

Cylchlythyr | Circular

Revised Student Charter Guidance

Date: 17 July 2017
Reference: W17/19HE
To: Regulated institutions in Wales and their student unions
Funded institutions in Wales and their student unions
Other interested parties
Response by: No response required
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This circular provides the outcomes of circular W17/02HE, which consulted on revised guidance for Student Charters. It applies to all regulated and funded institutions. It also attaches the updated guidance.

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Introduction

1. This circular provides the outcomes of [circular W17/02HE](#), which consulted on revised guidance for Student Charters. It applies to all regulated and funded institutions. It also attaches the updated guidance.

Background

2. In 2010 HEFCW published circular [W10/07HE: Provision of information for students on cost of study](#). This was subsequently superseded by the publication of [consumer law advice for providers](#) by the Competition and Markets Authority in 2015.
3. Following consultation, HEFCW published circular W11/31HE: Guidance on the development of student charters in 2011. This required all funded institutions to publish a student charter by 2012/13. HEFCW also published Circular W11/46HE: Guidance on good practice in funding of effective, democratic student unions, and student representation. This followed the publication of a final report by the Student Charter Group (SCG) in England in 2011.
4. The Student Charter guidance was revised and republished as circular W14/05HE: Revised guidance on the development of student charters. HEFCW also published circular W14/06HE: Revised guidance on good practice in funding of effective, democratic student unions, and student representation. Institutions were required to take account of this guidance in their next annual revision of the Charter and the Relationship Agreement.
5. The 2015 Act introduced regulatory powers for HEFCW. The explanatory notes confirm that this includes an ongoing duty on HEFCW to quality assess education under section 26, should an institution no longer have a fee and access plan (FAP) in place, to provide ongoing protection for students who started their courses when an approved FAP was in place.
6. Under sections 23 of the 2015 Act HEFCW must consult the governing body of regulated institutions, and any other persons appropriate, before issuing or approving guidance relating to the quality of education. The governing body of a regulated institution must take into account any guidance issued or approved under this section, in accordance HEFCW's regulatory role.
7. The Office of the Independent Adjudicator (OIA) is the independent body that runs the student complaints scheme in England and Wales. Its Membership covers higher education providers, including FE institutions and universities. Its role is to review individual complaints by students against higher education providers. General concerns regarding academic standards and quality are dealt with separately, under HEFCW's

responsibilities in the 2015 Act, relating to provision which is inadequate or likely to become inadequate.

8. The 2011 White Paper in England, Higher Education: Students at the Heart of the System, announced the UK Department for Business, Innovation and Skills' intention to give HEFCE an explicit remit to protect the interest of students. Following this, HEFCE published a statement on its role in the collective student interest.
9. The Welsh Government Guidance to HEFCW on Fee and Access Plans notes that the regulatory system established by the 2015 Act was designed to 'provide a line of sight between the regulated providers of higher education and the application of regulatory controls to protect the interests of students, the Welsh Government and tax payers'.
10. HEFCW's Quality Assessment Committee and Student Opportunity and Achievement Committee advised Council on the outcomes of the consultation.

Outcomes of the consultation

11. The revised guidance is available at **Annex A**, and will replace that provided in [circular W14/05HE](#). It will apply to regulated and funded institutions. Students of franchise HE provision will be covered by the franchising institution's Charter.
12. Eleven responses to the consultation were received. A detailed summary of responses is available at **Annex B**. Respondents are listed at **Annex C**. A brief summary of the response to each question, together with proposed actions, is provided below.

General comments

13. A number of general comments emerged as part of the consultation:
 - Respondents were pleased to have the opportunity to engage with the exercise to develop revised guidance;
 - There was agreement that student charter guidance should be updated in light of changes to recent legislation and the Welsh Language standards;
 - Effective communication is required to ensure students are aware of the revised guidance and how their interests are protected;
 - Institutions must ensure that the revised student charter is accessible for the whole student body.

Q1 Do you agree that it is appropriate for the Student Charter to include a statement on how the student interests are protected?

14. All respondents agreed with the proposal in principle but with a number of caveats, including the suggestion that the statement should not provide complex detail about how student interests are protected, but could refer to

other sources of information already provided by institutions. There was a concern that a collective approach to producing a student charter could lead to the document becoming bland and meaningless, having lost the character of the institution in its development. There was a suggestion that the term 'student entitlements' could be used instead of 'student interests'.

