

## Cylchlythyr | Circular

# Guidance on good practice in funding of effective, democratic student unions, and student representation

**Date:** 28 March 2012  
**Reference:** W12/09HE  
**To:** Heads of higher education institutions in Wales  
Principals of directly-funded further education colleges in Wales  
Principals of further education institutions in Wales offering franchise higher education provision  
Chairs of governors of higher education institutions and directly-funded further education colleges in Wales  
Presidents of Student Unions  
**Response by:** No response required; actions to be implemented by 1 August 2012  
**Contact:** Name: Dr Cliona O'Neill  
Telephone: 029 2068 2283  
Email: [cliona.oneill@hefcw.ac.uk](mailto:cliona.oneill@hefcw.ac.uk)

This Circular provides guidance on the funding of effective, democratic student unions (SUs), and student representation. It includes principles which should underpin the funding of SUs, principles which should underpin the relationship agreement between the SU and the institution; and a common set of core functions which all SUs should provide. These should be in place by 1 August 2012.

If you require this document in an alternative accessible format, please telephone us on (029) 2068 2225 or email [info@hefcw.ac.uk](mailto:info@hefcw.ac.uk).



Noddir gan  
Lywodraeth Cymru  
Sponsored by  
Welsh Government

## Introduction

1. This circular provides guidance for institutions on funding effective, democratic student unions (SUs), and student representation, in response to a 2011-12 remit letter request from the Welsh Government. We recognise that this is a complex area, because SUs in Wales offer diverse services and are funded in accordance with the range of services offered. This in turn leads to variation in the ways in which each SU achieves its aims. The aim of this guidance is to set minimum expectations underlying the way in which SUs are funded, and the core functions which the SUs carry out, while taking account of this diversity.
2. This guidance provides a common set of principles underpinning the funding of SUs and principles which should underpin a published Relationship Agreement between Higher Education Institutions (HEIs) and SUs in Wales. It also provides a set of minimum expectations for core functions which should be carried out by all SUs, while recognising the diversity of SUs across Wales. SUs should be appropriately funded to enable them to fulfil their core functions.
3. The effectiveness of operation of these arrangements will form part of our ongoing dialogue with institutions and with NUS Wales. We expect institutions to work in partnership with their SUs and any partner institutions they may have in order to implement this guidance by 1 August 2012.

## Background

4. HEFCW's [remit letter](#) from the Welsh Government for 2011-12 included an expectation that HEFCW 'Establish best practice in the funding of effective, democratic students' unions, and student representation on decision-making bodies, and to ensure that best practice in respect of student union representation becomes the norm in the Higher Education sector in Wales.'
5. We formed a task and finish group to advise us in undertaking this work. This consisted of the Chair of the Higher Education Wales (HEW) Pro-Vice Chancellor Learning and Teaching Advisory Group, NUS Wales President, HEW officer, NUS Wales staff member, and HEFCW officers. We also consulted our Student Experience, Teaching and Quality Committee in the development of this guidance.
6. We consulted on the proposed guidance in [Circular W11/46HE: Guidance on good practice in funding of effective, democratic student unions, and student representation](#). Responses to that consultation are provided at **Annex A**, and the respondents are detailed at **Annex B**.
7. Since 2007 HEFCW has funded a NUS Wales campaign to enhance student representation in Wales and to support SUs in participating in the QAA Institutional Review: Wales process. The campaign is entitled 'Have your Say'.
8. In 2009 a cross-sector group was formed to engage students as active participants in the leadership, management, development and delivery of their

own educational experience in Wales. It consisted of HEW, NUS Wales, HEFCW, the Quality Assurance Agency and the Higher Education Academy. The group developed the Wales Initiative for Student Engagement (WISE), which was launched by the Minister for Education in October 2009. In 2011 it was refreshed and Colleges Wales/Colegau Cymru became partners, to expand WISE across the whole of further and higher education in Wales. It was subsequently re-launched by the Minister for Education and Skills in February 2012. The WISE statement, setting out its principles of working in partnership, valuing feedback, and harnessing expertise, is attached at **Annex C**. It expects partners to work collectively to drive innovation and enable widespread adoption of good practice in student engagement.

