



Tertiary Education and Research (Wales) Act 2022

2022 asc 1

PART 3

SECURING AND FUNDING TERTIARY EDUCATION AND RESEARCH

Terms and conditions: quality, governance etc., welfare and equal opportunities

108 Financial support under sections 89, 97 and 104: further provision about terms and conditions

- (1) When determining the terms and conditions to be imposed in relation to financial resources provided under section 89(3), 97(1)(a) or (b) or 104(1)(a) to a provider who is not a registered provider, the Commission must consider whether to impose terms and conditions relating to—
- (a) the quality of the relevant education provided by or on behalf of the provider;
 - (b) the effectiveness of the governance and management of the provider (including its financial management);
 - (c) the financial sustainability of the provider;
 - (d) the effectiveness of the provider's arrangements for supporting and promoting the welfare of its students and staff;
 - (e) the delivery of measurable outcomes to further each of the aims in subsection (2).
- (2) The aims are—
- (a) increasing participation in relevant education provided by or on behalf of the provider by persons who are members of under-represented groups;
 - (b) retention of students who are members of under-represented groups to the end of courses of relevant education provided by or on behalf of the provider;
 - (c) reduction of any gaps of attainment in relevant education provided by or on behalf of the provider between different groups of students specified in

Status: This is the original version (as it was originally enacted).

the terms and conditions where the differences arise from social, cultural, economic or organisational factors;

- (d) provision of support for students finishing courses of relevant education provided by or on behalf of the provider who are members of under-represented groups to continue their tertiary education, find employment or start a business.

(3) In this section—

“relevant education” (“*addysg berthnasol*”) means—

- (a) where financial resources are provided under section 89(3)(a) or (b), the eligible course (within the meaning given by section 89(1)) in respect of which the resources are provided;
- (b) where financial resources are provided under section 97(1)(a) or (b), the further education or training in respect of which the resources are provided;
- (c) where financial resources are provided under section 104(1)(a), the approved Welsh apprenticeship (within the meaning given by section 111) in respect of which the resources are provided;

“under-represented groups” (“*grwpiau sydd heb gynrychiolaeth ddigonol*”) are groups specified in the terms and conditions that are under-represented in relevant education as a result of social, cultural, economic or organisational factors.