is awarded by Business & Technology Education Council, the Scottish Qualifications Agency, or a recognised body as prescribed in the Education (Recognised Bodies) (Wales) Order 2016. (Para 22)*

Postgraduate courses

A course must lead to an award granted or to be granted by a body falling within section 214(2)(a) or (b) of the Education Reform Act 1988. Courses leading to a postgraduate award are also capable of being designated solely for the purpose of providing eligible students with Disabled Students' Allowances. Such courses must be validated by a recognised body as prescribed in the Education (Recognised Bodies) (Wales) Order 2016. (Para 23)

39. The validation organisation must be a recognised body as set out in the Education (Recognised Bodies) (Wales) Order 2016⁷ or one which offers provision being delivered through arrangements with Pearson or the Scottish Qualifications Authority. Only courses that lead to an award from these organisations can be designated. This needs to be considered when providing information required in this section of the guidance.

⁵www.hefcw.ac.uk/documents/publications/circulars/circulars_2016/W16%2013HE%20Guidance%20on%20partnership%20arrangements.pdf

⁶ Ibid

⁷ www.legislation.gov.uk/wsi/2016/396/pdfs/wsi_20160396_mi.pdf

40. If a provider is an awarding body they must be a recognised body in their own right. Where an awarding body is submitting information about a course provided on its behalf it must submit a copy of a relevant, signed, up to date franchise agreement with its application.

Welsh Government Specific Designation Policy

Specific designation status for individual courses will last for the duration of a course's validation agreement, unless there are a change of circumstances that affect either the provider's or the course's eligibility for specific designation. HEFCW's guidance will provide further details **(Para 41)**

41. Agreements with the awarding organisation will also need to set out the length of the agreement.

C. The provision offered by the provider is of an adequate quality

Welsh Government Specific Designation Policy

The course to be designated must be of an adequate quality. Providers will be required to provide information relating to quality from the organisation or agency responsible for assuring the quality of the course. For example, providers will be required to submit evidence of a successful review of the quality of their provision. HEFCW will provide further guidance on the information required on quality and how to achieve the appropriate standards in due course. (Para 24)

42. All higher education providers with specifically designated courses for student support must be able to provide evidence that they meet the baseline quality requirements for higher education in Wales. HEFCW has established a Quality Assessment Framework⁸ that establishes a set of baseline regulatory requirements for Wales, aligning, where possible, with arrangements in England and Northern Ireland.
43. In order for HEFCW to have assurance that the baseline requirements are met, we will require all providers to have undertaken an external quality assurance review by the QAA. We will expect that higher education providers applying for their courses to become specifically designated will have had at least one successful external quality assurance review by the QAA in the last four years and to repeat that every four years.
44. Providers that have not had a successful QAA review in the past four years will be required to undertake a review to provide evidence to HEFCW that they meet the baseline requirements in Wales. Providers that have successfully undertaken a [Higher Education Review](#), Higher Education Review Wales,⁹ [Quality Review Visit](#), and [Educational Oversight Reviews](#) within the previous four years will be able to evidence that they met the appropriate baseline requirements at the time of that

⁸ www.hefcw.ac.uk/documents/publications/circulars/circulars_2018/W18%2005HE%20Annex%20A.pdf

⁹ From 2017 HERW has been replaced by the [Quality Enhancement Review](#)

review. HEFCW and the QAA have established a new [Gateway Quality Review: Wales process](#) that may be used to evidence this requirement.

45. The provider must be able to provide evidence that its review or any monitoring visits undertaken by the QAA have taken place whilst it has operated at all locations that the provider is requesting course designation.
46. Where a provider is applying for a course to be designated and that course is to be delivered on behalf of that provider under sub-contractual arrangements then we will also require evidence of a successful external quality assurance review that includes its delivery partner.
47. 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 QAA review).¹⁰ This ensures quality assessment is rigorous. In every case, a provider receiving a 'Meets requirements with conditions/Requires Improvement' or 'Does not Meet Requirements/UK expectations' outcome will be deemed to have, or to be at risk of having, inadequate quality.
48. Where institutions are currently awaiting for an external review, please can the provider set out the dates of the review in the application form. In this scenario HEFCW will delay its recommendation until the outcome of the review is known. This should not prevent institutions submitting all other information beforehand.
49. Additionally HEFCW will require the provider to submit the following evidence to demonstrate that it has maintained a successful track record of higher education since its last review:
 - confirmation that the provider has internal quality assessment procedures;
 - confirmation that the governing body, or equivalent, has received a report taking account of the external quality assurance review, and assurances that an action plan has been put in place and implemented as appropriate, in partnership with the student body;
 - confirmation that the provider has published a high level statement on how the students' interests are protected and what arrangements are in place, for example in cases where a provider ceases to exist, a course is withdrawn or changed substantially or if a course's validation changes or is withdrawn.
 - links to QAA monitoring reports; and
 - links to Professional Statutory and Regulatory Body accreditation reports as they relate to specific courses.

