

Educational Oversight

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Noddir gan
Lywodraeth Cymru
Sponsored by
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Introduction

1. These procedures set out HEFCW's role as Educational Oversight body for higher education providers in Wales. They do not seek to replicate the [Home Office Guidance on Tier 4 of the points based system](#). They should therefore be read alongside that guidance. They should also be read in conjunction with our information on [regulating higher education in Wales](#).
2. The Home Office guidance sets out the requirements for education providers wishing to apply for, and hold, a licence to sponsor international students to come to the UK under Tier 4 of the Points Based System. Education providers wishing to become sponsors must demonstrate that all of their sites meet acceptable educational standards for quality, financial sustainability, management and governance. They do this via their Educational Oversight body. HEFCW is the Educational Oversight body for:
 - Institutions in Wales with an approved fee and access plan, and
 - Providers based in Wales with courses specifically designated for student support that are not subject to educational oversight by Estyn.

Requirements

Regulated institutions

3. The requirement for regulated institutions to have a 'full assessment by an Educational Oversight body' is addressed through HEFCW's Quality Assessment Framework for Wales, which stipulates that regulated institutions must commission an external quality assurance review from a body on the European Quality Assurance Register at least every six years. They must also provide information relating to their quality of education, financial viability, the organisation and management of their financial affairs, governance and a Fee and Access Plan for approval on an annual basis.
4. Sponsors must maintain their Educational Oversight for all their sites throughout the duration of their Tier 4 licence. This includes achieving and maintaining one of the required ratings set out in the relevant external quality assurance review as required by HEFCW's external quality assurance review, and maintaining satisfactory financial sustainability, management and governance.
5. For regulated institutions, the rating which institutions subject to Educational Oversight in Wales are required to achieve is as follows: Judgment that both 'the requirements of the ESG Part 1 for internal quality assurance are met (with a judgment of 'meets requirements')' and that 'the relevant baseline regulatory requirements of the QAF are met' (with a judgment of 'meets requirements').
6. If a sponsor has not achieved the required rating in its most recent review (i.e. receives a judgement of 'Meets requirements with conditions', or 'Does not meet requirements', in either judgement category, it will be able to retain its

Tier 4 licence in the short term, but will need to implement an action plan to enable the judgement to be revised within 12 months of the publication of the review outcome. If it is unsuccessful in having the judgement revised then it will become a legacy sponsor. This means that its Confirmation of Acceptance for Studies (CAS) allocation will be set to zero and it will not be allowed to sponsor any new students. However, it can continue to sponsor students who are already studying with them. Legacy Sponsors must continue to fulfil their sponsor duties.

7. A regulated institution which fails to have an unfavourable judgement reversed after 12 months of publication of the review outcome will be deemed not to have met the quality requirements for the approval of Fee and Access Plans.
8. If, following a further quality review, a provider achieves one of the required ratings while it is a legacy sponsor, it can apply to the Home Office to retain its Tier 4 sponsor status and may apply for a new CAS allocation. They would also need to reapply for Fee and Access Plan approval.
9. Sponsors with CAS allocations must notify their Educational Oversight body of any plans to begin teaching at a new site, take any steps required by the body to maintain its Educational Oversight, and provide evidence of this if required by UK Visas and Immigration (UKVI).
10. The sponsor must ensure that any teaching partner, exceptional arrangement or site it wishes to add to its Tier 4 licence meets the Educational Oversight requirements set out in the Home Office guidance.

Specifically designated providers

11. Specific designation in Wales only relates to providers that want students ordinarily resident in Wales to access student support for specific courses. Where courses are delivered under franchise arrangements, the awarding body must apply for course designation regardless of whether that awarding body is already designated.
12. The requirement for specifically designated providers to have a 'full assessment by an Educational Oversight body' is addressed through our requirement for all providers seeking specific designation to have undertaken an external quality assurance review by the Quality Assurance Agency for Higher Education (QAA). We expect applicants to have achieved required ratings in a review carried out by the QAA in the last four years, and to maintain this rating at four year intervals. We also carry out checks on financial sustainability, management and governance as part of the process for evaluating the suitability of institutions for the purposes of specific designation.
13. The review that providers seeking specific designation should undertake is the Gateway Quality Review: Wales process. Providers that have not had a successful QAA review in the past four years will be required to undertake this review to provide evidence to HEFCW that they meet the baseline

requirements in Wales. The ratings which providers are required to achieve are Confidence that a) academic standards are reliable, meet UK requirements, and are reasonably comparable with standards set and achieved in other providers in the UK and b) the quality of the student academic experience meets baseline regulatory requirements.

14. Providers that have successfully undertaken a Higher Education Review, Higher Education Review Wales, Quality Review Visit, or 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 review. They will also need to be able to continue to demonstrate satisfactory financial sustainability, management and governance.
15. Where a provider is applying for a course to be designated and that course is to be delivered under franchise arrangements, we also require evidence that the successful external quality assurance review took place at a time that the provider delivering the course was a partner of the awarding provider.
16. In every case, a provider receiving Gateway Quality Review: Wales outcomes of Limited or No Confidence that: a) academic standards are reliable, meet UK requirements, and are reasonably comparable with standards set and achieved in other providers in the UK or b) the quality of the student academic experience meets baseline regulatory requirements, will be deemed to have, or to be at risk of having, inadequate quality. They will therefore be ineligible to apply for specific designation, and for Educational Oversight.
17. Where an institution is already specifically designated and subsequently receives a judgement of Limited or No Confidence then we may recommend that it should be allowed to retain specific designation for a further year, provided it meets all our other expectations regarding specifically designated institutions. It will be made a Legacy Sponsor for Educational Oversight purposes. The retention of specific designation for a year provides the institution with the opportunity to implement an action plan to address issues identified, with the aim of having the judgement revised within twelve months.
18. If a specifically designated provider becomes a Legacy Sponsor, its CAS allocation will be set to zero. It will not be allowed to sponsor any new students but it can continue to sponsor students who are already studying with them. Legacy Sponsors must continue to fulfil their sponsor duties.
19. If, following a further QAA review, a provider achieves one of the required ratings while it is a legacy sponsor, it can apply to the Home Office to retain its Tier 4 sponsor status and may apply for a new CAS allocation.
20. In every case, sponsors must notify their Educational Oversight body of its plans to begin teaching at a new site, take any steps required by the body to maintain its Educational Oversight, and provide evidence of this if required by UKVI.

21. The sponsor must ensure that any teaching partner, exceptional arrangement or site it wishes to add to its Tier 4 licence meets the Educational Oversight requirements set out in this guidance.

Higher Education providers based outside Wales

22. HE providers based outside Wales, which are registered with other UK funders/ regulators, should inform the Educational Oversight body for their country of registration regarding any new sites, including any new sites in Wales. Provided that they do not seek student support for Welsh students, then they are not required to be specifically designated in Wales.

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