Conclusion:

- *The guidance should include a statement on how the student interests are protected.*

Q2 Do you agree that it is appropriate to replace the reference to costs of study in the previous Student Charter guidance, with information on how the institution addresses its responsibilities as described in the CMA guidance?

15. The response to the question was mixed. There were suggestions that the CMA guidance could complement information provided by institutions rather than wholly replacing it. One respondent noted that the CMA guidance only related to undergraduate students, and so replacing the guidance in this area might not be relevant for all students. Students may also prefer to see explicit reference to costs of study so this should remain in the charter. There was a concern that referencing the CMA guidance may be too technical for this type of document and that perhaps the charter could link to another document in which the institution addresses its responsibilities. In addition, in relation to other work being done by HEFCW regarding prices of a 'Basket of Goods' in response to [HEFCW's 2017-18 remit letter](#) from Welsh Government, NUS Wales has noted that it is keen to maintain an emphasis on the provision of information on the full costs of study.

Conclusions:

- *The student charter guidance should require institutions to refer to the CMA guidance.*
- *The guidance should retain the separate requirement for a high level statement on the institution's provision of information on the cost of study, including signposting to full information (eg on course pages).*

Q3 Are there any unintended consequences arising from our intention to require the wording within Student Charters to be updated to reflect the Welsh language standards?

16. The majority of respondents agreed with the proposal, recognising that the wording in student charters should be updated to reflect the Welsh language standards and that this should form a key part of the charter. There was, however, a concern that updating the language within the charter should not result in omission of reference to the Coleg Cymraeg Cenedlaethol.
17. HEFCW's committees advised Council that the guidance should be updated to reflect the Welsh language standards, and should retain the

requirement for a high level statement on the institution's engagement with the Coleg Cymraeg Cenedlaethol, including a link to the Coleg's website.

Conclusions:

- *The guidance should be updated to reflect the Welsh language standards;*
- *The guidance should retain the requirement for a high level statement on the institution's engagement with the Coleg Cymraeg Cenedlaethol, including a link to the Coleg's website.*

Q4 Are there any unintended consequences resulting from the proposal to update the terminology of the Student Charter guidance to take account of the 2015 Act ?

18. All respondents agreed that there were no unintended consequences resulting from the proposal.

Conclusion:

- *The terminology of the Student Charter guidance should be updated to take account of the 2015 Act.*

Q5 Are there any issues we should be aware of in reaffirming the guidance on Relationship Agreements?

19. All respondents advised that there were no issues for officers to be aware of when reaffirming the guidance on Relationship Agreements. One respondent suggested that it was important to ensure the different purposes of Student Charters and Partnership/Relationship Agreements were clearly understood.

Conclusion:

- *The guidance should reaffirm guidance on Relationship Agreements (see para 21).*

Q6 Are there any other issues regarding the Student Charter which you would like to bring to our attention?

20. The following issues were raised:
- Student charters should be relevant and accessible to all students groups, including those undertaking study outside of the UK. Charters should be available in digital formats, preferably interactive and of an appropriate length;
 - The guidance should take into account best practice around providing safe and inclusive environments for students and reflect institutional commitments to student wellbeing;
 - Student charters should make reference to student complaints procedures and the OIA;
 - Whether the term 'student charter' has any currency in the sector and whether the guidance should have more of a focus on the student experience;

- A specific point of contact should be named within each charter document;
 - There is scope for Student Charters to play a more significant role in not just articulating what students can expect from a provider, and what is expected of students, but also in setting out what the provider-student body partnership hopes to achieve and how this will be done.
21. HEFCW's committees advised Council that the guidance should include an emphasis on checking links to ensure they remained live. They also advised that the charter should include information on contact points or associated links in relation to different elements of the charter, but not a named individual(s).

Conclusion:

- The guidance should include an emphasis on checking links to ensure they remained live;
- The charter should include information on contact points or associated links in relation to different elements of the charter, but not a named individual(s).

Relationship Agreements

22. Through this guidance we reaffirm our guidance on Relationship Agreements. The Governing Bodies of Regulated Institutions will be required to confirm that they have received a copy of the relationship agreement between the institution and the student union or equivalent, and a copy of the student charter, both of which have been reviewed within the past year.

Further information / responses to

23. For further information, contact Dr Cliona O'Neill (tel 029 2085 9731; email cliona.oneill@hefcw.ac.uk).

Assessing the impact of our policies

24. We have carried out an impact assessment 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 and potential impacts towards the goals set out in the Well-Being of Future Generations (Wales) Act 2015 including our Well-Being Objectives. Contact equality@hefcw.ac.uk for more information about impact assessments.