D. The provider is financially viable

Welsh Government Specific Designation Policy

The provider seeking course designation must demonstrate that it is financially sustainable and that students can therefore be confident of the provider responsible for their course remaining financially viable for the duration of their studies. Applicants will

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

need to provide the following information in order to demonstrate that they are operating in a financially viable manner. For example:

- *the last three years of externally audited financial statements, or externally audited financial statements for each year of trading where the provider has not been trading for three years;*
- *forward business plans;*
- *financial forecasts for the current and next three years including a commentary on assumptions made in forecasts and how financial risks are managed;*
- *an outline of contingency arrangements for students if courses are discontinued for any reason; and*
- *any other information which may be relevant to the provider's financial viability and management of its financial affairs as an aspect of good governance. (Para 25)*

50. An institution must provide information to HEFCW about its financial viability, including evidence that it is sustainable over the medium term (at least three years from the date of course commencement). The evidence should be sufficient to give HEFCW and Welsh Ministers reasonable confidence that students will not be at risk of being unable to complete their course as a result of financial failure.
51. Where the provider has already submitted information we require to another body such as Welsh Government or the Office for Students this information can be submitted to us in the same format.
52. Providers should submit full details of their corporate group structure, where applicable, including details of all group companies or organisations, including subsidiaries, parent/holding companies and associate or joint ventures.
53. 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.
54. Higher education providers must submit information, which illustrates:
 - i. **Group structure** - Where applicable providers should submit 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. Where it is considered relevant, the assessment of financial viability may take into account the financial position of and arrangements within the wider group structure.
 - ii. **Historical performance** - a track record of financial performance evidenced by annual reports and externally-audited full financial statements for the three years prior to the submission. The accounts must be audited each year by a registered auditor. 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.
 - iii. **Forecasts** - Should cover the estimated current year together with at least three year forecasts. They should comprise a profit and loss / income and expenditure statement, a balance sheet and a cash flow statement and be

supported by student number assumptions. Providers must be able to evidence that they have:

- adequate cash flow to remain solvent, that is, sufficient liquidity to pay debts as they fall due;
- an adequate balance sheet that maintains a net total assets position such that the provider would not incur deficits if these would result in a net total liabilities position and;
- in groups scenarios where the provider's financial sustainability is dependent on support of other group members such as the parent company we would expect supply of a guarantee from that group member.

iv. **Financial strategy** - financial information such as a forward plan that reflects the overall strategic plan available at the point of monitoring compliance with specific designation criteria, 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 providers assess and review their sustainability, including the use of sustainability assessments. This document should align with the financial forecasts, outlining the rationale for any movements from the entity's current audited financial position through the forecast period. In particular, implementation plans for the achievement of uplift in performance. Where the provider is a subsidiary entity, further details will need to be provided to understand the financial sustainability of the interrelation with other group members and the group as a whole.

55. HEFCW's assessment of providers' 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 providers' financial position and their strategy.
56. It should be noted that as part of this process HEFCW is likely to undertake a credit check on the provider.
57. Providers 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 strategy and financial forecasts / forward business plan.
58. A provider must submit 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 resources (including staff and estate) in a sustainable way.

59. Providers should separately include narrative of the processes, meetings and reviews in place to ensure compliance with the requirements in the paragraph above.
60. In assessing the data management capabilities consideration will be given, where applicable, to a provider'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.
61. We expect that all institutions that have courses designated for student support will subscribe to HESA. For those applying for course designation that do not already subscribe to HESA, we will separately provide information on the process of becoming a HESA subscriber.
62. Providers must provide evidence to demonstrate good governance. Where relevant, this would take the form of evidence of compliance with the principles of an appropriate code of governance. Examples of these are the Higher Education Code of Governance¹¹ (Committee of University Chairs, December 2018) and the Code of Good Governance for Colleges in Wales¹² (Colleges Wales, 2016). Those applicants with charitable status could evidence how they take account of all relevant guidance on the responsibilities of trustees and effective trusteeship.

