

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref KW/00525/17

Lynne Neagle AM
Chair
Children, Young People and Education Committee

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4 April 2017

Dear Lynne

Thank you for your letter of 21 March requesting clarification about two of the policy intentions flowing from the UK Government's Higher Education and Research Bill ("the Bill"). I would also like to take this opportunity to thank the Children, Young People and Education Committee for its work and support for the Legislative Consent Memoranda relating to the Bill.

Teaching Excellence Framework (TEF)

I received a letter from the NUS Wales on 16 January, which was sent to all Assembly Members, outlining their concerns in relation to the Bill. I responded on 6 February indicating that I recognise and share some of the concerns identified by NUS Wales about the UK Government's proposals for the TEF. The criteria for operation of the TEF are not those that the Welsh Government would put forward as we do not share the same marketisation approach to higher education reform favoured in England. That said, the UK Government has made a number of changes to the TEF scheme operating prior to passage of the Bill that place institutions in Wales on a more level playing field with counterparts in England. These include taking account of the context of higher education in Wales through training for assessors, allowing contextual information prepared by HEFCW and Universities Wales to be submitted with applications from Welsh institutions, and ensuring that the delivery of Welsh-medium provision will contribute towards the assessment.

I am also aware that some members of the Welsh higher education sector consider that participation in the TEF may be necessary for reputational and competitive reasons. The Welsh Government is committed to the local, national and international success of our higher education institutions and I do not want them to be at a disadvantage in comparison to the rest of the UK. Participation in the TEF is voluntary and it is currently a matter for Welsh institutions as autonomous bodies to determine whether they wish to participate in this UK Government policy.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

That said, I am aware that the Bill was subject to further amendments at Lords Report Stage (March 2017). The clause in the Bill which provided for the Welsh Ministers to consent to higher education providers in Wales participating in the TEF arrangements has been removed from the Bill. This is as a result of a non-Government amendment being agreed by the Lords. As currently drafted, the Bill will allow higher education providers in Wales to apply to participate in the arrangements without the need for Welsh Ministers' consent. My officials understand that the Department for Education (DfE) intend that provision for the Welsh Ministers to provide consent in relation to the participation of higher education providers in Wales is reinstated in the Bill before it is passed.

My officials are in regular contact with DfE officials in relation to the Bill but the Welsh Government remains opposed to full cost or near full cost fees. We do not believe that higher education should be organised on the basis of a market. However, the Welsh HE sector must be able to operate across national boundaries, and be able to react to reforms in England while remaining competitive in an environment that has significant cross-border flows of students. The Diamond report stated (and the Welsh Government accepted) that Welsh institutions should be able to charge fees at a similar level to that charged in England. However, I wish to be absolutely clear that tuition fees in Wales will not be linked to TEF ratings. The Welsh Government will continue to set tuition fee levels to its own criteria, taking account of financial sustainability, how we maintain our international competitiveness and the impact on students. Additionally, I have made clear to the UK Government that I do not want to see the ability of Welsh institutions to recruit international students to be linked to TEF.

Research funding

The UK Higher Education and Research Bill will introduce major changes in the way research is funded in the UK by the creation of a new body, UK Research and Innovation (UKRI). I made a statement to the National Assembly on 31 January 2017 on the Welsh Government's response to the report by Professor Ellen Hazelkorn on reform of post-compulsory education in Wales. I will soon be consulting on proposals to establish a single, strategic authority, overseeing post-compulsory education and training. It is currently proposed that the new authority will be responsible for planning, funding, contracting, ensuring quality, financial monitoring, audit and performance. The consultation will also set out proposals for the conferral of research funding functions on the new authority.

In line with Professor Hazelkorn's recommendations, I proposed that the current functions of the Higher Education Funding Council for Wales would be transferred to the new Authority, which would operate at arm's length from the Welsh Government. I have given a commitment that the autonomy and academic freedom enjoyed by our universities would not be affected by these changes. We will be considering in the same consultation how best to respond to the changes now being introduced at UK level in relation to research and innovation through the creation of the UKRI.

Yours sincerely



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