

# Medr

Y Comisiwn Addysg Drydyddol ac Ymchwil  
Commission for Tertiary Education and Research

## Medr Guidance on Varying a Fee and Access Plan

December 2024

Mae'r ddogfen hon hefyd ar gael yn y Gymraeg |  
This document is also available in Welsh  
[www.medr.cymru](http://www.medr.cymru)



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## Introduction

1. Regulated institutions are responsible for ensuring they act in accordance with their published fee and access plans and do not make commitments to students unless a fee and access plan, approved by Medr, enables it. There may be instances where institutions wish to amend or vary commitments they have made in a fee and access plan. If a regulated institution wishes to vary their fee and access plan, they must apply to Medr to do so. This guidance provides information on making changes to aspects of approved fee and access plans.
2. Institutions must inform Medr immediately of any changes to the regulatory information provided to us in approved fee and access plans. Regulatory information includes: being an institution in Wales, providing higher education, being a charity, and on matters of quality, financial viability and the management and governance of financial affairs. Further information about these aspects of regulation, as they relate to fee and access planning, are included in [the fee and access plan guidance previously published by HEFCW](#). Such changes are outside the scope of this guidance and should institutions wish to make such a change to any of this information they should contact Medr as soon as possible at [regulationadvice@medr.cymru](mailto:regulationadvice@medr.cymru).
3. This guidance provides information on applying to Medr to make changes to approved fee and access plans that relate to issues including fee levels, provision provided on behalf of a regulated institution, targets, or proportions of investment and activities. Regulated institutions must not take action in line with any varied commitment until Medr has approved a variation.

## Background

4. The [Higher Education \(Wales\) Act 2015](#) (the 2015 Act) established a regulatory framework for higher education in Wales. Regulation 9 of the 2015 Act provides for the variation of approved fee and access plans.
5. The 2015 Act strengthened HEFCW's role as a regulator, including responsibilities relating to the approval, monitoring and evaluation of fee and access plans. Medr has now inherited this role following the dissolution of HEFCW as an organisation as of 01 August 2024. Fee and Access Plans will continue to operate during the 2024/25, 2025/26 and 2026/27 academic years. From 01 August 2026, those fee and access plans will continue to operate alongside a new, registration based regulatory system.
6. The [Partnership Guidance](#) previously published by HEFCW provides information on franchise partnership arrangements in the UK, including definitions of validation and franchise arrangements<sup>1</sup>.
7. The [fee and access plan guidance](#) previously published by HEFCW provides some information on making changes to applications for new fee and access plans, ahead of the consideration of those plans by Medr. The information in this

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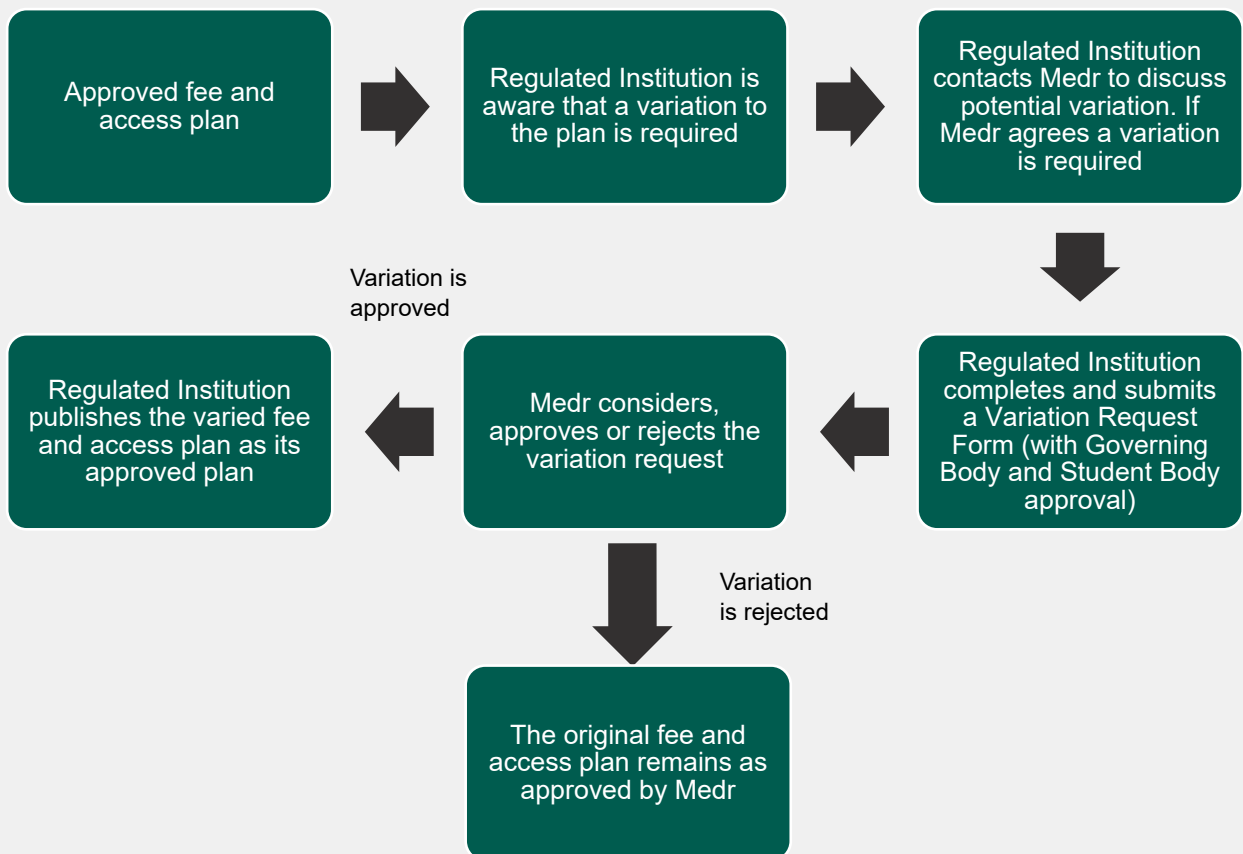
<sup>1</sup> This guidance may be revised as we develop Medr's [Quality Framework](#).

