

Cylchlythyr | Circular

Revised Student Charter Guidance 2022

Date: 04 July 2022
Reference: W22/20HE
To: Heads of higher education institutions
Principals of regulated and/or directly-funded further
education colleges
Students' Unions in Wales
Response by: No response required
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This circular sets out HEFCW's revised guidance on student charters, together with the outcomes of the consultation carried out via circular [W21/41HE](#).

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Introduction

1. This circular sets out HEFCW's revised guidance on Student Charters, together with the outcomes of the consultation carried out via circular [W21/41HE](#).

Background

2. HEFCW has required all regulated and/or funded institutions to have a Student Charter in place since 2012/13. This requirement was set out in Circular W11/31HE. The impact of the guidance was monitored in 2013 (circular [W13/27HE](#)), and the guidance updated in response to the monitoring exercise in 2014 (circular [W14/05HE](#)). Further revisions were published in 2017 (circular [W17/19HE](#) refers), and 2019 (circular [W19/15HE](#) refers).
3. In December 2021 HEFCW consulted, via circular [W21/41HE](#), on proposed changes to the guidance to include a requirement for Student Charters to include information on safeguarding as it relates to safe, secure and inclusive higher education, as well as further information on well-being and health.

Outcomes of the consultation

4. The consultation closed in February 2022. We received 10 responses to the consultation. Respondents are listed at **Annex A**.
5. Respondents were generally supportive of our proposals to update the guidance, with some caveats. Respondents also provided suggestions for other information which could be included in the Student Charter guidance. We have taken account of some of these suggestions in the guidance and will consider the rest in future iterations of the guidance as appropriate.
6. The outcomes of the consultation have been reflected in the revised guidance, which is provided at **Annex B**.
7. In circular W21/41HE we outlined that we would review the language of the guidance to ensure that it remained accessible, particularly for the student body. A key point which was common throughout the consultation responses was the need for the guidance itself to be meaningful for institutions and the student body. We recognise that, over time, the guidance has expanded to include a number of specific requirements for information which should be included in Student Charter documents. We have reviewed the existing guidance and produced a set of high level principles and expectations, available at **Annex B**, which institutions and students' unions should take account of when reviewing the Student Charter. Institutions should continue to provide links to the information which was previously required in the Student Charter, and this is outlined in the revised guidance.
8. The Student Charter should be a jointly developed document which reflects the needs of the student body and strategic direction of the institution. It is not our

intention that the charter should replace key institutional policies and/or legal documentation.

Consultation responses

9. General comments:

- respondents were pleased to have the opportunity to engage with the exercise to develop revised guidance.
- effective communication would be required to ensure students were aware of the revised guidance.
- one response suggested that it would be useful to undertake a holistic review of Student Charter guidance, to ensure that the guidance was still useful in helping institutions to enhance the student experience.

Q1 Do you agree that it is beneficial for the Student Charter guidance to include information on safeguarding as it relates to safe, secure and inclusive higher education? (10 responses)

Agree: 4

Agree with caveat: 5

Disagree: 1

- Responses were generally supportive of the principle of promoting safe, secure and inclusive higher education in student charters, as well as information on safeguarding.
- However, there were suggestions that the use of the term 'safeguarding' could be potentially problematic or confusing as the term was typically used in reference to policy making/service provision for children, young people and vulnerable adults. Clarity, therefore, over the use of the term 'safeguarding' in this context would be welcomed.
- One response suggested that the use of the term 'safeguarding' in a higher education context had the potential to conflict with students' autonomy and agency as adults, as well as having the potential to blur lines of responsibility around a university's duty of care. The same response suggested that HEFCW preserve the term 'safeguarding' for children and vulnerable adults, with reference to this in a student charter being proportionate to its applicability to a minority of students.
- One response suggested that reference to a university's duty of care to "foster safe and inclusive environments" would be a valuable inclusion within the charter, with details relating to the university strategies and services that supported a safe and inclusive educational environment for all students.
- One response expressed concern that HEFCW would require institutions to go further than their normal common law duty of care to all students, and to expand the legal duties currently limited to children and vulnerable adults.
- One response suggested that clear guidance for institutions on issues relating to discrimination and harassment would assist institutions in providing relevant information in student charters.

