

CYPE Committee Written Evidence: Tertiary Education and Research (Wales) Bill

About NUS Wales

National Union of Students Wales (NUS Wales) is the representative body of students in the further and higher education sector. We are the largest membership organisation in Wales, representing more than 300,000 university students, college students and apprentices.

Introduction

NUS Wales supports the overall aim of the Tertiary Education and Research (Wales) Bill. The creation of a single regulator for the tertiary education sector would give students greater clarity in an increasingly competitive sector and ensure less bureaucratic regulation. However, there are aspects of the Bill that we believe fall short.

Student voice

The Bill does not reflect the importance of student voice. We have made clear from our earliest conversations around the Bill that the most effective and efficient source of advocacy and representation for students is themselves - but this must be properly supported and funded. Students' unions in HE institutions have had a hugely positive impact on their students and wider communities, and the Bill presents the perfect opportunity to embed this across the sector.

We have suggested two amendments to the Bill (which can be found as Annex 1) to Welsh Government. As of the date of submitting this briefing, we have yet to hear about whether they will be accepted.

The first of these, adding student and learner voice to the strategic framework, is the most important and most disappointing not to already be in the document. It places student and learner voice on the same footing as the continuing professional development of teaching assistants.

The second of these seeks to add student and learner voice as an initial condition of registration. We are seeking this as we believe student and learner voice should be considered by the Commission in the same manner as the other initial conditions. We do not accept that the principles of student and learner voice should be different at different levels of the post-compulsory sector – the practical realities will be different, but not the principles.

Both of these would sit squarely with the Welsh Government's own "Tertiary Education and Research Strategic Vision" document for the post-compulsory sector that states the Commission "will have the interests of learners at its heart".

We are supportive of the concept behind the Learner Engagement Code and look forward to working with the Commission in the future. However, the Bill does not go far enough to ensure that the Commission must be mindful of student and learner voice and that the providers and sector it regulates. The Bill is what sets the environment that the Commission will operate in. At the moment that environment is not sufficiently reflective of student and learner interests.

Students written out of education

NUS Wales is opposed to the sole use of the word 'learner' in the draft Bill, rather than a standardised word or dual usage of student and learner. Students must not be written out of a Bill that will lay the foundations for the future of tertiary education for years to come. The most developed best practice on engagement, partnership and representation in the post-16 context uses the word 'student'. Sector bodies such as HEFCW, QAA, institutions, and representative bodies such as NUS and students' unions use the word 'student'. Practically, using the word 'learner' in this

context will lead to confusion and a dilution of students' identity and the student movement.

We strongly believe that to lose the word "student" so comprehensively would be more significant than the Welsh Government realises. The two words are not used interchangeably in the different sectors the Bill will cover.

While we accept that there are pedagogical arguments for the use of 'learner', this descriptor removes agency and implies that 'learners' exist only to learn. 'Learner' may reflect the Welsh Government's aim of embedding a lifelong understanding of the person as a learner, but it also defines them entirely through their course of study.

Being a learner is just one part of being a student or an apprentice: university students access housing, mental and physical health support and financial aid through their institution; college students are embedded in their communities and make use of local transport and sporting facilities; and apprentices often work for more hours than they receive training, usually below minimum wage without access to the same level support and advocacy as their peers in full-time education.

This could be easily amended in the Bill – currently the term "persons receiving tertiary education" is used and is shorthanded to "learner" – this could be amended to "student/learner" with little overall impact on the Bill.

Again, we have made these points previously and we would very disappointed if the language of the Bill failed to embrace the student experience with the proposals from reforming the future of the FE and HE system in Wales. Students as a cohort will feel that this Bill bears no relation to them, and that they are not even

part of the conversation, let alone central to overarching objectives of the Bill.

Students at the heart of the system

After the UK government increased tuition fees at the beginning of the previous decade, it published a White Paper entitled '[Students at the Heart of the System](#)'; this was viewed with disdain by the student movement for the gap between its title and the reality of the reforms it consulted on.

Finally, the Bill currently states that students would have just one seat on the Commission for Tertiary Education and Research (CTER) that the Bill establishes – and a non-voting seat at that. This is one fewer than the tertiary education workforce, and the same number as CTER staff. This means the Bill would increase representation of everyone in the sector except for students. Given the size of CTER's remit, a broader range of student and learner voice should be given space at the table

For decades now, Wales has been far ahead of England on protecting and enhancing the student voice, but the draft Tertiary Education and Research (Wales) Bill at present does not place "students at the heart of the system".

Contact

If you would like to discuss the contents of this briefing, please email jeremy.harvey@nus-wales.org.uk.

Annex 1 – Submitted Amendments

Part 1 Section 5 Section 2

Add -

“(c) the importance of the collective and individual voices of learners and students in the management and delivery of provision”

Part 2 Chapter 1 Section 25 Subsection 1

Add -

“(d) the effectiveness of the learner and student voice structures of the applicant tertiary education provider”