

**National Assembly for Wales**  
**Environment and Sustainability Committee**  
**WFG 30**  
**Well-being of Future Generations (Wales) Bill**  
**Response from Higher Education Funding Council for Wales**

**1. How the Welsh Government should legislate to put sustainability and sustainable development at the heart of government and the wider public sector**

We support the approach adopted by the Welsh Government in seeking to place specific duties upon defined public sector bodies and in including a mechanism which seeks to coordinate this. However in relation to HEFCW we are concerned that the Bill does not recognise the unique role played by this organisation in seeking to work with both the Welsh Government and the higher education sector as a funder, partner, and increasingly as a regulator. The significant changes to HEFCW's role being introduced through the Higher Education (Wales) Bill will further define the specific powers and circumstances in which HEFCW can interact with the sector. HEFCW has previously presented evidence in response to the Higher Education (Wales) Bill Technical consultation outlining the implications of these proposals. In essence our ability to enable prompt change will be greatly reduced ( as compared with our previous capacity to use funding to incentivise such change ) other than in very limited specific circumstances.

In the context of the Future Generations (Wales) Bill our well-being objectives can only be delivered through the effective response of the HE sector in Wales to these objectives. The legislation as drafted does not make any provision for any supervisory role or power to enable HEFCW to engage meaningfully on this agenda. We are clear about the relationship between institutional autonomy and good performance of higher education systems, which requires us to adopt a partnership approach in our engagement with the sector. Given that the higher education sector is not within the list of defined public bodies cited within this Bill, and that the proposed scope of powers to be given to HEFCW through the HE Wales Bill does not directly align with this proposed legislation or its goals we will have limited scope to deliver meaningful objectives appropriately informed by the "common aim". We consider that a specific power to require an HE institution to report annually to us on the actions they've taken to support the delivery of the Well-being goals, and where appropriate their public service board goals would significantly increase the value of the higher education sector's contribution to this agenda. We believe that the HE sector in Wales could make a significant contribution to this agenda, through research, teaching, and its interaction and support of business and local communities.

Whilst we understand the legislative context that prevents the direct inclusion of the HE sector within the Bill, we would strongly advocate that consideration should be given to the inclusion of a specific power to enable HEFCW to work with the sector to provide effective engagement on this agenda. The current proposal that allows higher education institutions to be invited to participate by local service boards will not in our view maximise the contribution that the sector could make to this agenda.

**3.How effectively the Bill addresses Welsh international obligations in relation to sustainable development**

The Bill as drafted relates exclusively to the Well-being of Wales. However the role of the Commissioner, particularly in relation to enabling future generations to meet their needs, is wide ranging and we believe that in practice this will in part pick up on international obligations and ensure that they are considered within the context of this legislation. We also believe that the HE sector could make a further significant contribution in this area both through its engagement with international students, the Wales for Africa programme, and the proposed work of the United Nations Regional Centre of Expertise Wales. The legislation as proposed will not enable HEFCW or the higher education sector to ensure that these areas contribute fully to the Future Generations Bill.