- This same response suggested that commitments to equality, diversity and inclusion included in the charter should aim to be inclusive and take into account specific requirements rather than opting for statements that referred to equality 'regardless of background', reflecting that students have differential experiences because of their protected characteristics and therefore a 'one size fits all' approach 'regardless of' protected characteristics often did not take people's specific experiences into account.
 - One response suggested that it was important to highlight that a safe, secure and inclusive environment was an essential part of the provision of higher education. However, a student charter was not an appropriate place to provide information, especially links to policies and procedures, and a focus on values demonstrating a commitment to safety and inclusion would be preferable.
 - One response suggested that it would be useful to have information in the student charter guidance on HEFCW's expectations of what should be referenced relating to safeguarding and that the guidance should enable institutions to adapt the way the information was presented, recognising that each student charter would be written in different formats.
 - One response suggested that whilst safeguarding was fundamental and important to students, the proposed approach was not an effective way of communicating to students that the issue was being addressed appropriately at an institutional level.
 - One response suggested that the proposed addition of information on safeguarding would be of benefit to students, as it would enable them to better understand the actions taken by institutions to protect students and the processes in place to support this.
10. **Conclusion:** We will expect institutions to publish a high-level statement within the Student Charter confirming their commitment to fostering safe and inclusive environments as an essential element of its provision and the processes in place which demonstrate this commitment. Where appropriate, this should include information on safeguarding in practice and the institution's duty of care to the student body.

Q2 Do you agree that it is beneficial for the student charter guidance to include information on well-being and health, including mental health? (10 responses)

Agree: 6

Agree with caveat: 3

Disagree: 1

- Respondents generally agreed that it would be beneficial for the student charter guidance to include information on well-being and health, including mental health, to ensure students were aware of the support available and how they could access this support.
- One response suggested that it was important to have a clear understanding or definition of 'mental health', and that it would be useful for institutions to make clear the type of support which students could expect, as well as the limitations of the support.

- The same response suggested that it would be important for institutions to work to mitigate issues which might negatively impact on a student's well-being, including the well-being of others in the wider community.
- One response agreed that the provision of this information was important but that the charter should be designed as a set of expectations or values, and would not be a suitable repository for this information.
- One response suggested that it would be important to provide relevant links to support services for students on a range of issues in order to be inclusive, rather than focusing solely on mental health.
- One response suggested that student charter guidance should be informed by feedback from students' unions and institutions, focusing on what the relationship needed to be between students and their institutions in order to facilitate engagement, genuine partnership, and support for achieving in a safe environment. This could include the promotion of mental health support as well as safeguarding as an overall and separate theme rather than an additional requirement.

11. **Conclusion:** We will expect institutions to publish a high-level statement in the Student Charter confirming their commitment to promoting student well-being and health, with appropriate recognition of the roles of the institution and the individual student in supporting good well-being and health.

Q3 Are there any unintended consequences of including information on safeguarding as it relates to safe, secure and inclusive higher education or well-being and health, including mental health? (10 responses)

Yes: 4

No: 4

Not applicable/no response: 2

- One response suggested that there may be issues of capacity and training as well as a lack of expertise in scenarios where institutions were required to be involved in wider areas of students' lives.
- This same response welcomed the reference made to clarity of services available from third sector agencies, suggesting that it would be vital to ensure that clear processes and appropriate boundaries were in place to support students, including via the most appropriate support professional or service.
- One response cautioned, in reference to a concern relating to the term safeguarding, that institutions could be subject to potential liabilities should incidents occur and legal claims be brought.
- The same response suggested that it would be important to recognise that students would experience a range of emotions in response to their experiences and institutions should not seek to disempower students or give them the impression that they needed structured support to cope with their day-to-day lives. This response also suggested that caution should be taken to avoid giving the appearance that universities were wholly responsible for any aspects of a student's life or health, and student charters should explicitly set out the responsibilities of students in relation to

the management of their mental health and well-being, as well as those of the university in supporting them.