E. Contribution to the public good

Welsh Government Specific Designation Policy

The Welsh Government has finite resources at its disposal and must ensure the best value for students and taxpayers. The Welsh Government wants to ensure that, as far as possible, taxpayers' investment in education is reinvested by providers for educational purposes, including activities that support access to, or the promotion of, higher education, contribute to the availability of education or improve the retention of students and employability of graduates. Higher education providers whose courses are designated for student support effectively receive a subsidy from the taxpayer via the support made available by the Welsh Government in the form of tuition fee loans to the student as well as maintenance loans and grants. (Para 27)

Applicants must demonstrate that they make a significant and ongoing contribution to the public good generally in the sphere of education through submission of a written statement. The Welsh Government has identified the following broad areas in which HE providers may be able to demonstrate that they make a significant and ongoing contribution to the public good. They are not mutually exclusive. Developing Welsh-medium education may contribute to both equality of opportunity and the promotion of higher education. (Para 28)

Equality of opportunity

¹¹ [Higher Education Code of Governance \(Committee of University Chairs\) December 2018](#)

¹² [Code of Good Governance for Colleges in Wales \(Colleges Wales\) 2016](#)

Examples include:

- *Measures to attract and retain students from under-represented groups;*
- *the provision of academic and welfare support to those from under-represented groups, including those with protected characteristics; and*
- *the provision of bursary schemes, fee waivers, scholarships or hardship funding.*
- *The use and development of Welsh medium and/or Welsh language education which supports the objectives of the Welsh Government's language strategy by providers based in Wales. (Para 29)*

Promotion of higher education

Examples include:

- *Working with schools, colleges and other public, private and voluntary bodies to communicate the benefits of higher education and promote a culture of learning and education;*
- *Developing the employability of students, over and above the provision of education, including links to employers, the development of employability, enterprise or personal effectiveness skills, or work placements;*
- *Engagement with the local community by providing access to facilities, providing free or reduced cost access to courses or lectures, or delivering a service as an integral part of the institution's civic duty . This may be to the general public or some specific groups. It may also include programmes in which students are supported to be active in their local community. (Para 30)*

The above list is not exhaustive. The Welsh Government recognises that providers have a wide range of objectives and may be able to demonstrate a meaningful contribution to the public good in other ways. The written statement should include examples and evidence by reference to some or all of the above areas and any other evidence that an organisation considers relevant. (Para 31)

The information provided by applicants will need to demonstrate that the activity is both significant and ongoing, e.g. by way of reference to amount of expenditure on activities that contribute to the public good in connection with education, the duration of those activities and numbers of participants. (Para 32)

63. All providers that wish for their course(s) to continue to be specifically designated are required to submit a public good statement to HEFCW. All providers that are subject to this monitoring have provided HEFCW with a statement setting out how they are making an ongoing commitment to the public good as it relates to higher education.
64. All statements should be strengthened to evidence more clearly the extent of the public good contribution. This year the monitoring form includes a public good template. The template must be used to submit public good information.

Name of provider

65. Public good statements must include as part of the statement the name and address of the provider. The statement must be a stand-alone document that could be published on the provider's website.

Student partnership

66. HEFCW is committed to securing strong student partnership working with students and this has been formalised with a memorandum of understanding between HEFCW and National Union of Students (NUS) Wales.¹³ In line with this position, we expect higher education providers to detail how they collaborate with their students as partners. Our expectations of what should be covered are set out in the template.

Under-represented groups

67. To demonstrate that providers are improving equality of opportunity, they should identify, and explain how they are supporting, groups under-represented in higher education. These groups should be listed in the statement. We recognise that there are different ways of defining 'groups under-represented in higher education'. Definitions might include under-representation within the institution's student body, including students at partner institutions, as well as under-representation in the higher education system more generally. Individuals with protected characteristics, as defined by the Equality Act 2010, may be under-represented in higher education.¹⁴
68. HEFCW considers that hard to reach learners would include people of all ages within the under-represented groups listed below:
- living people within the bottom two quintiles of the Welsh Index of Multiple Deprivation,
 - students with particular disabilities, recognising that needs will vary dependent on the type of disability,
 - students from minority ethnic communities,
 - students studying part-time,
 - students studying through the medium of Welsh,
 - living in UK low participation areas,
 - young males from low participation areas,
 - living in workless households,
 - care experienced applicants,¹⁵
 - carers in all age groups across Wales,
 - refugees and asylum seekers,
 - receiving an Educational Maintenance Allowance (EMA),

