Joseph Johnson

Agreed to

That—

(1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 6 September) meet—
   (a) at 2.00 pm on Tuesday 6 September;
   (b) at 11.30 am and 2.00 pm on Thursday 8 September;
   (c) at 9.25 am and 2.00 pm on Tuesday 13 September;
   (d) at 11.30 am and 2.00 pm on Thursday 15 September;
   (e) at 9.25 am and 2.00 pm on Tuesday 11 October;
   (f) at 11.30 am and 2.00 pm on Thursday 13 October;
   (g) at 9.25 am and 2.00 pm on Tuesday 18 October;

(2) the Committee shall hear oral evidence in accordance with the following Table:
### Table

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Witness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuesday 6</td>
<td>Until no later than 10.30 am</td>
<td>Universities UK; GuildHE; Independent Higher Education (formerly Study UK); MillionPlus</td>
</tr>
<tr>
<td>September</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuesday 6</td>
<td>Until no later than 11.25 am</td>
<td>Sir Alan Langlands, Vice Chancellor, University of Leeds; Professor Sir Leszek Borysiewicz, Vice-Chancellor, University Cambridge; University of Alliance; Universities and Colleges Admissions Service (UCAS)</td>
</tr>
<tr>
<td>September</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuesday 6</td>
<td>Until no later than 2.45 pm</td>
<td>Which?; Confederation of British Industry; MoneySavingExpert.com; Professor Chris Husbands, Chair of the Teaching Excellence Framework and Vice-Chancellor, Sheffield Hallam University</td>
</tr>
<tr>
<td>September</td>
<td></td>
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<tr>
<td>Tuesday 6</td>
<td>Until no later than 3.30 pm</td>
<td>University and College of Football Business (UCFB); Condé Nast College of Fashion and Design; Further Education Trust for Leadership; Prospects College of Advanced Technology</td>
</tr>
<tr>
<td>September</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuesday 6</td>
<td>Until no later than 4.15 pm</td>
<td>University and College Union; Alison Goddard, Editor of HE; Office for Fair Access</td>
</tr>
<tr>
<td>September</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuesday 6</td>
<td>Until no later than 5.15 pm</td>
<td>Universities Scotland; Royal Society of Edinburgh; Scottish Funding Council; John Kingman, Chair of UK Research and Innovation</td>
</tr>
<tr>
<td>September</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thursday 8</td>
<td>Until no later than 12.30 pm</td>
<td>Research Councils UK; Engineering and Physical Sciences Research Council; Innovate UK; The Royal Society</td>
</tr>
<tr>
<td>September</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thursday 8</td>
<td>Until no later than 1.00 pm</td>
<td>Department for Business, Energy and Industrial Strategy; Department for Education</td>
</tr>
</tbody>
</table>

(3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clause 1; Schedule 1; Clauses 2 to 10; Schedule 2; Clauses 11 to 15; Schedule 3; Clauses 16 to 26; Schedule 4; Clauses 27 to 56; Schedule 5; Clauses 57 to 60; Schedule 6; Clauses 61 to 65; Schedule 7; Clauses 66 to 82; Schedule 8; Clause 83; Schedule 9; Clauses 84 to 104; Schedule 10, Clauses 105 to 110; Schedules 11 and 12; Clauses 111 to 113; new Clauses; new Schedules; remaining proceedings on the Bill;
Higher Education and Research Bill, continued

(4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 18 October.

The following witnesses gave oral evidence:
Professor Simon Gaskell, Treasurer, Universities UK; Professor Joy Carter, Chair and Gordon McKenzie, Chief Executive, GuildHE; Paul Kirkham, Vice Chair and Alex Proudfoot, Chief Executive, Independent Higher Education (formerly Study UK); and Pam Tatlow, Chief Executive, MillionPlus
Sir Alan Langlands, Vice Chancellor, University of Leeds; Professor Quintin McKellar, Vice-Chancellor at the University of Hertfordshire, University Alliance; Professor Sir Leszek Borysiewicz, Vice Chancellor, University of Cambridge; and Mary Curnock Cook OBE; Chief Executive, UCAS
Pete Moorey, Head of Campaigns, Which?; Neil Carberry, Director of Employment and Skills, CBI; Professor Chris Husbands, Vice Chancellor (and about to be the first chair of the Teaching Excellence Framework Panel), Sheffield Hallam University; and Martin Lewis OBE, Founder, moneysavingexpert.com
Professor Philip Wilson, Chief Executive (and Chair of Independent HE), UCFB; Angela Jones, Academic Director and Susie Forbes, Principal, Condé Nast College; Dame Ruth Silver DBE, co-chair of the Skills Commission and Founding President of the Further Education Trust for Leadership; Neil Bates, Principal and Chief Executive, Prospects College of Advanced Technology
Sally Hunt, General Secretary, University and College Union; Professor Les Ebdon CBE, Director, Office for Fair Access; Alison Goddard, Editor, *HE (Research publication)
Alastair Sim, Director, Universities Scotland; Dr John Kemp, Interim Chief Executive, Scottish Funding Council; Professor Jonathan Seckl, Royal Society of Edinburgh; and Dr John Kingman, Chair, UK research and Innovation

Joseph Johnson

That, the Order of the Committee of 6 September be varied so that the following is added at the appropriate place in the table—

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Witness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thursday 8 September</td>
<td>Until no later than 12.45 pm</td>
<td>National Union of Students</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Quality Assurance Agency for Higher Education</td>
</tr>
</tbody>
</table>

Agreed to

The following witnesses gave oral evidence:
Professor Philip Nelson, Chief Executive, Engineering and Physical Sciences Research Council (EPSRC) and Chair, Research Councils UK Strategic Executive
Dr Ruth McKernan CBE, Cfie Executive, Innovation UK, and
Professor Ottoline Leyser CBE FRS, Royal Society Fellow and Director of the Sainsbury Laboratory, Cambridge, The Royal Society;
Higher Education and Research Bill, continued

Sorana Vieru, Vice President for Higher Education, National Union of Students, and
Douglas Blackstock, Chief Executive, Quality Assurance Agency for Higher Education;
Joseph Johnson, Minister of State for Universities and Science, Department for Business,
Innovation and Skills

Valerie Vaz
Clause 1, page 1, line 5, leave out “Office for Students” and insert “Office for Higher Education”

Valerie Vaz
Clause 1, page 1, line 6, leave out “OfS” and insert “OfHE”

Valerie Vaz
Clause 1, page 1, line 7, leave out “OfS” and insert “OfHE”

Clause agreed to.

Wes Streeting
Schedule 1, page 63, line 17, leave out “twelve” and insert “ten”

Gordon Marsden
Angela Rayner
Schedule 1, page 63, line 18, at end insert—
“( ) At least one of the ordinary members appointed under sub-paragraph (1)(d) must, at the
time of their appointment, be currently engaged in the representation or promotion of the interests
of individual students, or students generally, on higher education courses provided by
higher education providers.”

Gordon Marsden
Angela Rayner
Dr Roberta Blackman-Woods
Schedule 1, page 63, line 20, after “have” insert “equal”

Gordon Marsden
Angela Rayner
Schedule 1, page 63, line 24, at end insert “or further education providers”

Wes Streeting
Schedule 1, page 63, line 37, at end insert—
"(2A) The members appointed under subsection (1) shall appoint two further members ("the student representatives") who—

(a) are persons—

(i) enrolled on a higher education course of a registered provider,

(ii) elected as representatives of a students’ union, or

(iii) elected as representatives of the National Union of Students, and

(b) are considered by the members of the OfS able to represent, or promote the interests of, a broad range of students.

