

Terms of Reference – Regulation Committee

Purpose

1. The purpose of this committee is to consider and provide recommendations to the organisation on issues arising from Qualifications Wales' regulatory approach and activity.
2. Its recommendations must be endorsed by the Board before any action is taken forward, with the exception of those outlined in section 4 - Delegated Authority .
3. Where regulatory issues arise requiring specific attention, appropriate membership will be convened to deal with it on a case-by-case basis..

Role

4. The role of Regulation Committee is to:
 - provide a sounding board for the development of new regulatory policies;
 - provide guidance and recommendations in relation to regulatory approach, framework and policies;
 - review the appropriateness and effectiveness of regulatory activity;
 - provide oversight in relation to the relationships with other qualifications regulators;
 - seek Board endorsement of its recommendations in relation to regulatory disputes;
 - ensure that proper arrangements are in place for an independent review to be conducted of its regulatory processes, where one is requested;
 - provide a sounding board for relevant research projects;
 - monitor the management of risk relating to regulatory activity.

Delegated Authority

5. The Board has delegated to the Regulation Committee approval of the following:
 - Significant changes to the Standard Conditions of Recognition and Criteria for Recognition;
 - Policy on the approval of non-Priority Qualifications;
 - Policies on enforcement;
 - Policy/ies on complaints handling (other than corporate complaints);
 - Review of regulatory policies.
6. It is the judgement of the Committee to determine anything novel, contentious or of particular national significance that therefore requires Board approval and should also be reported to Welsh Government.

Membership and Attendance

7. The Committee will usually have up to six Board members including the Chief Executive. The Members of Regulation Committee are:
 - Claire Morgan, Board Member (Chair)
 - Isabel Nisbet, Board Member
 - Caroline Burt, Board Member
 - Arun Midha, Board Member
 - David Jones, Board Member
 - Philip Blaker – Chief Executive
8. Members of the Committee are appointed by the Chair of the Board who reserves the right, under the Boards scheme of delegation, to add or remove members to meet the needs of the organisation.
9. The Executive Director for Regulation should attend the committee but will not be a member of the committee. Other members of staff or external advisors may also be required to attend from time to time to assist the Committee in the discharge of its duties. A legal advisor may be co-opted onto the committee, if needed, in addition to its ordinary membership.
10. The **quorum** for Committee meetings will be three members.

Support

11. The committee will be **supported by** the Head of Corporate Governance, who will be the committee's main liaison with the organisation, administer the secretariat, facilitate committee induction, and provide advice and information to committee members (particularly in relation to the organisation's governance) at and between meetings, ensuring that effective arrangements are made for ordinary and special meetings.

Modus Operandi

12. The Committee will receive **reports as appropriate**, for example from the organisation's Executive staff. It will report to the Board via its minutes (presented by the Chair to the Board), and regular reporting.
13. It is proposed that the Committee will meet up to **5 times per year** in a timely manner. The Committee may operate and meet Ex-Committee where appropriate to fulfil its business.
14. Where the committee is acting in relation to enforcement processes, the recommendations of this committee, and the Board's endorsement of them, are subject to appeal by affected persons and will be reviewed by an independent reviewer when such a review is called for and in line with the relevant policy.