publication provides advice on requesting changes to plans already approved by HEFCW or Medr.

### The status of fee and access plans

8. We consider fee and access plans to be in the application stage until Medr formally approves them or gives notice that it intends to reject them. Under the legislation, following approval, fee and access plans are considered to be ‘in force’ from the date they are approved and ‘in effect’ in the academic years to which they relate. For example, following the final planning cycle under HEFCW, fee and access plans approved for 25/26 to 26/27 are “in force” currently, and will be “in effect” from 01 August 2025.

### Varying approved fee and access plans when they are in force: an overview



9. For further information on fee and access plans where a variation request is not approved see paragraphs 32 and 33.

### Regulations governing fee and access plan variations

10. Regulation 9 of the [Higher Education \(Fee and Access Plans\) \(Wales\) Regulations 2015](#) specifies that in making any determination in respect of approval or rejection of a variation to the approved fee and access plan, Medr must take into account:
- the need to safeguard fair access to HE;

- provisions included in the plan relating to the promotion of equality of opportunity and the promotion of HE;
- fees payable by qualifying persons undertaking qualifying courses, and;
- the proportion of fees payable by such persons undertaking such courses that the governing body will spend on the promotion of equality of opportunity and the promotion of HE.

### **When considering varying a fee and access plan**

11. The accuracy of a fee and access plan is the responsibility of the regulated institution. Medr expects institutions to actively monitor and manage the information contained within their fee and access plans and any applications made for a variation to that plan. Our expectation is that institutions take ownership of the risks associated with varying a plan, both in respect of the necessary processes required to ensure they adhere to the regulations, but also in respect of the monitoring of any outcomes associated with that variation.
12. Where institutions are considering varying approved plans they should discuss the implications of the proposed changes with Medr, at the earliest opportunity. Early notice will enable us to provide timely advice and, where necessary, agree with institutions the information we require to make a decision, together with a reasonable timeline for confirming decisions.
13. Institutions must apply to vary their plans where certain changes arise. Some amendments to fee and access plans may not require formal variation and approval. Discussing any potential changes with us, prior to submitting a variation request form, will enable us to confirm whether the formal variation process is required and reduce the reporting burden on institutions, if formal processes are not required.

### **Medr's expectations about varying approved fee and access plans**

14. Institutions must apply to Medr for approval of changes to a fee and access plan when the approved plan is in force. A variation to an approved fee and access plan can only take effect if approved in writing by Medr.
15. Institutions should inform students and potential students of students' financial commitments, including fee levels, as set out in the fee and access plan, as early as possible in the application cycle. These commitments and communications must be considered when applying for variation.
16. Medr does not expect institutions routinely to alter or amend plans once we have approved them. However, circumstances may arise when it would be reasonable to make certain changes. Where changes relate to regulatory matters, see paragraph 2 above. For other changes, governing bodies may apply to vary approved fee and access plans, while they are in force, but before they are in effect, taking account of the guidance in this publication.