(2B) For the purposes of subsection (2A), “course” means any graduate or postgraduate course.”

Gordon Marsden
Angela Rayner
Dr Roberta Blackman-Woods

Schedule 1, page 63, line 37, at end insert—

“(h) working to improve equality of opportunity and the widening of access and participation within higher education, including via part-time, adult and lifelong learning.”

Gordon Marsden
Angela Rayner

Schedule 1, page 63, line 37, at end insert—

“(i) being an employee of a higher education provider, particularly in the capacity of teaching or researching.”

Gordon Marsden
Angela Rayner
Dr Roberta Blackman-Woods

Withdrawn 127

Schedule 1, page 64, line 5, at end insert—

“( ) The Director for Fair Access and Participation shall be responsible for all the OfS Access and Participation functions.”

Wes Streeting

Withdrawn 10

Schedule 1, page 64, line 6, leave out “is responsible for reporting” and insert “must report”

Paul Blomfield

Not called 156

Schedule 1, page 64, line 6, leave out from “responsible” to the end of line 8 and insert “for the access and participation functions of the OfS and must report to other members of the OfS on the performance of these functions.”

Wes Streeting

Not called 11

Schedule 1, page 64, line 7, after first “OfS”, insert “and Secretary of State”
Higher Education and Research Bill, continued

Wes Streeting

Schedule 1, page 64, line 9, leave out “may” and insert “must”

Gordon Marsden
Angela Rayner
Dr Roberta Blackman-Woods

Schedule 1, page 64, line 9, leave out “the other members of the OfS” and insert “the Board of the OfS”

Wes Streeting

Schedule 1, page 64, line 9, after “OfS”, insert “and Secretary of State”

Wes Streeting

Schedule 1, page 64, line 12, at end insert—

“( ) The Director must prepare a report under sub-paragraphs (1) and (2) at an appropriate time but at least annually.

( ) The Director must send the report to the Secretary of State.

( ) The Secretary of State must lay the report before Parliament.”

Gordon Marsden
Angela Rayner

Schedule 1, page 64, line 21, at end insert—

“( ) The appointment of the Chair of the OfS shall be subject to a pre-appointment by the relevant Select Committees and the proposed appointment shall be subject to the passing of a resolution by each House of Parliament.”

Gordon Marsden
Angela Rayner

Schedule 1, page 64, line 39, leave out “considers appropriate” and insert “must specify”

Gordon Marsden
Angela Rayner

Schedule 1, page 65, line 3, at end insert—

“( ) Remuneration, allowances and expenses as determined under subsection (1) must be made publicly available.”

Gordon Marsden
Angela Rayner

Schedule 1, page 65, line 10, at end insert—

“(4) Compensation as determined under subsection (3) must be made publicly available.”
Higher Education and Research Bill, continued

Dr Roberta Blackman-Woods  Withdrawn  158

Schedule 1, page 65, line 31, at end insert—
“(1A) A joint committee shall be established by UKRI and OfS, which must—
(a) consist of representatives of both UKRI and OfS, and
(b) produce an annual report containing details on—
   (i) the health of the higher education sector,
   (ii) work relating to equality of opportunity,
   (iii) the health of different academic disciplines,
   (iv) research funding,
   (v) the awarding of research degrees,
   (vi) post-graduate training,
   (vii) shared facilities,
   (viii) knowledge exchange,
   (ix) skills development, and
   (x) maintaining the public interest.

(1B) The report must be sent to the Secretary of State who shall lay it before Parliament.”

Gordon Marsden  Angela Rayner  Withdrawn  133

Schedule 1, page 66, leave out lines 9 and 10

Gordon Marsden  Angela Rayner  Dr Roberta Blackman-Woods  Not called  134

Schedule 1, page 66, line 21, at end insert—
“( ) The Director for Fair Access and Participation must be consulted before any function relating to access and participation is delegated by the OfS under subsection (1).”

Paul Blomfield  Not called  157

Schedule 1, page 66, line 23, at end add—
“(3) Any functions in relation to access and participation functions will be delegated to the Director for Fair Access and Participation.”

Gordon Marsden  Angela Rayner  Withdrawn  135

Schedule 1, page 67, leave out line 31

Schedule agreed to.
Wes Streeting

Clause 2, page 1, line 8, at end insert—

“( ) Within six months of its establishment the OfS must publish its strategy to ensure fair access and promote wider participation in higher education, which must be reviewed and updated at least every three years.”

Negatived on division 20

Wes Streeting

Clause 2, page 1, line 8, at end insert—

“( ) The OfS must cooperate with the Institute for Apprenticeships to develop a strategy to encourage registered higher education providers and any institution authorised under section 40 of this Act to increase provision of higher and degree level apprenticeship places.”

Withdrawn 15

Gordon Marsden
Angela Rayner
Dr Roberta Blackman-Woods

Clause 2, page 1, line 9, after “have”, insert “equal”

Withdrawn 137

Gordon Marsden
Angela Rayner

Clause 2, page 1, line 14, after “education”, insert “only”

Not called 138

Gordon Marsden
Angela Rayner

Clause 2, page 1, line 15, after “is”, insert “shown to be”

Not called 139

Dr Roberta Blackman-Woods

Clause 2, page 1, line 15, leave out “and employers,” and insert “employers and the public interest”

Not called 160

Dr Roberta Blackman-Woods

Clause 2, page 1, line 20, at end insert—

“( ) the need to maintain confidence in the higher education sector, and in the awards which they collectively grant, among students, employers, and the wider public.”

Withdrawn 159

Wes Streeting

Clause 2, page 2, line 6, at end insert—

“( ) The OfS must monitor the geographical distribution of higher education provision and introduce measures to encourage provision where the OfS considers there to be a shortfall in relation to local demand.”

Negatived on division 28
Higher Education and Research Bill, continued

Gordon Marsden
Angela Rayner
Dr Roberta Blackman-Woods

Clause 2, page 2, line 6, at end insert—
“(g) the need to determine and promote the interests of students by consulting and working with student representatives.

( ) In this section “student representatives” means representatives with current experience of representing and promoting the interests of individual students, or students generally, on higher education courses provided by higher education providers.”

Gordon Marsden
Angela Rayner

Clause 2, page 2, line 6, at end insert—
“(g) the need to promote collaboration and innovation between English Higher Education Providers where this is in the best interest of students.”

Gordon Marsden
Angela Rayner

Clause 2, page 2, line 6, at end insert—
“(h) the need to promote adult, part-time and lifelong learning”

Dr Roberta Blackman-Woods

Clause 2, page 2, leave out lines 18 to 25

Withdrawn 161

Gordon Marsden
Angela Rayner

Clause 2, page 2, line 25, at end insert—
“(f) the creation of, or closure of, such courses, or

(g) the standards applied to such courses, or the systems or processes a provider of higher education has in place to ensure appropriate standards are applied.

(4C) In this section “standards” has the same meaning as in section 13(1)a.

