

TERTIARY EDUCATION AND RESEARCH (WALES) ACT 2022

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 of Schedule 3: Oversight by the Commission

178. The Commission—
- may make payments to the designated body in order to enable it to carry out its assessment functions (paragraph 5), and
 - must make arrangements for holding the body to account (paragraph 6).
179. [Paragraph 7](#) requires the designated body to prepare an annual report on the performance of its assessment functions and send it to the Commission.
180. [Paragraph 8](#) provides for the Commission to give directions to the designated body regarding performance of the assessment functions. The designated body must comply with any directions from the Commission. This may be done, for example, to ensure that certain aspects of a Commission quality assurance framework (see section 50) are given due regard in respect of higher education assessments, or where the Commission has more general concerns regarding the designated body’s conduct of its assessment functions.
181. When giving a direction to the designated body the Commission must nonetheless have regard to the designated body’s own expertise and its ability to ensure effective and impartial assessment of quality in higher education.
182. A direction given by the Commission can only relate to registered higher education providers in Wales, or a subsection of these providers.
183. [Paragraph 9](#) requires the Commission to inform the Welsh Ministers if it has concerns regarding the designated body’s performance and its suitability for carrying out its statutory functions.