- One response suggested that institutions needed to be explicit with regard to the boundaries of the types of professional support services provided by institutions. References to mental health should be clear in terms of the focus being on providing a setting which is affirming of good mental health in an environment whilst encouraging intellectual challenge and rigour. Any references to professional support services provided should focus on the role of those services in helping learners navigate crises and removing barriers to attainment and learning; there would need to be clear definition between the support institutions provide to their students and support provided by statutory services and/or medical interventions.
- One response agreed that it was important to ensure institutions provided secure and inclusive environments but that student charters were not the appropriate place for this information.
- One response suggested that there was a risk that student charters could become replications of different institutional policies, which could confuse students and lead to charters becoming unwieldy.

12. **Conclusion:** We have taken account of the suggestions in relation to making the student charters a more useful and meaningful document, and will strengthen the requirement for the charter to include clear information as to the role of the institution and the student body and their expectations for each other. We will consider the other suggestions in future iterations of the student charter guidance and related guidance to support the student experience.

Q4 Are there any other amendments that could be made to the student charter guidance that would make it more useful? (10 responses)

Yes: 4

No: 4

Not applicable/no response: 2

- One response suggested that it might be helpful to ask institutions to commit to identifying students who were most 'at risk' of feeling as though their educational environment was not safe, and actively work to address this.
- One response suggested the student charter guidance could include a focus on sustainability, as it related to the Well-being of Future Generations Act. The guidance could also promote the benefits of circular economy and the commitment to achieving Net Zero.
- One response suggested that student charters should be written in student-friendly language, with flexibility in approach enabled to reflect differing student populations of HEIs in Wales.
- One response suggested that it would be important to ensure that the student charter guidance took account of the whole student population.
- One response suggested that student charters should take account of the future needs of potential students, taking into consideration projected trends. This response advised that accessible formats of student charters

should be available, including in different languages other than English, and Braille.

13. **Conclusion:** We will include a high level principle in the guidance that the student charter should take account of the goals, ways of working and sustainable development principle of the Well-being of Future Generations Act 2015. We will retain the requirement that the charter should take account of the whole student population. We will strengthen the reference in the guidance for institutions to ensure the student charter is easily accessible and available in a variety of formats.

Q5 What effect (if any), positive or adverse, will these proposals have on:

- opportunities for persons to use the Welsh language; and
- treating the Welsh language no less favourably than the English language. (10 responses)

Not applicable/no response: 6

Comments: 4

- Four respondents provided comments on this question. The remaining respondents did not provide responses.
- Responses generally noted no positive or adverse effects on the Welsh language as a result of the proposals, as long as support was available through the medium of Welsh.
- One response suggested that it was important for students to be able to communicate through their chosen language and institutions would need to ensure they had sufficient capacity to support this.
- One response suggested that students should be able to access well-being support services through the medium of Welsh.

14. **Conclusion:** We will retain the requirement that institutions should publish a high-level statement relating to their responsibilities under the Welsh Language Act. We expect that this should encompass the ways in which institutions promote the Welsh Language and opportunities to study through the medium of Welsh, including engagement with the Coleg Cymraeg Cenedlaethol. This should include ensuring that the over-arching Student Charter is available in Welsh.

Q6 How could the policy be changed so that the policy decision would have positive effects, or increased positive effects, on:

- opportunities for persons to use the Welsh language; and
- treating the Welsh language no less favourably than the English language (10 responses)

Not applicable/no response: 7

No changes: 1

Suggestions: 2

- One response suggested including a statement that the charter should be made available in Welsh.
- One response suggested that it was important for the student Charter guidance to refer to study through the medium of Welsh, accessing services through the medium of Welsh and also to celebrating Welsh language and culture. This would assist students to understand the opportunities to use Welsh in their interactions with the university and also to assist non-Welsh speakers to value the importance of language choice, recognising that Welsh should not be treated less favourably than English.