¹³[www.hefcw.ac.uk/documents/about_he_in_wales/about HE_sector/MoU%20HEFCW%20and%20NUS W.pdf](http://www.hefcw.ac.uk/documents/about_he_in_wales/about_HE_sector/MoU%20HEFCW%20and%20NUS%20W.pdf)

¹⁴ Protected characteristics are: age; disability; gender reassignment; marriage or civil partnership; pregnancy and maternity; race; religion or belief; and sex.

¹⁵ Looked after children and care leavers

- being eligible for free school meals,
- being the first in family to enter higher education, and
- ex-offenders.

Explanation for providers focus on under-represented groups

69. HEFCW will expect the provider to set out the data and evidence for why the provider is supporting each of the under-represented groups identified in its public good statement.

Objectives, activities and targets

70. Providers should demonstrate their contribution to the public good, as it relates to higher education, by setting clear objectives, listing activities and services to be delivered to meet the objectives, and setting targets to measure intended progress and ambition.
71. Providers should list the objectives, underpinning activities and targets to improve equality of opportunity separately from those to promote higher education.
72. The types of activities that relate to equality of opportunity could include the following:
- attracting students from under-represented groups;
 - retaining students from under-represented groups;
 - raising the educational aspirations and skills of people from under-represented groups to support success in higher education;
 - the provision of academic and welfare support to those from under-represented groups, including those with protected characteristics;
 - the provision of bursary schemes, fee waivers, scholarships or hardship funding;
 - the use and development of Welsh medium and/or Welsh language education which supports the objectives of the Welsh Government's language strategy for providers based in Wales;
 - improving the higher education experience for groups under-represented in higher education;
 - provision of effective information to under-represented groups, before and during their studies; and
 - supporting the progress to employment or further study of groups underrepresented in higher education.
73. The types of activities that relate to the promotion of higher education could include the following:
- working with schools, colleges and other public, private and voluntary bodies to communicate the benefits of higher education and promote a culture of learning and education;
 - engagement with local communities by providing access to facilities, providing free or reduced cost access to courses or lectures, or delivering a service as an integral part of the organisation's civic duty or corporate social responsibility agenda. This provision may be for the general public or specific

groups. It may also include programmes in which students are supported to be active in their local communities, including but not limited to volunteering;

- developing the employability of students, over and above the provision of education, including: links to employers; the development of employability, enterprise or personal effectiveness skills; and/ or work placements;
- improving the quality of learning and teaching, with reference to the quality of the student experience;
- delivering sustainable higher education.

74. Activities and activities and services to support equality of opportunity must relate only to groups under-represented in HE.

75. Providers should set at least one SMART¹⁶ target for each objective. We do not expect targets to be for outputs. Each target should have a baseline allowing us to understand the provider's rate of progress and ambition to improve. Targets could be in some of the areas that HEFCW has identified in its [national measures for higher education performance](#).¹⁷

Investment to support public good

76. The provider should set out the level of total student fee income to deliver the activities to promote equality of opportunity and higher education, noting the investment as a percentage of total student fee income received.

