



Dros ddysgwyr, dros Gymru
For learners, for Wales

Ymateb i Ymgynghoriad / Consultation Response

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Background information about Estyn

Estyn is the Office of His Majesty's Inspectorate for Education and Training in Wales. As a Crown body, we are independent of the Welsh Government.

Our principal aim is to raise the standards and quality education and training in Wales. This is primarily set out in the Learning and Skills Act 2000¹ and the Education Act 2005. In exercising its functions, we must give regard to the:

- Quality of education and training in Wales;
- Extent to which education and training meets the needs of learners;
- Educational standards achieved by those receiving education and training in Wales;
- Quality of leadership and management of those education and training providers, including whether the financial resources made available to those providing education and training are managed efficiently and used in a way which provides value for money;
- Spiritual, moral, social and cultural development of learners; and,
- Contribution made to the well-being of learners.

Our remit includes (but is not exclusive to) nurseries and non-maintained settings, primary, secondary, special and all age schools, independent schools, pupil referrals units, further education, adult community learning, local government education services, work-based learning, and initial teacher training.

¹ This act to be replaced by the Tertiary Education and Research (Wales) Act 2022 when the quality provisions are commenced.

We may give advice to the Welsh Parliament on any matter connected to education and training in Wales. To achieve excellence for learners, we have set three strategic objectives:

- Provide accountability to service users on the quality and standards of education and training in Wales;
- Inform the development of national policy by the Welsh Government;
- Build capacity for improvement of the education and training system in Wales.

This response is not confidential.

Response

Introduction

We are overall supportive of the regulations to support the establishment of a register of tertiary education providers of higher education in Wales. In particular, we recognise and strongly welcome:

- the clear emphasis on reducing or avoiding unnecessary duplication of the administrative burden on providers, Medr and Welsh Government;
- the potential for achieving greater consistency and simplification of approval, funding and support arrangements;
- the combined overall impact of these proposals on ensuring equitable access to student support for Welsh students to study designated higher education programmes anywhere in the UK.

Consultation questions

Q 1. Do you agree with the proposal to maintain the existing policy and only specify full-time undergraduate and postgraduate certificate in education courses as qualifying courses for the purpose of tuition fee limits?

Agree

Supporting comments:

We support the proposal to retain the current policy.

This approach should provide the necessary clarity and continuity to enable a smooth transfer of responsibility during this important transition period and avoid any unnecessary disruption to existing delivery, funding and support arrangements. It should also avoid the introduction of any new administrative arrangements during the transition phase and prevent any potential disruption to the provision of these categories of courses.

Q 2. Do you agree that registration with Medr should be a prerequisite for the automatic designation of Welsh higher education courses, including part-time and postgraduate, for the purpose of Welsh Government student support?

Agree

Supporting comments:

We agree that registration with Medr should be a prerequisite for the automatic designation of Welsh higher education courses, including part-time and postgraduate, for the purpose of Welsh Government student support. We recognise and welcome the move as part of the previously stated strategy towards the delivery of a more coherent and integrated regulatory system.

The move has the potential to simplify current policy arrangements which require designation of specific courses. This should benefit all key stakeholders including Welsh Government, Medr and providers as well as providing greater clarity and reassurance for learners by avoiding any potential uncertainty for learners in relation to whether the course they are applying for will attract student support.

Q 3. Do you agree with the proposal that the higher education courses provided by OfS-registered providers, whether registered in the Approved or the Approved (fee cap) categories, should be automatically designated for the purpose of Welsh Government student support?

Agree

Supporting comments:

We agree with the proposal that the higher education courses provided by OfS-registered providers, in both Approved or Approved (fee cap) categories should be automatically designated for the purpose of Welsh Government student support. We recognise and welcome the potential savings of this approach in terms of reducing the administrative burden on both Medr and the providers involved as well as bringing course designation in line with UK government regulations for student support in England and enabling equitable access for Welsh students attending their chosen providers either in Wales or England.

Q 4. Do you agree with the proposal that the higher education courses provided by accredited school-based initial teacher training providers should be automatically designated for the purpose of Welsh Government student support?