9. The Charity Commission sets out [operational guidance for SUs](#), as most SUs are charities and have to comply with certain legal requirements. This includes the conduct of financial affairs.
10. The [Education Act 1994](#) Part II sets out requirements to be observed in relation to SUs. This includes the conduct of financial affairs, and that the SU should have a written constitution which is reviewed at least quinquennially.
11. NUS is a confederation of democratic SUs made up of around 700 self governing members across the UK. NUS Wales is an autonomous, but integral part of NUS. Individual SUs may affiliate to NUS but have their own democratic processes and are responsible for their own governance. NUS Wales aims to support and develop strong and sustainable SUs, as well as represent and champion the interests and needs of students and SUs across Wales.
12. NUS carried out a two year '[Good Governance](#)' project with SUs in England, funded by HEFCE, which resulted in the publication of good practice guidance and an associated toolkit for SUs early in 2011. The project was supported by Universities UK, the Leadership Foundation for Higher Education, the Committee of University Chairs, and the Association of Heads of University Administration.

### **Funding student unions**

13. We expect that you will address these guidelines in conjunction with the development and review of your Student Charter, in order to demonstrate engagement with the WISE principles.

#### Principles underpinning the funding of SUs

14. Although the services, activities and functions undertaken by different SUs vary, the funding of SUs should be underpinned by a series of common principles. From 2012/13 we expect the funding of all SUs in Wales to be underpinned by the following principles:

1. Each SU will have a mission and a constitution, which sets out its role, responsibilities and aims.
2. The SU will be an independent, autonomous, transparent, professionally run and democratically led organisation.
3. The SU will act with integrity, and in accordance with the [Nolan principles](#), to assure its stakeholders that the SU and its officers adhere to high standards of conduct and work in the interests of its members.
4. The SU will represent the full and diverse range of its student members, including part-time, full-time, international, European, UK, postgraduate, undergraduate, franchise, mature and non-traditional students, students with protected characteristics<sup>1</sup>, and students undertaking higher education through the medium of Welsh, or who may wish to receive Welsh language services and communications.
5. The SU should be sufficiently resourced to undertake its core functions effectively, fulfil its mission and support students in being full partners in their learning.
6. The SU will be financially transparent and will undertake effective and ongoing evaluation in order to be able to account for the funding it receives to a range of stakeholders.
7. The SU will play its full part in delivering the objectives of WISE through its funded activities.
8. The partnership between the institution and the SU will be supported through a Relationship Agreement.

15. In some cases, students at partner colleges may be best represented by a local SU. In this case there should be a formal agreement between the HE SU and the local SU clarifying the roles and responsibilities of each SU in relation to these students.

#### The Relationship Agreement

16. In accordance with the principles above, from 2012/13 we expect the relationship between the institution and the SU to be supported through a Relationship Agreement, which should be published on both the institution's and the SU's website. The Agreement will take account of the context of the institution and its partnership arrangements.
17. The NUS Good Governance project identified [principles that underpin excellent working relationships between HEIs and SUs](#). These are detailed below, and

---

<sup>1</sup> ie irrespective of age, disability, gender reassignment, pregnancy and maternity , race, religion or belief, sex, sexual orientation

have been endorsed by NUS, the Committee of University Chairs, Universities UK and GuildHE.