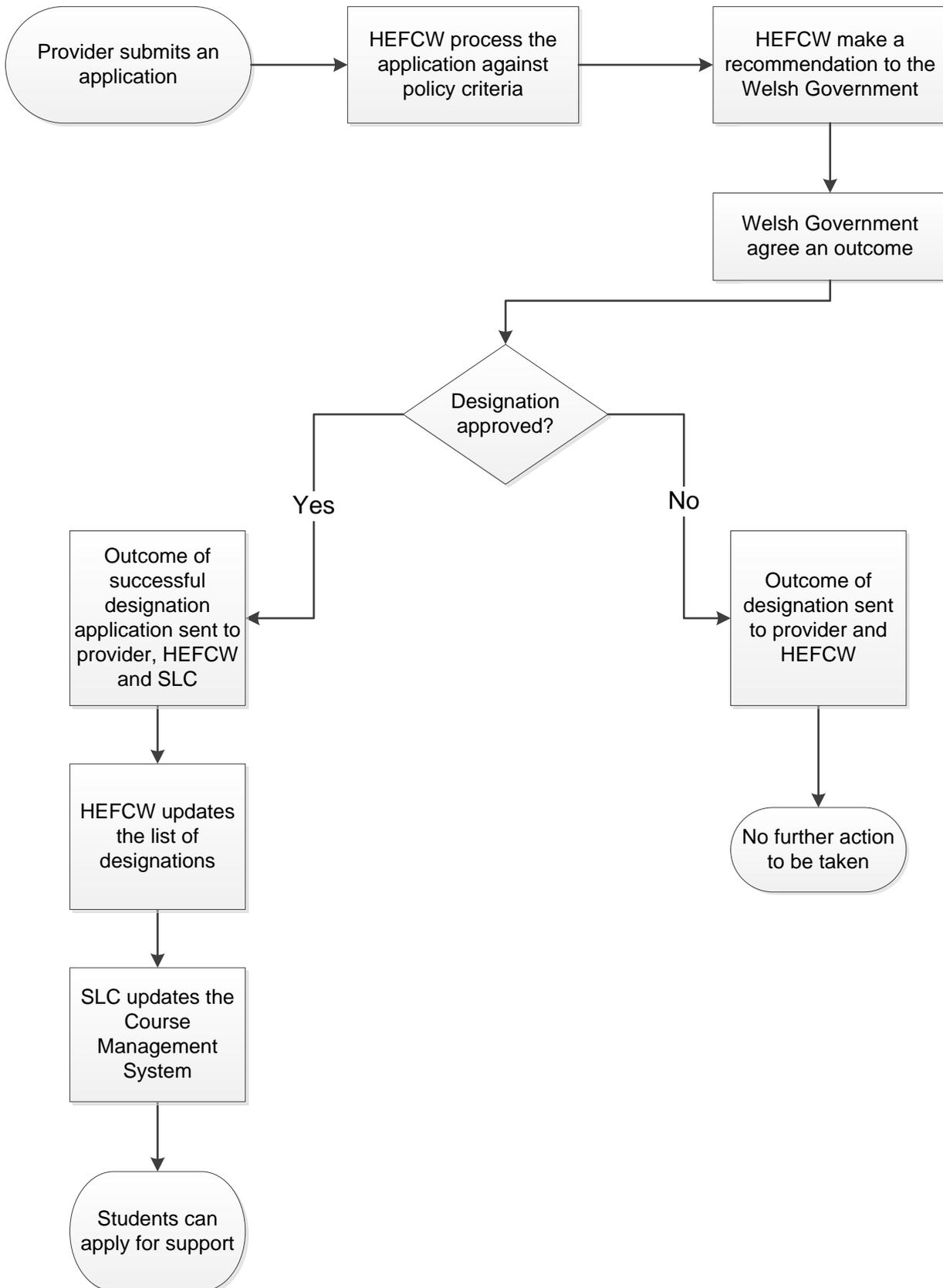
Explanation for the objectives, targets and activities

77. Providers must include a brief explanation of how each objective and target aligns with their key strategic documents, including the corporate strategy and underpinning strategies including, where relevant, its strategic equality plan. Providers must set out they intend to review their objectives, targets and activities to continue to improve their contribution to the public good.

¹⁶ Specific, Measurable, Achievable, Realistic, Time-Bound.

¹⁷ HEFCW considers relevant National Measures to be: Widening Access, Participation, Retention, Part-time, Diversity of the student population, National Student Survey, Welsh Medium, Student Mobility, Employment and Graduate Employment.

Annex A – Process of application for designation



Monitoring of providers with courses specifically designated in Wales

PART A. FULL DETAILS OF HIGHER EDUCATION PROVIDER (Paras 23-25)

Where information has been provided to HEFCW previously please refer and confirm no changes have been made. The provider should submit only new information and documents that have been amended since the previous submission.

Provider name:	
Any other names under which the applicant operates:	
Principal address and legal address where different:	
UK provider registration number:	
Charity Commission number: (where relevant)	
Is the provider under investigation:	Yes / No If the provider is under investigation it must provide a separate document providing the details of the investigation(s) including the organisation undertaking the investigation(s) and the reasons for the investigation(s).

