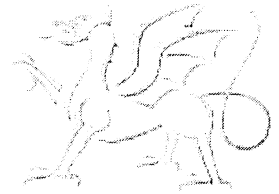


2 JUNE 2004

DP 684/03 - 07

Jane Davidson AM  
Minister for Education and Lifelong Learning  
Gweinidog dros Addysg a Dysgu Gydaol-Ddes



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Cardiff Bay/Bae Caerdydd  
Cardiff/Caerdydd  
CF99 1NA

Our ref: MB/JD/0668/04

Nick Bourne AM  
National Assembly for Wales  
Cardiff Bay  
CARDIFF  
CF99 1NA

15 June 2004

Dear Nick,

During Oral Questions to the First Minister on 8 June, you claimed that the proposed Clause 31 of the Higher Education Bill would give the National Assembly powers to interfere in matters that should be left to HE institutions as part of their fundamental academic freedom. You mentioned, as examples, designation of courses and standards of marking.

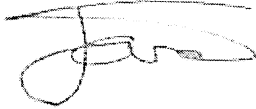
Your concerns are entirely misplaced and I hope I can set your mind at rest in the following way - I have made it clear on a number of occasions that, in using the proposed power, we will honour the constraints set by the Further and Higher Education Act 1992. This Act restricts us from attaching terms and conditions to HEFCW's grant that relate to individual institutions, particular courses of study or programmes of research or to the criteria for the selection and appointment of academic staff and for the admission of students. Moreover, there is no question of the Assembly Government imposing a policy on the sector. We will need to pass regulations to enact any policy, and the rigorous scrutiny of passing secondary legislation will be very familiar to you.

However, I want it to be possible for fee plans to be drawn more widely than just access. Our experience in Wales has been that institutions have already wholeheartedly embraced the widening access agenda and the sector as a whole performs above UK averages in this important area of work. I see fee plans as being an integral part of institutions' strategic planning process, and part of the partnership that exists between the Government, HEFCW and the individual institutions. I am therefore seeking powers to require plans to set out institutions' proposals for the additional contribution they would make to our *Reaching Higher* targets generally as a result of the additional income from variable fees, if they were to be introduced in Wales, not just to widening access.



I made clear in plenary on 9 June that *Reaching Higher* is a major Government strategy and a strong sector is more than just a higher education matter; it is central to the delivery of many the Government's objectives. Cabinet colleagues have repeatedly endorsed the principles behind *Reaching Higher* – the "something for something" agenda. Formula provision aside, no funding from the Assembly Government or its sponsored bodies will be made available to the sector outside these principles. Those *Reaching Higher* principles will also be embedded in the distribution of the supplementary income that the Assembly will be making available in lieu of variable fees.

Yours



Jane Davidson AM  
Minister for Education and Lifelong Learning