(4D) In determining whether any course of study satisfies the criteria set out in paragraphs 4(a) or (b) the Secretary of State must have regard to any advice given to him by the OfS on this matter.”

Clause agreed to.

Gordon Marsden
Angela Rayner
Dr Roberta Blackman-Woods

Clause 3, page 3, line 6, leave out “may” and insert “must, after a period of consultation”

Withdrawn 143
Clause 3, page 3, line 17, at end insert—

“( ) The Secretary of State shall, on a quarterly basis, make that register available to Parliament and relevant Select Committees.”

Clause agreed to.

Clause 4, page 3, line 32, leave out “28” and insert “40”

Clause agreed to.

Clause 5, page 4, line 8, at end insert—

“(2A) Subject to subsection (2C), initial registration conditions of all providers under paragraph (1)(a) must include a requirement that every provider—

(a) provides all eligible students with the opportunity to opt in to be added to the electoral register through the process of enrolling with that provider, and

(b) enter into a data sharing agreement with the local electoral registration officer to add those students to the electoral register.

(2B) For the purposes of subsection (2A)—

(a) a “data sharing agreement” is an agreement between the higher education provider and their local authority whereby the provider shares—

(i) the name,
(ii) address,
(iii) nationality,
(iv) date of birth, and
(v) national insurance data

of all eligible students enrolling and/or enrolled with the provider who opt in within the meaning of subsection (2A)(a);

(b) “eligible” means those persons who are—

(i) entitled to vote in accordance with section 1 of the Representation of the People Act 1983, and
(ii) a resident in the same local authority as the higher education provider.

(2C) Subsection (2A) does not apply to the Open University and other distance-learning institutions.”

Withdrawn 145
Higher Education and Research Bill, continued

Gordon Marsden
Angela Rayner

Clause 5, page 4, line 11, leave out “if it appears to it appropriate to do so”
Withdrawn 146

Gordon Marsden
Angela Rayner

Clause 5, page 4, line 13, after “providers”, insert “, staff and students”
Not called 147

Gordon Marsden
Angela Rayner

Clause 5, page 4, line 17, after “institution”, insert “and the students and/or student body of that institution”
Clause agreed to.

Gordon Marsden
Angela Rayner

Clause 6, page 4, line 37, leave out “28” and insert “40”
Not called 149

Gordon Marsden
Angela Rayner

Clause 6, page 4, line 41, at end insert—
“( ) The OfS may also consider other representations from relevant stakeholders as the OfS considers appropriate.”
Clause agreed to.

Gordon Marsden
Angela Rayner

Clause 7, page 5, line 19, at end insert—
“(4) The OfS must ensure that the conditions applicable to an institution regarding registration requirements, costs and penalties are proportionate to the size, history, track-record and structure of that particular institution.”
Clause agreed to.
Higher Education and Research Bill, continued

Wes Streeting

Clause 8, page 5, line 23, at end insert—
“( ) a condition that requires the governing body of a provider to develop, publish and adhere to a Code of Practice on Student Information that must include, but shall not be restricted to, information across different academic departments relating to—

(i) the number of hours of contact time that students should expect on a weekly basis,

(ii) the processes and practices regarding marking and assessments, and

(iii) the learning facilities that are available to all students.

( ) a condition that requires the governing body of a provider to monitor performance against the expectations set by the Code of Practice on Student Information and publish an annual report on its findings.”

Wes Streeting

Clause 8, page 5, line 23, at end insert—
“( ) a condition that requires the governing body of the provider to appoint as additional members to that body at least two student representatives who—

(i) are persons enrolled on a higher education course at the institution, and

(ii) are considered by the governing body to be able to represent, or promote the interests of, a broad range of students, where “course” means any graduate or postgraduate course.”

Wes Streeting

Clause 8, page 5, line 23, at end insert—
“( ) a condition that requires the governing body of the provider to have regard to the Quality Code set out in section 24.”

Gordon Marsden
Angela Rayner

Clause 8, page 5, line 34, at end insert “and
(d) an access and participation plan condition, as defined in section 12.”

Wes Streeting

Clause 8, page 5, line 34, at end insert—
“( ) A condition that requires the governing body of a registered higher education provider to publish on the institution’s website and in its prospectus its policy in relation to contextual admissions, including but not restricted to—

(a) school performance data,

(b) socio-economic markers, and

(c) care background.”
Clause agreed to.

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Wes Streeting

Clause 9, page 5, line 39, leave out “of a prescribed description”

Wes Streeting

Clause 9, page 5, line 40, at end insert—

“( ) A provider fulfils a transparency condition if it satisfies conditions A and B.”

Wes Streeting

Clause 9, page 6, line 1, leave out “A transparency condition is a condition that” and insert “Condition A”

Gordon Marsden
Angela Rayner

Clause 9, page 6, line 9, after “background”, insert “by area and family income”

Gordon Marsden
Angela Rayner

Clause 9, page 6, line 9, at end insert—

“(iv) age band,
(v) people with disabilities, and
(vi) care leavers.”

Gordon Marsden
Angela Rayner

Clause 9, page 6, line 11, after “applications”, insert “disaggregated by the criteria mentioned in sub-paragraph (2)(b)”

Wes Streeting

Clause 9, page 6, line 14, at end insert—

“( ) The OfS must ensure that the ongoing registration conditions of each private registered higher education provider include a condition that a student’s union be established, where “student’s union” has the same meaning as in section 20 of the Education Act 1994.”

Wes Streeting

Clause 9, page 6, line 14, at end insert—

“( ) Condition B requires the governing body of a registered higher education provider to publish at an appropriate time each academic year information for each academic department in relation to—
Higher Education and Research Bill, continued

(a) retention rate,
(b) the standards attained by students completing a higher education course, where “standards” has the same meaning as in section 13, and
(c) graduate destinations.”

Gordon Marsden
Angela Rayner

Clause 9, page 6, line 14, at end insert—

“(d) If the OfS receives information under subsection (2), the OfS must notify Parliament of such information and send it to the relevant Select Committees.”

Paul Blomfield

Clause 9, page 6, line 14, at end insert—

“(f) the number of students who accepted those offers who did not begin their course with the provider;
(g) the number of students who accepted those offers who did not complete their course with the provider;
(h) the number of students who accepted those offers and completed their courses for each different level of attainment;

(4) For the purposes of paragraph (h), “different level of attainment” means the relevant different classifications of attainment for the different qualifications awarded by a higher education provider.

(5) All information specified under subsection (2) shall be provided according to the course being applied to or undertaken.”

Dr Roberta Blackman-Woods

Clause 9, page 6, line 16, at end insert—

“(4) Information provided to the OfS and published in accordance with the transparency condition shall be passed to UCAS for publication.”

Clause agreed to.

Dr Roberta Blackman-Woods

Clause 10, page 6, line 28, at end insert—

“(c) in respect of condensed courses or innovative methods of delivery, where the number of applicable years of a course is reduced from normal three year period.”

Joseph Johnson

Clause 10, page 6, line 36, after “means a” insert “higher education”

Agreed to 29

Joseph Johnson

Clause 10, page 6, line 37, after “of” insert “higher education”

Agreed to 30
Higher Education and Research Bill, continued

Joseph Johnson

Clause 10, page 7, line 2, leave out “‘course’” and insert “‘higher education course’”

Clause, as amended, agreed to.