	Lead institutional contact	Additional institutional contact
Contact name:		
Job title:	<p>We expect this individual to be a member of the senior management team that is responsible to the governing body for submitting the monitoring information.</p> <p>All correspondence will be sent to this contact.</p>	<p>This contact will be copied into all correspondence and may have some delegated responsibilities for submitting the monitoring information.</p>
Telephone number:		
Email address:		

PART B. LIST OF COURSES TO BE DESIGNATED FOR STUDENT SUPPORT INCLUDING RELEVANT INFORMATION (Paras 26-41)

Course list:	<p>All necessary course information should be completed in the excel table attached at Annex C.</p> <p>This course list should include <u>all</u> courses that the provider wishes to have designated in 2020/21 for new and continuing students. This includes courses that were designated in 2019/20 and any new courses it wishes to be designated from 2020/21.</p> <p>Courses must be listed separately for each location.</p>
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	<p>Courses must be listed under the appropriate heading of undergraduate, postgraduate or postgraduate DSA, depending on the student support the provider wishes the course to be designated.</p>
<p>Control of the course:</p>	<p>The provider should submit documentation that evidences it is in control of the courses it wishes to have designated for student support. This evidence should either be in the form of confirmation that the provider continues to have degree awarding powers, has courses validated by a recognised body or delivers courses approved by either Pearson or the Scottish Qualifications Authority.</p> <p>We expect the documentation to evidence that the awarding organisation will award the qualification up to the end of the 2020/21 academic year. If the documentation does not evidence this then an explanation must be provided in this section of the application form.</p> <p>As part of the monitoring, the provider only needs to submit evidence for those courses that:</p> <ul style="list-style-type: none"> • Were not designated in 2019/20; • That are subject to new arrangements with the awarding organisation.

PART C. THE PROVISION OFFERED BY THE PROVIDER IS OF AN ADEQUATE QUALITY (Paras 42-49)

<p>The provider must include a statement confirming that it has got internal quality assurance procedures in place for all its education.</p>	<p>The statement to be set out in this box will assure us that the provider has got effective internal quality assurance procedures in place for all its education?</p>
<p>The provider must provide a link to its most recent higher education review by the QAA and any recent monitoring reports by the QAA.</p>	<p>Links to its most recent higher education review by the Quality Assurance Agency for Higher Education (QAA) and any recent monitoring reports by the QAA should be included here.</p> <p>The review or monitoring must have been undertaken when provision was being delivered at locations that the provider wishes to include in its designation request.</p>

	If an organisation is working through review outcomes to address issues identified, please set out what those issues are, how they are being addressed and the date the QAA has required those issues to be completed.
<p>The provider must include a statement confirming that the governing body, or equivalent, has:</p> <ul style="list-style-type: none"> received a report taking account of the external quality assurance review, and assurances that an action plan has been put in place and implemented as appropriate, in partnership with the student body. 	The statement must be included here and explicitly reference the role of the governing body and the partnership with the student body.
The provider must have published an appropriate high-level statement on how the students' interests are protected?	We expect a link to be provided in this section of the form to where this has been published.
Have any of the courses included in part B of the application been accredited by a Professional Statutory and Regulatory Body?	The provider must include all relevant links in this section of the form.

PART D. THE PROVIDER IS FINANCIALLY VIABLE (Paras 50-62)

The institution's corporate group structure, including details of all group companies or organisations	Reference should be made to the title of the documents submitted – any narrative to support the documentation should be completed here.
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(including subsidiaries, parent/holding companies and associate or joint ventures).	
Last 3 years' audited financial statements.	Reference should be made to the title of the documents submitted – any narrative to support the documentation should be completed here.
Financial forecasts that cover the estimated current year together with at least three year forecasts. (with the support of a parent company guarantee, if necessary).	<p>The forecasts should comprise a profit and loss / income and expenditure statement, a balance sheet and a cash flow statement and be supported by student number assumptions..</p> <p>Return forecasts in format returned to HEFCW last year.</p> <p>Where the provider submits forecasts to Welsh Government or the Office for Students these forecasts can be used.</p>
Financial strategy and narrative.	<p>The strategy should include how the institution assesses and reviews its sustainability, including the use of sustainability assessments.</p> <p>Separately we require an explanation of the assumptions under-pinning the forecast and how the provider plans to achieve the significant forecast movements, along with an explanation of significant changes from the most recent audited statements. This will allow us to assess the reasonableness of the “strategy”.</p> <p>Reference should be made to the title of the documents submitted – any narrative to support the documentation should be completed here.</p>
Where available, the last 3 years' internal audit annual reports and/or audit committee annual reports. Alternatively any external reports that provide assurance over core financial controls, risk management processes and give an opinion on overall internal control.	<p>Reference should be made to the title of the documents submitted – any narrative to support the documentation should be completed here along with an explanation of how they successfully implemented the actions identified in the report.</p> <p>The information submitted should demonstrate that the provider has:</p> <ul style="list-style-type: none"> • has financial management processes that are well governed and controlled adequately and effectively,