1. Strategic partnership: Spirit of partnership between HEI and SU informing the strategic direction of both parties and informing service agreements. Informed engagement of SU representatives in key institutional decision-making bodies.
2. Student-centred: Shared commitment to developing and improving students' experience of academia and extra-curricular aspects of their lives.
3. Respect and understanding: Clarity about, and mutual understanding of, the distinct roles of the HEI and the SU and the value that each party brings to the relationship.
4. Openness and Trust: Full, open, regular communication on relevant issues, in particular issues likely to have an impact on the other party, the student population and/or other joint stakeholders.
5. Mutual support and commitment: Constructive interactions, and demonstrable commitment to making the relationship work through investment of time and resources.
6. Independence: Recognition of the value of a strong, student-led SU empowered to determine and manage its own affairs. Recognition of the need for the HEI to balance the interests of a range of stakeholders within an increasingly challenging external context.
7. Accountability: Accountability of SU to HEI as supervisor (under the 1994 Education Act) and principal funder, within a mutually agreed framework which is robust, effective, efficient and compatible with the reporting requirements of other regulators (where relevant), such as The Charity Commission, the Office of the Scottish Charity Regulator and/or Companies House. Acknowledgement by HEI that the SU is a major stakeholder and primary body representing the student voice.
8. Diversity and equality: A shared commitment to equality and diversity and the fair treatment of all staff and students.

18. We expect Relationship Agreements in Wales to include these principles. In addition, the following two principles should also underpin the relationship agreement:

9. Student voice: The partners will work collaboratively to recognise the student voice through a range of methods, to ensure that students are partners at every level of the institution.
10. Funding: The partners will consider the core and additional functions of the SU and agree appropriate funding.

19. Both partners will need to ensure they make appropriate and timely information available to each other to support the relationship agreement.

20. The Relationship Agreement should be reviewed annually in conjunction with the annual review of the Student Charter, and quinquennially in conjunction with the review of the SU constitution. It should be endorsed by the institution's governing body.

Minimum expectations of student unions

21. All SUs are required to comply with Part II of the [Education Act 1994](#) in their conduct and operations.
22. In addition, NUS provides its member institutions with access to a model constitution, which includes objects and powers of the SU. These objects are:
- Promoting the interests and welfare of students during their course of study and representing, supporting and advising students;
  - Being the recognised representative channel between students and their HEI and any other external bodies;
  - Providing social, cultural, sporting and recreational activities and forums for discussions and debate for the personal development of its students.
23. We expect all SUs to provide a common core set of functions by 2012/13. These address the objects above, and should be provided regardless of whether or not the SU is a member of the NUS.
24. The minimum expectations are that the SU will be empowered to:

1. Ensure the democratic election of officers to deliver the mission of the SU in line with its constitution.
2. Support, represent and advise students.
3. Promote and protect the interests and welfare of students at the institution during their course of study, in partnership with the institution.
4. Provide and support an effective system of student representation in order to achieve its object of being the recognised representative channel between students and the institution, and any other external bodies.
5. Write and review the Student Charter jointly with the institution.
6. Provide trained advisors to give independent advice on academic and welfare issues, which link effectively with the services of the institution, and is underpinned by an agreement between the SU and the institution.
7. Promote student participation in surveys and other forms of feedback, including the National Student Survey, as appropriate.
8. Provide or support social, cultural, sporting and recreational activities and fora for discussions and debate for the personal development of

its Students.

9. Ensure its advice and services, and access to these, meet the needs of the diverse student body.
10. Identify an appropriate range of commercial activities and other streams of funding to support SU activities.

25. In addition to the core functions, the partners may agree funding for additional activities or services, which may vary with local needs and circumstances. These additional activities or services must align with the powers of the SU, which are helpfully defined in the model constitution.
26. The SU, and the institution as funders, need to consider the core functions and any additional activities or services to be provided by the SU, and agree a mechanism for allocating appropriate funding.

### **Next steps**

27. We expect institutions and SUs to work together to implement this guidance by 1 August 2012.
28. We will, in conjunction with NUS Wales, monitor the implementation of the guidance in autumn 2012. We will also put in place arrangements to assess the impact of Student Charters in line with our remit letter 2012-13. We intend to write to you in autumn 2012 with further details.

### **Impact assessment**

29. We have carried out an equality impact assessment (EIA) screening to help safeguard against discrimination and promote equality. We also considered the impact of policies on the Welsh language, and Welsh language provision within the HE sector in Wales. Contact [equality@hefcw.ac.uk](mailto:equality@hefcw.ac.uk) for more information about EIAs.