Gordon Marsden
Angela Rayner

Page 68, line 20, leave out Schedule 2

Schedule agreed to on division.

Clause 11 agreed to.

Gordon Marsden
Angela Rayner

Clause 12, page 7, leave out lines 23 to 33

Clause agreed to.

Gordon Marsden
Angela Rayner
Dr Roberta Blackman-Woods

Withdrawn

Clause 13, page 8, line 12, at end insert “and which must include information about how students will be protected from any reasonable financial loss if an event specified by the OfS were to occur, in particular the closure of a course or a higher education provider.”

Dr Roberta Blackman-Woods

Withdrawn

Clause 13, page 8, line 17, at end insert—

“(f) a condition relating to the provision of access to a range of cultural activities including, but not restricted to, the opportunity to undertake sport and recreation and access to a range of student societies and organisations;

(g) a condition relating to the provision of student support and wellbeing services including specialist learning support;

(h) a condition relating to the provision of volunteering and exchange opportunities;

(i) a condition relating to the opportunity to join a students’ union.”
Higher Education and Research Bill, continued

Gordon Marsden
Angela Rayner

Clause 13, page 8, line 17, at end insert—

“( ) The OfS may strengthen the registration conditions for new providers depending on the assessment of that new provider’s previous track record and future sustainability.”

Clause agreed to.

Wes Streeting

Clause 14, page 8, line 27, after “documents” insert “and practices”

Gordon Marsden
Angela Rayner

Clause 14, page 8, line 34, leave out “English higher education providers” and insert “Higher education providers in England”

Gordon Marsden
Angela Rayner

Clause 14, page 8, line 40, after “law”, insert “including from Government and other stakeholders”

Wes Streeting

Clause 14, page 9, line 2, at end insert—

“( ) The list (as originally determined and as revised) must include the principle that the governing body of a higher education provider publish the ratio of pay of the highest paid employee at the institution to the pay of—

(a) the average, and

(b) the lowest paid employee at that institution.”

Wes Streeting

Clause 14, page 9, line 2, at end insert—

“( ) The list (as originally determined and as revised) must include the principle that the governing body of a higher education provider appoint as members of any committee established to consider remuneration of the institution’s employees representatives of—

(a) persons employed at the institution, and

(b) persons enrolled at the institution.”

Gordon Marsden
Angela Rayner

Clause 14, page 9, line 5, at end insert—
Higher Education and Research Bill, continued

“( ) relevant student bodies and/or their representatives,
( ) academic workforce and/or their representatives,"

Clause agreed to.

Dr Roberta Blackman-Woods

Clause 15, page 9, line 11, leave out “if it appears” and insert “where evidence has been provided”

Joseph Johnson

Clause 15, page 9, line 22, after “interest” insert “, and
(d) the retention of sums received”

Clause, as amended, agreed to.

Joseph Johnson

Schedule 3, page 72, line 34, leave out sub-paragraph (5) and insert—

“Retention of sums received

5 The OfS must pay the sums received by it by way of a penalty under section 15 or interest under paragraph 4 to the Secretary of State.”

Schedule, as amended, agreed to.

Dr Roberta Blackman-Woods

Clause 16, page 9, line 24, leave out “if it appears” and insert “where evidence has been provided”

Joseph Johnson

Clause 16, page 10, line 11, after “ends” insert “otherwise than when the provider is removed from the register”

Gordon Marsden
Angela Rayner

Clause 16, page 10, line 12, at end insert—

“(10) A suspension must not exceed 365 days.”
Clause, as amended, agreed to.

Clause 17, page 10, line 25, leave out “28” and insert “40”

Clause 17, page 10, line 36, at end insert—
“(e) specify what happens to existing students during the suspension period as documented in an institution’s student protection plan.”

Clause 17, page 10, line 42, at end insert—
“( ) section 85 in the exercise of UKRI’s power under that section to give financial support, or”

Clause, as amended, agreed to.

Clause 18, page 11, line 17, leave out “it appears” and insert “evidence has been provided”

Clause 18, page 11, leave out line 26 and insert “breach (whether or not they have been, are being or are to be, exercised in relation to it)”

Clause 18, page 11, line 37, at end insert—
“(8) The OfS must submit any list produced under subsection (7) to the Secretary of State who shall lay it before Parliament.”

Clause, as amended, agreed to.

Clause 19 agreed to.

Clause 20 agreed to.
Dr Roberta Blackman-Woods

Clause 21, page 13, line 1, leave out “it appears” and insert “evidence has been provided”

Clause agreed to.

Gordon Marsden
Angela Rayner

Clause 22, page 14, line 5, leave out “may” and insert “must”

Clause agreed to.

Clause 23 agreed to.

Wes Streeting

Clause 24, page 14, line 35, at end insert—

“( ) The Quality Assessment Committee must develop, publish and maintain a Quality Code for all registered higher education providers.

( ) The Quality Code must set out the expectations that all registered higher education providers are required to meet.

( ) The Quality Code shall include, but shall not be restricted to, expectations to ensure—

(a) that academic standards are set and maintained,
(b) that appropriate and effective teaching, support, assessment and learning resources are provided for students,
(c) the learning opportunities provided are monitored and that the provider considers how to improve such opportunities, and
(d) that valid, reliable, useful and accessible information about the provider’s provision is made available.”

Wes Streeting

Clause 24, page 14, line 36, at end insert—

“( ) the function of keeping under review and promoting the Quality Code,”

Gordon Marsden
Angela Rayner

Clause 24, page 15, line 4, at end insert “and, the collective experience of the members must span a broad range of the different types of higher education providers in England, including those offering part-time and distance learning.”
Clause 24, page 15, line 10, at end insert—

“( ) At least one member of the Committee must, at the time of their appointment, be engaged in the representation or promotion of the interests of individual students, or students generally, on higher education courses provided by higher education providers.”

Clause agreed to.

Gordon Marsden
Angela Rayner

Withdrawn after debate 198

Clause 25, page 15, line 14, at beginning insert “Subject to subsection (3),”

Joseph Johnson

Agreed to 37

Clause 25, page 15, line 14, after “ratings” insert “—

(a) ”

Joseph Johnson

Agreed to 38

Clause 25, page 15, line 15, after “and” insert “the”

Joseph Johnson

Agreed to 39

Clause 25, page 15, line 15, leave out second “the”

Joseph Johnson

Agreed to 40

Clause 25, page 15, line 16, after “rating” insert “; and

(b) to higher education providers in Wales, Scotland or Northern Ireland, in respect of whom the appropriate consent is given, regarding the quality of, and the standards applied to, higher education that they provide where they apply for such a rating.

(1A) “The appropriate consent” means—

(a) in the case of a higher education provider in Wales, the consent of the Welsh Ministers to the application of subsection (1) to the provider;

(b) in the case of a higher education provider in Scotland, the consent of the Scottish Ministers to the application of subsection (1) to the provider;

(c) in the case of a higher education provider in Northern Ireland, the consent of the Department for the Economy in Northern Ireland to the application of subsection (1) to the provider.