	<ul style="list-style-type: none"> • has robust and comprehensive systems of risk management and internal control • reports information regularly, comprehensively and correctly to appropriate senior management and those charged with governance
Last 3 years' external audit management letters or reports.	Reference should be made to the title of the documents submitted – any narrative to support the documentation should be completed here along with an explanation of how they successfully implemented identified actions.
Information on the institution's budget setting and monitoring process, and the process for the production, distribution and monitoring of management accounts	<p>This will enable to understand how the provider plans and manages activities to remain viable.</p> <p>Reference should be made to the title of the documents submitted – any narrative to support the documentation should be completed here.</p>
Where available, the last 3 years' internal audit reports of HE data systems and processes and the latest external data audit.	<p>The provider should evidence that the provider has effective arrangements for the management and quality of data and for the assurance of data used for internal decision making.</p> <p>Reference should be made to the title of the documents submitted – any narrative to support the documentation should be completed here along with an explanation of how they successfully implemented identified actions.</p>
A brief overview of the information typically contained within their management accounts, how often these are produced and with whom they are shared. If the institution does not prepare management accounts, describe any other relevant processes	<p>This will demonstrate whether the institution has got regular, reliable, timely and adequate management accounts or equally robust information to monitor operational and financial performance.</p> <p>Reference should be made to the title of the documents submitted – any narrative to support the documentation should be completed here.</p>
Where available, the last external governance effectiveness review.	Reference should be made to the title of the documents submitted – any narrative to support the documentation should be completed here along with an explanation of how they successfully implemented the actions identified in the review and details of plans for the next review.

<p>Where not included in the financial strategy narrative above, an estates strategy or equivalent, as well as information on the monitoring of estates performance.</p>	<p>A strategy would help to provide evidence of managing the estate in a sustainable way.</p> <p>Reference should be made to the title of the documents submitted – any narrative to support the documentation should be completed here.</p>
<p>Confirmation that the provider demonstrates good governance?</p>	<p>[Amend/delete the following statements <u>and</u> provide additional information, under (iii) below, where appropriate:</p> <ul style="list-style-type: none"> (i) The institution confirms that it complies/does not comply with the principles of the Higher Education Code of Governance (Committee of University Chairs (2018). (ii) The institution confirms that it complies/does not comply with the principles of Colleges Wales’ Code of Good Governance for Colleges in Wales (2016) (iii) The institution adheres to alternative, equally robust governance arrangements and the following information sets out these arrangements (please provide details). (iv) The institution cannot demonstrate adherence to robust governance arrangements. If the provider has not adhered to the recognised standards, can you explain the reason(s) for the departure(s) and detail the alternative arrangements that are in place.
<p>Information on key shareholders/governors/trustees to allow searches to be made of Companies House, where applicable this could include lists of disqualified directors.</p>	<p>This information should include details of their skills and experience along with confirmation in this section that they are eligible to act as either directors or trustees and have not been disqualified from acting as directors or trustees,</p> <p>This will allow HEFCW to assess whether the provider is owned, managed and run by ‘fit and proper persons’</p> <p>Reference should be made to the title of the documents submitted – any narrative to support the documentation should be completed here.</p>

PART E. CONTRIBUTION TO THE PUBLIC GOOD (Paras 63-77)

Public Good Statement

Provider name and address

Public good statements should be stand-alone documents and the provider name and address should be clearly set out.

Student Partnership

The provider must set out how it collaborates with the students, as partners, on the courses it wishes to be designated.

When assessing this section of the application we will expect to understand:

- how the provider identifies the priorities of its diverse range of students and how those priorities have informed the provider's objectives, and the activities and services the provider is delivering.
- how the provider feeds back to its students how it has responded to the priorities identified by its diverse range of students.