### **Further information**

30. If you would like further information on this circular please contact Dr Cliona O'Neill (tel 029 2068 2283; email [cliona.oneill@hefcw.ac.uk](mailto:cliona.oneill@hefcw.ac.uk) ).

## **Annex A. Responses to the consultation in Circular W11/46HE: Guidance on good practice in funding of effective, democratic student unions, and student representation**

### **Introduction**

We received 12 responses to the consultation in Circular [W11/46HE: Guidance on good practice in funding of effective, democratic student unions, and student representation](#). This included four joint responses from institutions and their student unions (SUs), two from SUs, four from higher education institutions (HEIs), and one from AMOSSHE. Respondents are detailed at **Annex B**.

### **Overall endorsement of circular**

All respondents responded positively to the consultation. They raised some general points regarding the contents, and some specific points in relation to the principles underpinning the funding of SUs, the relationship agreement, and the minimum expectations of SUs.

General points raised by respondents included:

- Welcoming the emphasis placed on good governance, transparency, and partnership working between HEIs and SUs in the interest of efficient governance and best supporting students;
- Welcoming the recognition that SUs were complex, offering diverse services and funded accordingly;
- Welcoming the recognition of the importance of the productive partnership approach between SUs and institutions;
- The guidance was a very positive development which would enhance the relationship between the SU and its institution, and provide a clearer understanding of the role of a SU;
- The circular had been extremely useful in facilitating the approaches to best practice in the funding of SUs and in student representation, particularly in relation to the set of core functions;
- Welcoming the clarity of understanding this body of work provided about the funding levels for SUs and the missions attached to their work;
- The impact assessment would build on good practice occurring across the sector;
- The background or genesis behind this guidance was not clear. If there is a weakness in institutional/Students' Union relationships then it would be useful to see this articulated, in a generic way;
- A recommendation that those responsible for HEI-SU liaison, and advice and welfare services within institutions, are involved in steering and advisory groups when developing guidance such as this.

## Principles underpinning the funding of SUs

Nine respondents raised points on the principles underpinning the funding of SUs. These included:

- Agreement that these principles should underpin the funding of SUs;
- Smaller institutions and FE institutions: some principles were likely to cause difficulty for these institutions. It would be helpful to provide guidance on relationships and shared responsibilities with small institutions with student representation arrangements other than a SU. This included clarifying whether, when establishing funding arrangements with partners which have no SU, HEIs should take account of students who will be represented by the HEI's SU;
- Recommendation that SUs undertake effective and ongoing evaluation, to ensure that their funding is most effectively and efficiently utilised to deliver against the guidance principles;
- Principle 3: One respondent considered the list of the range of students to be represented was unnecessary; another considered that it might not be exhaustive. However, the importance of representing and working on behalf of the full range of members was agreed. The principle also implied that a SU would have the capacity to provide Welsh language services and communications. It would be helpful to note the right of SUs to apportion their finite resources as dictated by the student body, as long as it adhered to its Constitution, the 1994 Education Act, and was not Ultra Vires;
- Principle 4: one SU reported lower levels of block grant funding in comparison with similar sized institutions, resulting in difficulties in providing core support to sabbatical officers;
- Principle 5: the guidance relating to financial transparency was welcomed and would build on existing arrangements; it would be helpful to clarify to whom the SU would be required to justify the funding received, and whether this should include HEFCW. SUs are currently required to justify their funding to their membership, their parent institution and the Charity Commission;
- Principle 6: the inclusion of WISE in the guidance was welcomed;
- It would be helpful to include an additional principle as contained in the NUS Good Guidance Code relating to the role of Trustees (or SU Officers) and the effectiveness of the Board of Trustees or other governing committee of a SU. The SU should be required to define and understand the role of an individual Trustee and its Board of Trustees and ensure that appropriate induction and training for all trustees is provided. It should have transparent procedures for dealing with the composition of its Board, the appointment and removal of Trustees and for reviewing Board performance. This should establish a 'behaving with integrity' principle, which would assure the University that the SU and its Officers adhere to high standards of conduct and work in the interests of their Students Union and its members.