(1B) Such consent—

(a) may be given either generally in respect of all providers or in respect of providers of a particular description or named providers,

(b) is given by notifying the Chair of the OfS, and

(c) is valid until it is revoked by notifying the Chair.
Higher Education and Research Bill, continued

(1C) For the purposes of applying the definition of “higher education provider” in section 75(1) to subsections (1)(b) and (1A), the reference to “higher education” in that definition—

(a) in the case of an institution in Wales, has the meaning given in section 75(1);
(b) in the case of an institution in Scotland, has the same meaning as in section 38 of the Further and Higher Education (Scotland) Act 1992;
(c) in the case of an institution in Northern Ireland, has the same meaning as in Article 2(2) of the Further Education (Northern Ireland) Order 1997 (S.I. 1997/1772 (N.I. 15));

and the reference to “higher education” in subsection (1)(b) is to be read accordingly.

Joseph Johnson

Clause 25, page 15, line 17, at end insert—

“(3) For the purposes of applying that definition of “standards” to subsection (1)(b), the reference to a “higher education course” in that definition—

(a) in the case of an institution in Wales, has the meaning given in section 75(1);
(b) in the case of an institution in Scotland, means a course falling within section 38 of the Further and Higher Education (Scotland) Act 1992;
(c) in the case of an institution in Northern Ireland, means a course of any description mentioned in Schedule 1 to the Further Education (Northern Ireland) Order 1997 (S.I. 1997/1772 (N.I. 15)).”

Gordon Marsden
Angela Rayner

Clause 25, page 15, line 17, at end insert—

“(3) No arrangements for a scheme shall be made under subsection (1) unless a draft of the scheme has been laid before and approved by a resolution of both Houses of Parliament.”

Paul Blomfield

Clause 25, page 15, line 17, at end insert—

“(3) In making arrangements under subsection (1), the OfS must, after a period of consultation, make—

(a) an assessment of the evidence that any proposed metric for assessing teaching quality is in fact linked to teaching quality; and
(b) an assessment of potential unintended consequences which could arise from an institution seeking to optimise its score on each metric, with proposals on how these risks can best be mitigated.

(4) The assessment under subsection (3) must be made public.”

Clause, as amended, agreed to on division.
Higher Education and Research Bill, continued

Joseph Johnson

Clause 26, page 15, line 21, leave out “either or both of”

Agreed to 42

Joseph Johnson

Clause 26, page 15, line 26, leave out paragraph (b)

Agreed to 43

Clause 26, page 15, line 27, leave out “an assessment function, the function does” and insert “the assessment functions, the functions do”

Clause, as amended, agreed to.

Joseph Johnson

Schedule 4, page 73, line 7, leave out “either or both of”

Agreed to 45

Joseph Johnson

Schedule 4, page 73, line 10, leave out “and standards of” and insert “of, and the standards applied to,”

Agreed to 46

Schedule 4, page 73, line 15, leave out “be designated under this Schedule” and insert “perform the assessment functions”

Agreed to 47

Schedule 4, page 73, line 17, leave out “be designated under this Schedule” and insert “perform the assessment functions”

Agreed to 48

Gordon Marsden
Angela Rayner

Withdrawn after debate 230

Schedule 4, page 73, line 29, at end insert—
“(ca) a number of persons that, taken together, appear to the OfS to represent, or promote the interests of, higher education staff”

Joseph Johnson

Schedule 4, page 73, line 39, leave out “either or both of”

Agreed to 49

Joseph Johnson

Schedule 4, page 74, line 1, leave out “recommended function or functions” and insert “assessment functions”

Agreed to 50
Higher Education and Research Bill, continued

Joseph Johnson

Schedule 4, page 74, line 4, leave out “and standards of” and insert “of, and the standards applied to,” 51

Joseph Johnson

Schedule 4, page 74, line 6, leave out sub-paragraphs (3) and (4) 52

Joseph Johnson

Schedule 4, page 74, line 19, leave out from beginning to “and” 53

Joseph Johnson

Schedule 4, page 74, line 24, leave out “an assessment function” and insert “the assessment functions” 54

Joseph Johnson

Schedule 4, page 74, line 27, leave out “function” and insert “functions” 55

Dr Roberta Blackman-Woods

Withdrawn after debate 232

Schedule 4, page 74, line 30, at end insert “and students”

Dr Roberta Blackman-Woods

Not called 233

Schedule 4, page 74, line 32, after “providers” insert “and students”

Wes Streeting

Not called 4

Schedule 4, page 74, line 39, at end insert—

“Bodies suitable to perform quality assessment functions: student representatives

4A (1) A body is suitable to perform the quality assessment function under section 23 if, in addition to meeting conditions A to D, at least two of the persons who determine the strategic priorities of the body are currently enrolled on a course at a higher education provider.

(2) For the purposes of sub-paragraph (1), “course” means any graduate or postgraduate course.”

Joseph Johnson

Agreed to 56

Schedule 4, page 75, line 1, after “include” insert “the”

Joseph Johnson

Agreed to 57

Schedule 4, page 75, line 6, leave out “and standards of” and insert “of, and the standards applied to,”
Higher Education and Research Bill, continued

Gordon Marsden
Angela Rayner

Not called 231

Schedule 4, page 75, line 20, at end insert—
“(da) a number of persons that, taken together, appear to the OfS to represent, or promote the interests of, higher education staff”

Agreed to 58

Schedule 4, page 75, line 30, leave out “an assessment function” and insert “the assessment functions”

Agreed to 59

Schedule 4, page 75, line 33, leave out “designated function” and insert “assessment functions”

Agreed to 60

Schedule 4, page 75, line 37, leave out “designated function” and insert “assessment functions”

Agreed to 61

Schedule 4, page 76, line 4, leave out second “designated” and insert “assessment”

Agreed to 62

Schedule 4, page 76, line 25, at end insert—

“Power of the OfS to give directions

9A (1) The OfS may give the designated body general directions about the performance of any of the assessment functions.

(2) In giving such directions, the OfS must have regard to the need to protect the expertise of the designated body.

(3) Such directions must relate to—

(a) English higher education providers or registered higher education providers generally, or

(b) a description of such providers.

(4) The designated body must comply with any directions given under this paragraph.”

Agreed to 63

Schedule 4, page 76, line 29, leave out “designated function” and insert “assessment functions”

Agreed to 64

Schedule 4, page 76, line 30, leave out “that function” and insert “those functions”
Higher Education and Research Bill, continued

Joseph Johnson

Schedule 4, page 76, line 40, after “provided” insert “in England”

Agreed to 65

Joseph Johnson

Schedule 4, page 77, line 1, leave out “an assessment function” and insert “the assessment functions”

Agreed to 66

Schedule, as amended, agreed to.

Joseph Johnson

Clause 27, page 16, line 15, leave out subsection (3)

Agreed to 67

Joseph Johnson

Clause 27, page 16, line 20, leave out “or (3)”

Agreed to 68

Clause 27, page 16, line 21, leave out from “provider” to “by reference to” in line 22 and insert “—

(a) may be calculated,“

Agreed to 69

Clause 27, page 16, line 25, leave out from “functions;” to “may” in line 29 and insert “and

(b) “

Agreed to 70

Clause 27, page 16, line 32, leave out “or (3)”

Agreed to 71

Clause 27, page 16, line 34, leave out “in the case of subsection (2)(a),”

Agreed to 72

Clause 27, page 16, line 37, leave out paragraph (b)

Agreed to 73

Clause, as amended, agreed to.
Higher Education and Research Bill, continued

Gordon Marsden
Angela Rayner

Clause 28, page 17, line 12, at end insert—
“(1A) The OfS must appoint an independent Director for Fair Access and Participation responsible for approving access and participation plans.”

