

## **Consultation – Further and Higher Education (Governance and Information) (Wales) Bill.**

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### **Introduction**

Agored Cymru is an awarding organisation that works exclusively with stakeholders in Wales to develop qualifications and accredited learning to meet priorities in Wales. Whilst we have a remit to develop qualifications for all age groups, we have a strong focus on the needs of adult learners including those that are the hardest to reach. All the FE colleges in Wales are member organisations of Agored Cymru, as the vast majority of other providers who use our qualifications and units to accredit the learning that they deliver.

We support the continuation of a strong college sector in Wales to meet the needs of individual learners, employers and Higher Education. We welcome the collaborative ethos of FE that has been fostered by Colegau Cymru evident both in the way that colleges work together and in terms of the wider partnerships between colleges and their communities, including with other learning providers. We wish to see that wider collaboration strengthened to support an appropriate diversity of provision for all learners. We believe that a college sector that is free to be more innovative together with a strong policy steer from Welsh Government and an effective use of the mechanism that call the sector to account can provide such diversity.

### **Question 1: Whether there is a need for the Bill**

We accept that there is a need for the Bill. There would appear to be considerable disadvantages if the Office for National Statistics (ONS) classification of FE colleges is not reversed, including increased administrative and financial management costs and a reduced investment in FE capital and estates.

**Question 2: The key provisions set out in the Bill and whether they are appropriate to deliver its stated purpose**

We agree that it is imperative that the Bill achieves a balance between the technical changes proposed with the need to safeguard public funds, the public interest and the needs of learners. The Bill appears to strike an appropriate balance which gives colleges greater responsibility for self management, whilst recognising the need to work within the policy steer set out by Welsh Government. It will be essential that Welsh Ministers use their powers to ensure that needs of all learners are protected, including adult learners and those for whom specific provision is prescribed.

We support the aim of reducing the restrictions on the provision of HE in FE as we believe this can enhance the availability and accessibility of higher level courses, particularly to meet widening participation priorities.

**Question 3: The financial implications arising from the Bill**

We agree that there would be additional and unnecessary costs if the Bill were not passed. Without the Bill, there is a risk to the generation of commercial income to support the delivery of learning.

**Question 4: Potential barriers to the implementation of key provisions**

We have no comment to offer.

**Question 5: Whether there are any unintended consequences arising from the Bill**

We are aware that some concerns have been expressed about the potential for FE colleges to abuse any new powers, disregard the policies of the Welsh Government and to focus on profit rather than learners and their communities. We accept there are risks but feel that on balance the safeguards are adequate and appropriate.

**Question 6: Legislative competence of the National Assembly for Wales**

We have no comment to offer.

**Question 7: Powers in the Bill for Welsh Ministers to make subordinate legislation.**

We have no comments to offer.

**Question 8: Financial implications of the Bill?**

We have no comment to offer.