## **Consumer protection considerations when varying approved plans**

17. Varying approved and published plans affects the information available to students and potential students. Institutions should ensure that they are fully compliant with the Competition and Marketing Authority's advice on [consumer protection law](#) in requesting and implementing variations to approved plans.

## **Involving students when considering varying plans**

18. Institutions must involve students at an early stage in their discussions regarding variations to plans and confirm in the variation request to Medr that this involvement has taken place. This is in addition to requiring governing body approval for any variations.

## **Changes or revisions to fee and access plans that require Medr approval through the variation process**

19. Changes to plans that Medr considers significant and requiring formal variation include, but are not limited to:
  - issues relating to fee levels;
  - new franchise agreements or new full-time courses provided on behalf of the institution which require student support;
  - new locations of study where full-time courses are being delivered, and;
  - amendments or revisions to fee and access plan objectives.
20. Where proposed changes include new fee incomes that an institution expects to receive, from new partnerships for example, we expect institutions to at least maintain the proportions of investment in equality of opportunity, the promotion of HE and student support. We will expect institutions to continue to work to secure their commitments to students. We expect regulated institutions to report in detail on these changes in their monitoring reports.
21. When drafting variations to plans, institutions should consider whether proposed changes to one part of a plan affect other parts of the plan.

## **Medr's variation process cycles**

22. Following discussions with institutions about the nature of the proposed changes, if Medr considers a formal variation is necessary, institutions will normally be required to complete a Variation Request Form that includes confirming that it has governing body approval and student body agreement to the proposed changes. The Variation Request Form is available on the [Medr website](#).
23. To support formal variation requests, institutions should submit approved plans with tracked changes. As noted above, the nature of the changes may affect several sections of fee and access plans.

24. Medr will not normally run a variation process until after a fee and access plan has been approved. It may run a variation process when it is expected that changes will be required to several fee and access plans. For example, if there are changes to the maximum fee limit. It is for institutions to ensure that they have oversight of their plans and request a variation to ensure they are compliant with the regulatory system.

### **Medr's implementation of the variation process**

25. Medr Board will consider all applications for variations to fee and access plans which involve a material change to a plan. Normally, Medr would expect to be able to complete its processes for approving or rejecting variation requests within two working months of receiving all the required documentation. Where Medr requires further information to inform decision-making, Medr will discuss a timeline with institutions. Where we make reasonable requests for further information, we expect institutions to respond to those requests in a timely manner. In the event that there are circumstances which may result in the variation of fee and access plans across multiple regulated institutions then we may issue a bespoke timetable to reflect those circumstances.
26. Medr will approve or reject, in writing all formal variation requests. Medr must confirm its approval before institutions implement or publish any changes to approved plans. If Medr approves a variation request, the institution must send Medr updated final versions of fee and access plans and a link to the University's website where the updated fee and access plan is published. All previously approved plans must also be publicly accessible.
27. In assessing requests for changes to fee and access plans, Medr will take account of the extent to which the proposed variations continue to meet, or go beyond, the commitments and ambition set out in the originally approved fee and access plans. Medr will also take account of the outcome of institutions' discussions with students about changes.

### **Publication of fee and access plans once Medr has approved variations**

28. Following Medr approval of fee and access plan variations, institutions should take account of the approved changes and send Medr a final version of the revised fee and access plan, without tracked changes. Institutions should republish prominently the revised and approved fee and access plan on its website. Institutions should publish the revised, approved plan with information that clearly outlines the changes made and confirms the date on which Medr approved the changes, including noting the agreement to the changes of the governing body and student body.
29. Where Medr does not approve fee and access plan variations, the latest, published fee and access plan as approved by Medr will stand.

### **Process following Medr's rejection of a variation request**

30. In approving or rejecting a request, Medr will act reasonably. Medr normally will not approve fee and access plan variations where:
  - i. fee limits exceed the maximum applicable fee limit specified in the legislation;
  - ii. an institution's student body has not confirmed its approval of the variation request; or
  - iii. an institution's governing body has not confirmed its approval of the submitted variation.
31. Any issues arising from the outcome of the variation process should email [regulationadvice@medr.cymru](mailto:regulationadvice@medr.cymru).

### **Variations once fee and access plans are in effect**

32. Medr would not expect to receive nor approve requests to vary approved fee and access plans once they are in effect, unless there are exceptional circumstances.
33. Exceptional circumstances may include Welsh Government policy changes, including changes to legislation, regulations or notices.

### **Submitting a request to vary a fee and access plan or for further information about fee and access planning**

34. Institutions should use the [regulation advice](mailto:regulationadvice@medr.cymru) email for all fee and access plan-related correspondence with Medr, including variation requests.

# Medr

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