Gordon Marsden
Angela Rayner

Clause 28, page 17, line 14, leave out “OfS may, if it” and insert “Director for Fair Access and Participation may, if the Director”

Gordon Marsden
Angela Rayner

Clause 28, page 17, line 14, at end insert—
“(3A) The Director for Fair Access and Participation may make recommendations to the OfS on the matters to which the OfS should include in guidance that the Director will have regard in deciding whether to approve plans.”

Gordon Marsden
Angela Rayner

Clause 28, page 17, line 15, after first “OfS” insert “having considered any recommendations made by the Director for Fair Access and Participation and having consulted the Director,”

Gordon Marsden
Angela Rayner

Clause 28, page 17, line 15, leave out second “OfS” and insert “the Director for Fair Access and Participation”

Dr Roberta Blackman-Woods

Clause 28, page 17, line 16, at end insert—
“( ) The OfS must, in deciding whether to approve a plan, have regard to whether the governing body of an institution has consulted with relevant student representatives in producing its plan.

( ) In this section “relevant student representatives” means representatives who may be deemed to represent students on higher education courses provided by the institution including, but not limited to, persons or bodies as described by Part 2 of the Education Act 1994.”

Gordon Marsden
Angela Rayner

Clause 28, page 17, line 16, at end insert—
“(4A) Where the Director for Fair Access and Participation considers that there is significant risk to widening participation or that access targets will not be achieved, the Director may issue to a provider or class of providers, which have similar and identifiable characteristics affecting the satisfying of an access and participation plan condition—
Higher Education and Research Bill, continued

(a) guidance setting out additional matters to have regard to in connection to approving the plan; and
(b) a warning.”

Gordon Marsden
Angela Rayner

Clause 28, page 17, line 19, leave out “OfS” and insert “Director for Fair Access and Participation”

Clause agreed to.

Clause 29 agreed to.

Clause 30 agreed to.

Wes Streeting

Clause 31, page 18, line 22, at end insert—
“(1A) The regulations made under sub-section (1)(a) shall include goals for ensuring fair access and widening participation, to which a provider will be considered in agreement to achieving once a plan has been approved under section 28.”

Wes Streeting

Clause 31, page 18, line 25, leave out “subsection (1)” and insert “subsections (1) and (1A)”.

Gordon Marsden
Angela Rayner

Clause 31, page 18, line 43, at end insert—
“(g) for details of individual Higher Education providers, their policies for part-time and mature students.”

Joseph Johnson

Clause 31, page 19, line 7, after “include” insert “education provided by means of”

Clause, as amended, agreed to.

Wes Streeting

Clause 32, page 19, line 12, at end insert—
“( ) The regulations may include a designation of power to the Director of Fair Access and Participation to set specific targets for a higher education provider where the
Higher Education and Research Bill, continued

Secretary of State is of the view that the provider is failing to meet the fair access and widening participation goals under section 31(1A).

( ) Where such powers are exercised, the specific targets for a provider set by the Director of Fair Access and Participation shall be considered a general provision of the plan for the purposes of section 21 (refusal to renew an access and participation plan)."

Clause agreed to.

Clause 33 agreed to.

Gordon Marsden
Angela Rayner

Withdrawn after debate 209

Clause 34, page 19, line 31, leave out “may” and insert “should”

Clause agreed to.

Clause 35 agreed to.

Gordon Marsden
Angela Rayner

Withdrawn after debate 210

Clause 36, page 20, line 10, leave out “Secretary of State may, by direction, require the OfS to” and insert “OfS must”

Gordon Marsden
Angela Rayner

Not called 211

Clause 36, page 20, line 11, at end insert “and to the relevant select committee (or committees) of the House of Commons”

Paul Blomfield

Not called 287

Clause 36, page 20, line 15, at end insert “to include access to and participation in part-time study”

Paul Blomfield

Withdrawn after debate 288

Clause 36, page 20, line 18, at end insert—

“(3A) The Secretary of State may require a report under subsection (1) on the establishment of a national credit rating and transfer service as a means of improving access to and participation in higher education.”

Gordon Marsden
Angela Rayner

Not called 212

Clause 36, page 20, line 19, at end insert—
Higher Education and Research Bill, continued

“(5) “Relevant select committee” is the departmental select committee (or committees) appointed by the House of Commons to examine the expenditure, administration and policy of the principal government department or departments and associated public bodies with responsibilities for higher education in England.”

Clause agreed to.

Joseph Johnson

Agreed to 241

Clause 37, page 21, line 7, at end insert “but also includes a 16 to 19 Academy (as defined in section 1B(3) of the Academies Act 2010).”

Clause, as amended, agreed to.

Clause 38 agreed to.

Clause 39 agreed to.

Gordon Marsden
Angela Rayner

Withdrawn after debate 213

Clause 40, page 22, line 4, leave out “or research awards or both”

Gordon Marsden
Angela Rayner

Withdrawn after debate 219

Clause 40, page 22, line 6, after “grant” insert “taught awards and”

Gordon Marsden
Angela Rayner

Not called 214

Clause 40, page 22, line 6, at end insert—
“(1A) The OfS may by order in conjunction with UKRI authorise a registered higher education provider to grant research awards.”

Gordon Marsden
Angela Rayner

Withdrawn after debate 216

Clause 40, page 22, line 28, at end insert—
“(c) the provider operates in the interest of students and the public.”

Gordon Marsden
Angela Rayner

Not called 217

Clause 40, page 22, line 28, at end insert—
Higher Education and Research Bill, continued

“(d) the provider shows evidence of satisfactory and consistent higher education delivery for a minimum of three years, which period may be extended, as part of a partnership with a validating provider.”

Gordon Marsden
Angela Rayner

Clause 40, page 22, line 28, at end insert—
“(e) there is reasonable assurance that a provider is able to maintain the required standards for the duration of whatever authorisation period is set by the OfS”

Dr Roberta Blackman-Woods

Clause 40, page 22, line 28, at end insert—
“(c) the OfS is assured that the provider is able to maintain the required standards of a UK degree for the duration of the authorisation; and

(d) the OfS is assured that the provider operates in students’ and the public interests.”

Gordon Marsden
Angela Rayner

Clause 40, page 23, line 9, at end insert—
“(9A) In making any orders under this section, and sections 41, 42 and 43, the OfS must have due regard to the need to maintain confidence in the higher education sector, and in the awards which they collectively grant, among students, employers, and the wider public.”

Gordon Marsden
Angela Rayner

Clause 40, page 23, line 11, after “instrument” insert “approved and made by the Privy Council as an Order in Council”

Dr Roberta Blackman-Woods

Clause 40, page 23, line 21, at end insert—
“(13) The OfS must consult with UKRI, including Research England, and the appropriate National Academies and learned societies before authorising any provider to grant research awards.”

Clause agreed to on division.

Clause 41 agreed to.

Clause 42 agreed to.
Clause **43**, page **24**, line **32**, leave out subsection (3) and insert—

“(5) No order shall be made under subsection (1) unless a draft of the order has been laid before and approved by a resolution of both Houses of Parliament.”