Under-represented groups

List the under-represented groups the provider has identified that it is supporting in order to improve equality of opportunity of its students.

Explanation for the provider's focus on under-represented groups

In this section HEFCW will expect the provider to set out the data and evidence for why the provider is supporting each of the under-represented groups identified in its public good statement.

Objectives, underpinning activities and targets as they relate to supporting equality of opportunity and the promotion of higher education

Equality of Opportunity

Objective

Target(s) for 2020/21

<p>The provider should set out each objective to improve equality of opportunity for its students.</p> <p>We expect the provider to have objectives to attract students and retain students from the under-represented groups it has identified.</p>	<p>The provider should include targets for 2020/21 to demonstrate intended progress towards, and ambition in, improving equality of opportunity.</p> <p>We expect the targets to:</p> <ul style="list-style-type: none"> • be SMART, • include a baseline, • be focused on outcomes rather than outputs, and • demonstrate how the provider intends to improve from its baseline.
<p>The provider should set out each objective to improve equality of opportunity for its students.</p> <p>We expect the provider to have objectives to attract students and retain students from the under-represented groups it has identified.</p>	<p>The provider should include targets for 2020/21 to demonstrate intended progress towards, and ambition in, improving equality of opportunity.</p> <p>We expect the targets to:</p> <ul style="list-style-type: none"> • be SMART, • include a baseline, • be focused on outcomes rather than outputs, and demonstrate how the provider intends to improve from its baseline.
<p>Activities and services being delivered to improve equality of opportunity in 2020/21</p>	
<p>List all of the activities and services the provider plans to deliver in 2020/21 to improve equality of opportunity</p> <p>In our assessment of the list of activities and services we will want to understand how the provider will:</p> <ul style="list-style-type: none"> • contribute to meeting the objective and related target(s) • support the under-represented groups identified by the provider • support students at all locations courses are being delivered by the provider • take account of best practice <p>We would expect the activities and services to be set out in the following way:</p> <p>In 2020/21 we will:</p> <ul style="list-style-type: none"> • 	

•	
Promotion of higher education	
Objective	Target(s) for 2020/21
The provider should set out each objective to promote higher education.	<p>The provider should include targets for 2020/21 to demonstrate intended progress towards, and ambition in, promoting higher education.</p> <p>We expect the targets to:</p> <ul style="list-style-type: none"> • be SMART, • include a baseline, • be focused on outcomes rather than outputs, and • demonstrate how the provider intends to improve from its baseline.
The provider should set out each objective to promote higher education.	<p>The provider should include targets for 2020/21 to demonstrate intended progress towards, and ambition in, promoting higher education.</p> <p>We expect the targets to:</p> <ul style="list-style-type: none"> • be SMART, • include a baseline, • be focused on outcomes rather than outputs, and • demonstrate how the provider intends to improve from its baseline.
Activities and services being delivered to promote higher education in 2020/21	
<p>List all of the activities and services the provider plans to deliver in 2020/21 to promote higher education</p> <p>In our assessment of the list of activities and services we will want to understand how the provider will:</p> <ul style="list-style-type: none"> • contribute to meeting the objective and related target(s) 	

- support students at all locations courses are being delivered by the provider
- take account of best practice

Where this information is not evident we will discuss this with the provider.

We would expect the activities and services to be set out in the following way:

In 2020/21 we will:

-
-

Investment to support public good

We expect the provider to set out the amount being invested to deliver the provider's contribution to the public good, and that investment as a proportion of the total fee income received.

Explanation for the provider's objectives, targets and activities

We require the provider to provide a brief explanation of how each objective and target, aligns with key strategic documents, including its corporate strategy and underpinning strategies including, where relevant, its strategic equality plan.

How the provider intends to review its objectives, targets and activities to improve its contribution to the public good.

Authorisation of the monitoring submission

In authorising the submission the governing body, board or equivalent confirms:

- i. that the information provided in this submission is accurate and current, at the time of writing, and is based on verifiable data.
- ii. that it has seen and considered appropriate evidence to support the declarations being made in this monitoring submission
- iii. that the provider is at a low risk of failure on financial grounds over the medium- to long- term.
- iv. that the provider complies with Competition and Markets Authority (CMA) guidelines for higher education.

Monitoring submission to HEFCW	
Date of approval:	
Authorised signature:	
Date:	