Agree

Supporting comments:

This refers to courses in England so we support it for the reasons outlined in the response to question 3.

In Wales, we currently have no higher education programmes of initial teacher education (ITE) that are provided by schools (all programmes are provided by partnerships of higher education providers and their partner schools). If we were to have any such courses in Wales in the future, we agree that they should be automatically designated for Welsh Government support, so as to have parity with other programmes of ITE in Wales. It is important to note that the TEAB accreditation in Wales is with the course, rather than the provider so would need a different arrangement.

Q 5. What are your views on the proposed approach to the designation, for the purpose of Welsh Government student support, of courses provided on behalf of regulated higher education providers?

We support the proposed approach to the designation, for the purpose of Welsh Government student support, of courses provided on behalf of regulated higher education providers. Consistency with proposed amendments to automatic designation of registered providers in England and with Welsh Government's current policy on designation of courses provided on behalf of registered English institutions is appropriate. It would also offer continuity and ensure that potential students are able to access higher education in innovative and accessible ways beyond traditional university settings.

Q 6. Do you anticipate any resource or cost implications for your organisation arising from the proposed approach to the automatic designation of higher education courses for Welsh Government student support?

No

Supporting comments:

As Estyn is not directly involved in administering or regulating designation of higher education courses for Welsh Government student support we do not anticipate any resource or cost implications for our organisation arising from the proposed approach to automatic designation.

Q 7. Do you anticipate any cost savings for your organisation arising from the proposed approach to the designation of higher education courses for Welsh Government student support? (This can include immediate savings or long-term cost reductions.)

No

Supporting comments:

As Estyn is not directly involved in administering or regulating the designation of higher education courses for Welsh Government student support we do not anticipate any cost savings for our organisation arising from the proposed approach to the designation of higher education courses for Welsh Government student support.

Q 8. Do you think any of the proposals in this consultation could impact (positively or negatively) on any persons with protected characteristics covered by the general equality duty that is set out in the Equality Act 2010? If so, how could positive impacts be increased, or negative impacts be mitigated?

The proposed changes concern the automatic designation of higher-education courses for student-support purposes. They will not affect most students who are ordinarily resident in Wales and who use student support to fund their studies. Therefore, we do not believe any of the proposals would have a positive or negative impact on people with protected characteristics covered by the Equality Act 2010's general equality duty.

We suggest that positive impacts might be increased through targeted information designed to inform and reassure potential students with protected characteristics of their entitlement, the nature and potential extent of support and the arrangements for applying for and accessing student support.

Q 9. What, in your opinion, would be the likely effects of the proposals in this consultation on the Welsh language? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the Welsh language less favourably than English.

On the basis of the information outlined in the consultation document it appears unlikely that the proposals will have any substantial positive or adverse effects on the Welsh language.

Do you think that there are opportunities to promote any positive effects?

Providing Welsh language online and hard copy materials of key documents will be essential and helpful in emphasising the equality of access to student support for Welsh students.

Do you think that there are opportunities to mitigate any adverse effects?

Materials outlining the benefits of studying in Wales and in learning through the medium of Welsh or on programmes delivered bilingually may be helpful in encouraging uptake of such provision and in studying at further and higher institutions located in Wales.

Q 10. In your opinion, could the proposals in this consultation be formulated or changed so as to:

have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English; or

mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English?

In its current form, although the consultation document and proposals within it refers to Welsh students it makes no specific reference to the Welsh language other than in the wording of questions 9 and 10. The proposal would be strengthened by identifying opportunities to integrate Welsh language issues into various sections of the proposals. For example, the proposal should either emphasise the importance and value of considering the availability of courses delivered through the medium of Welsh or prioritise providing opportunities for students to learn or be assessed through the medium of Welsh.

Q 11. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

When discussing higher education provision with leaders and staff in further and higher education institutions we often encounter considerable confusion around the regulation, funding and student support arrangements in relation to the differences between 'prescribed' and 'non-prescribed' higher education qualifications. We would encourage more explicit description and discussion of these different categories of qualifications and their funding within the tertiary sector to minimise confusion and misunderstanding among leaders, staff and learners.