*Clause agreed to.*

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Clause **44**, page **25**, line **14**, after “provider” insert “and other relevant organisation”

*Clause agreed to.*

Clause **45** agreed to.

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Clause **46**, page **26**, line **5**, leave out “authorised taught awards and foundation degrees” and insert “taught awards and foundation degrees that the provider is authorised to grant”

Dr Roberta Blackman-Woods

Clause **46**, page **26**, line **9**, at end insert—

“(2A) Such commissioning arrangements shall include commissioning the Open University as a validator of last resort.”

*Clause, as amended, agreed to.*

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Clause **47**, page **26**, line **42**, after “authorise” insert “authorised”

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Clause **47**, page **27**, line **2**, at end insert—

“(4A) But regulations under subsection (1) may not include power for the OfS to authorise a provider to enter on its behalf into validation arrangements which are—
Higher Education and Research Bill, continued

(a) arrangements in respect of taught awards or foundation degrees that the provider is not authorised to grant, or
(b) arrangements that the provider is not authorised to enter into.”

Joseph Johnson

Clause 47, page 27, line 11, at end insert—
“(6A) In this section, “authorised”, in relation to a registered higher education provider, means authorised to grant taught awards or foundation degrees, and to enter into validation arrangements, by—
(a) an authorisation given—
(i) under section 40(1),
(ii) by or under any other provision of an Act of Parliament, or
(iii) by Royal Charter, or
(b) an authorisation varied under section 43(1).”

Gordon Marsden
Angela Rayner
Dr Roberta Blackman-Woods

Page 26, line 26, leave out Clause 47

Clause, as amended, agreed to on division.

Clause 48 agreed to.

Joseph Johnson

Clause 49, page 28, line 18, at end insert—
“( ) In subsection (10)(a)—
(a) for “means” substitute “—
(i) means”, and
(b) after “outside the United Kingdom” insert “, and
(ii) includes the Office for Students”.”

Clause, as amended, agreed to.

Joseph Johnson

Clause 50, page 28, line 36, at end insert—
“(1) The appropriate authority may by order designate each body which appears to the authority to be a recognised body within subsection (4)(a), (b) or (c).
Higher Education and Research Bill, continued

(1A) For the purposes of sections 214 and 215, any body for the time being designated by an order under subsection (1) as a recognised body within subsection (4)(c) is conclusively presumed to be such a body.”

Joseph Johnson

Clause 50, page 28, line 37, leave out “subsections (1) and” and insert “subsection”  

Agreed to 81

Joseph Johnson

Clause 50, page 29, line 13, leave out “falling within paragraph (za) or (zb) of section 214(2)” and insert “within subsection (4)(a) or (b)”  

Agreed to 82

Joseph Johnson

Clause 50, page 29, line 16, leave out “that paragraph” and insert “subsection (4)(a)”  

Agreed to 83

Joseph Johnson

Clause 50, page 29, line 18, leave out from “body” to end of line 19  

Agreed to 84

Joseph Johnson

Clause 50, page 29, line 20, leave out “falling within paragraph (a) or (b) of section 214(2)” and insert “within subsection (4)(c)”  

Agreed to 85

Joseph Johnson

Clause 50, page 29, line 22, leave out “after “means” insert “—  

(a) a body which is authorised to grant awards by—  

(i) an authorisation given under section 40(1) of the Higher Education and Research Act 2016 (“the 2016 Act”),  
(ii) an authorisation varied under section 43(1) of the 2016 Act, or  
(iii) regulations under section 47(1) of the 2016 Act,  
(b) a body for the time being permitted by a body within paragraph (a) to act on its behalf in the granting of awards where the grant of the awards by that other body on its behalf is authorised by the authorisation or regulations mentioned in paragraph (a), or  
(c) ”.

Agreed to 86

Joseph Johnson

Clause 50, page 29, line 22, at end insert—  

“( ) In the heading, after “awards” insert “etc”.”

Agreed to 87

Joseph Johnson

Clause 50, page 29, line 33, leave out “by the Secretary of State”

Agreed to 88
Clause, as amended, agreed to.

Gordon Marsden
Angela Rayner
Clause 51, page 30, line 15, leave out “(instead of the Privy Council)” and insert “and the Privy Council”

Dr Roberta Blackman-Woods
Withdrawn after debate
Clause 51, page 30, line 16, at end insert—
“(2A) The power may be exercised as to include the word university in the name of the institution only when it can demonstrate that—
(a) it offers access to a range of cultural activities including, but not restricted to, the opportunity to undertake sport and recreation and access to a range of student societies and organisations;
(b) it provides students support and wellbeing services including specialist learning support;
(c) it provides opportunities for volunteering;
(d) it provides the opportunity to join a students’ union; and
(e) it plays a positive civic role.”

Clause agreed to.

Gordon Marsden
Angela Rayner
Clause 52, page 31, line 7, leave out “Office for Students” and insert “Privy Council”

Gordon Marsden
Angela Rayner
Clause 52, page 31, line 18, leave out lines 18 to 21

Gordon Marsden
Angela Rayner
Clause 52, page 31, line 22, leave out lines 22 to 25

Gordon Marsden
Angela Rayner
Clause 52, page 31, line 26, leave out “Office for Students” and insert “the Office for Students and the Privy Council”
Clause agreed to.

Gordon Marsden
Angela Rayner

Clause 53, page 32, line 5, leave out “OfS” and insert “the Office for Students and the Privy Council”

Clause agreed to.

Clause 54 agreed to.

Clause 55 agreed to.

Joseph Johnson

Agreed to 89

Clause 56, page 33, line 31, after “providers” insert “or linked institutions in relation to such providers”

Joseph Johnson

Agreed to 90

Clause 56, page 33, line 39, at end insert—

“(3) A “linked institution” in relation to a supported higher education provider means an institution which acts on behalf of the provider in the provision of a higher education course by the provider.”

Clause, as amended, agreed to.

Joseph Johnson

Agreed to 91

Schedule 5, page 77, line 11, after “provider” insert “or a linked institution in relation to such a provider”

Joseph Johnson

Agreed to 92

Schedule 5, page 77, line 17, after “provider” insert “or a linked institution in relation to such a provider”

Dr Roberta Blackman-Woods

Withdrawn after debate 290

Schedule 5, page 77, line 25, at end insert—

“(e) the justice of the peace is satisfied that the use of entry and search powers is the only practicable way for the matter to be investigated.”
Schedule 5, page 77, line 32, leave out paragraph (a)

Agreed to 291

Schedule 5, page 78, line 7, after “provider” insert “or linked institution”

Agreed to 94

Schedule 5, page 78, line 20, after “provider” insert “or linked institution”

Agreed to 95

Schedule 5, page 79, line 1, after “the” insert “relevant”

Agreed to 96

Schedule 5, page 79, line 2, leave out “occupying the premises”

Agreed to 97

Schedule 5, page 79, line 7, after “the” insert “relevant”

Agreed to 98

Schedule 5, page 79, line 8, leave out “occupying the premises”

Agreed to 99

Schedule 5, page 81, line 36, at end insert—

“‘linked institution’, in relation to a supported higher education provider, has the meaning given in section 56(3);”

Agreed to 100

Schedule 5, page 81, line 36, at end insert—

“‘relevant supported higher education provider’ means—

(a) in the case of premises occupied by a supported higher education provider, that provider, and

(b) in the case of premises occupied by a linked institution in relation to a supported higher education provider, that provider.”