## Relationship agreement

Nine respondents raised points regarding the relationship agreement. These included:

- Agreement with the principles underpinning excellent working relationships between HEIs and SUs;
- Querying whether a relationship agreement would duplicate arrangements already in place, or could reduce flexibility in relationships which work effectively, inhibiting the ability to respond quickly to meet student needs;
- The SU constitution could also detail the formal relationship between the SU and the institution;
- A request that, if obligatory to have a relationship agreement, there be flexibility in the content and application of such agreements, in order to allow for the local context to be taken into account;
- The relationship agreement should be established in a spirit of partnership, be student centred and the basis to enhance the overall student experience. It must avoid being developed as a quasi service agreement which is used to monitor and assess the functions of the students union;
- It would be helpful to have information on plans for relationship agreements between institutions and their Students Unions in England;
- Where appropriate, the relationship agreement should be publicly available;
- The guidance is not clear on how the planned relationship agreement would support the partnership between the SU and HEI;
- The additional principles underpinning the relationship agreement were welcomed;
- Principle 2: there should be student-centred discussions on the overall student experience, beyond learning and teaching issues.
- Principle 10: the agreement should ensure that the level and quality of core services is not overly dependant on the performance of commercial activities.

### **Minimum expectations of student unions**

Eight respondents raised points regarding the minimum expectations of SUs. These included:

- Support for the minimum expectations of SUs;
- Agreement that they represented a fair view of the priorities and principles behind the operations of the SU;
- Welfare:
  - Reservations about the expectation relating to welfare advice and support: the wording of the guidance could result in duplication of services between SUs and HEIs, and funding might be better utilised to deliver other welfare advice and support. A joined up approach to welfare would enable the SU and HEI to offer greater strength and breadth of provision in students' best interests
  - It might be more appropriate to suggest that SU provision works in partnership with the HEI's Student Services, which could offer greater strength and breadth of provision
  - The independence of the SU may mean it is the most appropriate sources of support for students in certain circumstances, eg providing advocacy for students in relation to welfare when in dispute with the HEI.

- the term 'welfare advice and support' was very broad and could result in unrealistic expectations of the SU from its members and the institution
- The relationship agreement could clarify who should deliver the required welfare and support arrangements
- SUs would like to see the best support infrastructure possible for students between the HEI and Union;
- Charters:
  - The guidance had complemented the guidance on Student Charters
  - Recommendation of a light touch approach to Charters and that they are 'good practice' rather than mandatory
  - Institutions and unions should be expected to work in partnership to develop charters, but this should be expressed as good practice
  - It would have been helpful to coordinate the section on impact assessment, including sustainability, with the guidance on student charters
  - Charters are not an exclusive SU and HEI partnership: the full HEI community should be engaged in Charter development. This collaborative approach should enable a shared understanding that Student Charters must contain readily accessible material, and state principles to which students and staff can commit
- In outlining the core functions it is important to remember that SUs differ greatly in size and structure, dependent usually on the size of the institution and the resources available;
- The core activity to 'promote student involvement in surveys, including the National Student Survey, as appropriate' is too narrow a definition, as other means of gathering student opinion exist (eg focus groups);
- It would be helpful to have an additional function to empower SUs to produce an annual evidence-based review of the student experience;
- Commercial activities:
  - There needs to be some flexibility within the guidance to allow for local variation eg the viability of commercial services may vary in each institutional context
  - The development of commercial activities and funding streams were key to the financial sustainability and stability of the SU, which was in a key position to deliver them successfully in partnership with the institution
- There should be some scope for local priorities;
- The guidance should take account of future development of SUs in line with the needs of their membership;
- Independent advice on academic issues:
  - the point is not sufficiently specific on the nature of the advice being given and the range of academic issues covered, many of which would fall within the remit and expertise of the institution rather than the SU
  - It might be better to use the term 'qualified' advisors rather than 'professional, trained' advisors, or to phrase this as advice and guidance, with referral to the appropriate institutional function as appropriate.