15. **Conclusion:** See paragraph 14.

Q7 Do the proposed changes have any positive or negative impacts or unintended consequences in terms of equality and diversity and the Well-being of Future Generations (Wales) Act's seven well-being goals, sustainable development principle and five ways of working? (10 responses)

Yes: 6

No: 2

Not applicable/no response: 2

- Responses indicated that there would be positive impacts in terms of equality and diversity and the Well-being of Future Generations (WBFG), particularly the goals to achieve a healthier Wales and to develop a Wales of cohesive communities, as well as emphasising the importance of health, cohesive and collaborative working, Welsh culture and language.
- One response indicated that the proposals would offer better signposting to services that already considered issues of equality and diversity, and the WBFG.
- One response indicated that the changes would assist HEFCW in complying with WBFG and guidance for public bodies.
- One response suggested that inclusion of a reference to sustainability could have a positive impact towards WBFG.
- One response indicated that the proposed amendments to ensure a safe, secure, and inclusive learning environment would reinforce a commitment to equality and diversity, and the WBFG goals.
- One response suggested that references to the importance of institutions recognising and understanding intersectionality could be strengthened along with recognition of the safeguarding needs of those who identified as non-binary.
- One response suggested that providing links to the institutional policies relating to safeguarding, violence against women, domestic violence and sexual abuse would be advantageous in order to raise awareness and provide ease of access to support.
- The same response suggested that requesting that institutions include a statement that they are committed to student well-being, including mental health, and the WBFG well-being goals and providing links to further information on the institution's strategies relating to this area, would ensure

that all institutions took committed action to ensuring that actions were put in place to improving student well-being.

16. **Conclusion:** We will include a requirement that institutions should publish a statement indicating how they support student well-being and health, with links to further information. As above, we will include a reference to the Well-being of Future Generations Act. We will consider the other suggestions in future iterations of the guidance.

Next steps

17. The revised guidance in Annex B should be considered as part of the annual process to review the student charter, undertaken by the institution and the student body in partnership, for the 2022/23 academic year and beyond. Where this review includes the Students' Union as the representative group, sabbatical officers should ensure that they are able to represent the views of the diverse student body in discussing and recommending changes to the charter, taking account of student views and working with student representatives as appropriate. Institutions should ensure that the student charter is informed by a range of staff and student views and that the process is overseen by a member of senior staff.
18. The review process should also take account of the [vision and purpose for learner involvement and student partnership](#), developed by Welsh Government and HEFCW with partner organisations and in consultation with student groups and sector representatives.
19. Institutions are asked to confirm to quality@hefcw.ac.uk by **1 October 2022** that the student charter has been updated to reflect the updated guidance.
20. Governing bodies of institutions are required to provide assurance on an annual basis that they have received a copy of the student charter and relationship agreement as part of the [Quality Assessment Framework for Wales](#). This process should take account of the updated guidance.

Further information / responses to

21. For further information, contact Nicola Hunt (029 2085 9735; nicola.hunt@hefcw.ac.uk).

Assessing the impact of our policies

22. We have carried out an impact assessment 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.

23. The Student Charter guidance requires institutions to include information in the Charter which is applicable to the diverse student body, including students with protected characteristics. We have also included an expectation that the Charter should take account of the goals, ways of working and sustainable development principle of the Well-being of Future Generations Act 2015.
24. We have retained the requirement for Student Charters to provide information on how the institution addresses its responsibilities under the Welsh Language Act, taking account of the Welsh Language Standards and promoting study through the medium of Welsh.

Annex A

Respondents

Aberystwyth University
Bangor University
Cardiff Metropolitan University
Cardiff University
Grŵp Llandrillo Menai
NPTC Group
Open University in Wales
University of South Wales
University of Wales Trinity Saint David
Wrexham Glyndŵr University