## **Annex B. Respondents to Circular W11/46 HE**

- AMOSSHE, the Student Services Organisation
- Bangor University – joint response from institution and the SU
- Cardiff Metropolitan University SU
- Cardiff University
- Glyndŵr University –response from the institution with support from its SU
- Swansea Metropolitan University – joint response from institution and SU
- Swansea University
- Swansea University SU
- University of Glamorgan – joint response from institution and its SU, with comments from the SU of the Royal Welsh College of Music and Drama SU
- University of Wales
- University of Wales Newport
- University of Wales Newport SU



## **WISE – The Wales Initiative for Student Engagement**

WISE is an approach which engages students as active participants in the leadership, management, development and delivery of their own educational experience and is a defining feature of further and higher education in Wales. The power of WISE is in the collective strength of further and higher education to drive innovation and enable widespread adoption of good practice in student engagement.

The aim of WISE is to ensure Wales remains at the forefront of student engagement in order continually to empower students to participate in the enhancement of their own learning experiences. WISE therefore provides students in Wales with an excellent and distinctive experience. It involves engagement at many levels, in many different forms and will primarily take place at individual institutions. WISE therefore facilitates diversity as well as providing a common aim.

The cross-sector group, formed in 2009, includes representation from Colegau Cymru/Colleges Wales, the Higher Education Academy (HEA), Higher Education Funding Council for Wales (HEFCW), Higher Education Wales (HEW), the National Union of Students in Wales (NUS Wales), and the Quality Assurance Agency (QAA). The partners work closely and collaboratively with learners to achieve joint aims and goals, reinforce, share and build upon current good practice in student engagement in further and higher education, and learn from partners across the UK, Europe and elsewhere to help Wales enhance and improve the student experience.

WISE is underpinned by three principles: working in partnership, valuing feedback, and harnessing expertise.

## **Working in Partnership – the concept of working together for the greater good**

Students know that in Wales their voice enhances further and higher education. There is a commitment to partnership working between students and staff that opens up possibilities for authentic and constructive dialogue. This enables students to be active contributors to improving the learning environment and, collectively, to be a force for influence and change.

To engage students as partners, the further and higher education sector will:

- be responsive to changes in the role and identity of students in a rapidly diversifying education sector;

- ensure that all students and staff are aware of their mutual roles and responsibilities, and those of their institutions;
- enable active student involvement and promote constructive channels of communication to improve feedback mechanisms between students and their institutions; and
- enhance student representation, including through working jointly where appropriate, to achieve common goals and share good practice.

### **Valuing Feedback - output from an event or occurrence in the past will positively influence the same event in the present or future**

Giving feedback is the most common way in which students participate in the development and enhancement of the student experience. There is wide diversity in how and when students give feedback. Effective structures are in place at institutions in Wales to gather and consider feedback from students at all levels of decision making. This is supplemented at a nationwide level by student involvement and representation at senior decision-making fora of sector bodies and agencies.

The further and higher education sector will build on the approach through:

- diversifying, and seeking continually to enhance, the ways in which students are consulted on and involved with decisions about developments in their learning;
- identifying and sharing effective practice to enable its broader uptake;
- using the outcomes of surveys and reviews to improve engagement and enhance the whole student experience;
- increasing and enhancing the opportunities for students to contribute fully to quality reviews and audit processes;
- providing students with clear information on how their feedback has been used and addressed; and
- using innovative means of communication and feedback mechanisms to support the needs of a diverse student body.

### **Harnessing Expertise – to control and use something or someone of extensive knowledge, ability or experience**

The focus of student engagement is to enhance the quality of learning for current and future generations of students. Students are best placed to know what they want when it comes to their own learning and experiences and needs. They know how they have reached their learning outcomes, how the teaching has assisted them in this process and how different approaches have affected their success in different contexts. WISE embodies a culture where students are treated as expert contributors to the student experience, with strong leadership and a positive attitude both from staff and students.

To support the WISE approach, the further and higher education sector will:

- enable wider take-up of good practice, including sharing guidance handbooks, policies and strategies for student representation and engagement;
- enable students to become fully involved in external review processes; and
- develop effective means of showing students how their expert contributions have effected change.