Agreed to 101

Schedule, as amended, agreed to.

Clause 57 agreed to.

Clause 58 agreed to.
Clause 59, page 35, line 12, leave out “body” and insert “bodies”

Withdrawn after debate 292

Clause 59, page 35, line 23, after “when” insert “,where”

Withdrawn after debate 293

Clause 59, page 35, line 28, before “people” insert “all”

Not called 294

Clause 59, page 35, line 28, after “people” insert “,whatever their age or individual circumstances,”

Not called 295

Clause 59, page 35, line 29, at end insert—
“( ) existing and potential higher education staff.”

Not called 296

Clause 59, page 35, line 41, at end insert—
“( ) a number of persons that, taken together, appear to the OfS to represent, or promote the interests of, higher education staff, and”

Clause agreed to.

Clause 60, page 36, line 12, leave out “body” and insert “bodies”

Clause agreed to.

Schedule agreed to.

Clause 61 agreed to.

Clause 62 agreed to.
Clause 63 agreed to.

Dr Roberta Blackman-Woods

Withdrawn after debate 239

Clause 64, page 38, line 43, at end insert—

“(6) Any fees or costs that arise from the activities of any one institution are only liable to be paid by that institution.”

Clause agreed to on division.

Joseph Johnson

Agreed to 102

Clause 65, page 39, line 19, after “interest” insert “, and (d) the retention of sums received”

Clause, as amended, agreed to.

Joseph Johnson

Agreed to 103

Schedule 7, page 87, line 5, leave out sub-paragraph (5) and insert—

“Retention of sums received

5 (1) The OfS must pay the sums received by it by way of a requirement to pay costs under section 65 to the Secretary of State except to the extent that the Secretary of State, with the consent of the Treasury, directs otherwise.

(2) The OfS must pay the sums received by it by way of interest under paragraph 4 to the Secretary of State.”

Schedule, as amended, agreed to.

Dr Roberta Blackman-Woods

Negatived on division 240

Clause 66, page 39, line 21, leave out from “OfS” to end of line 22 and insert “for its set up and running costs.”

Gordon Marsden
Angela Rayner

Withdrawn after debate 299

Clause 66, page 39, line 26, after “have” insert “particular”
Higher Education and Research Bill, continued

Joseph Johnson

Clause 66, page 39, line 29, leave out “or” and insert “and”

Clause, as amended, agreed to.

Agreed to 104

Gordon Marsden
Angela Rayner

Withdrawn after debate 300

Clause 67, page 40, line 44, at end insert—

“(c) bodies representing the interests of higher education staff, and”

Joseph Johnson

Agreed to 105

Clause 67, page 41, line 4, leave out subsection (10)

Clause, as amended, agreed to.

Clause 68 agreed to.

Gordon Marsden
Angela Rayner

Not called 301

Clause 69, page 41, line 36, after “have” insert “particular”

Joseph Johnson

Agreed to 106

Clause 69, page 41, line 40, leave out “or” and insert “and”

Clause, as amended, agreed to.

Gordon Marsden
Angela Rayner
Dr Roberta Blackman-Woods

Withdrawn after debate 302

Clause 70, page 42, line 32, at end insert—

“( ) Any information received by the Secretary of State under subsection (1) must be made publicly available.”

Clause agreed to.
Higher Education and Research Bill, continued

Joseph Johnson

Clause 71, page 42, line 38, leave out “in” and insert “for”

Dr Roberta Blackman-Woods

Withdrawn after debate

Clause 71, page 43, line 13, after “Secretary of State” insert “providing that it demonstrates a potential public benefit.”

Dr Roberta Blackman-Woods

Not called

Clause 71, page 43, line 14, after “may” insert “so far as is reasonable having regard to the frequency of requests, the availability of information from other sources, the form in which the information is held by the body and the volume of the information requested,”

Dr Roberta Blackman-Woods

Not called

Clause 71, page 43, line 16, at end insert—

“(5A) Unless otherwise specified, the body shall provide the information by way of a single annual submission to either the Secretary of State and/or an approved body.”

Clause, as amended, agreed to.

Clause 72 agreed to.

Clause 73 agreed to.

Clause 74 agreed to.

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Joseph Johnson

Agreed to

Clause 75, page 45, line 3, at end insert—

“( ) Subsection (1) is subject to express provision to the contrary, see section 25(1C) and (3) (rating the quality of, and standards applied to, higher education).”

Clause, as amended, agreed to.

Clause 76 agreed to.

--------------------------------------------------------------------------------

Dr Roberta Blackman-Woods

Not called

Clause 77, page 46, line 5, at end insert—

“academic freedom’ has the same meaning as is given in section 43 of the Education (No.2) Act 1986”
Clause agreed to.

Joseph Johnson

Clause 78, page 47, line 19, at end insert—
“(ca) in the case of alternative payments in connection with a higher education course, for the cancellation of the entitlement of an AP recipient to receive a sum as part of an alternative payment in such circumstances as may be prescribed by, or determined by the person making the regulations under, the regulations, where the payment of the sum has been suspended;”

Clause, as amended, agreed to.

Clause 79 agreed to.

Joseph Johnson

Clause 80, page 49, line 29, at end insert—
“(1A) In subsection (2), after paragraph (a) insert—
“(aa) for the designation of a higher education course for the purposes of this section to be determined by reference to matters determined or published by the Office for Students or other persons;”.

Clause 80 agreed to.

Clause 80, page 49, line 31, leave out “in relation to England”

Joseph Johnson

Clause 80, page 49, line 34, at end insert—
“(3) In subsection (3), after paragraph (d) insert—
“(da) in the case of a loan under this section in connection with a higher education course, for the cancellation of the entitlement of a borrower to receive a sum under such a loan in such circumstances as may be prescribed by, or determined by the
person making the regulations under, the regulations where the payment of the sum has been suspended;”.”

Clause, as amended, agreed to.

Clause 81 agreed to.

Clause 82 agreed to.

Joseph Johnson

Agreed to

Schedule 8, page 89, line 3, leave out from beginning to end of line 10 and insert—

“(1A) The application of the seal of a higher education corporation in England must be authenticated by the signature of—

(a) the chair of the corporation or some other person authorised for that purpose by the corporation, and

(b) any other member of the corporation.

(1B) A document purporting to be duly executed under the seal of a higher education corporation in England or signed on the corporation’s behalf—

(a) is to be received in evidence, and

(b) is to be taken to be executed or signed in that way, unless the contrary is shown.”

Schedule, as amended, agreed to.

Joseph Johnson

Agreed to

Clause 83, page 51, line 23, after “Innovation” insert “or, in Welsh, Ymchwil ac Arloesedd y Deyrnas Unedig,”

Clause, as amended, agreed to.

Gordon Marsden
Angela Rayner

Withdrawn after debate

Schedule 9, page 92, line 11, after “members” insert—

“(e) at least one member of the OfS Board with at least observer status”

Dr Roberta Blackman-Woods
Paul Blomfield

Withdrawn after debate

Schedule 9, page 92, line 16, after “chair” insert “and the House of Commons Select Committees”
Higher Education and Research Bill, continued

Carol Monaghan
Roger Mullin

Withdrawn after debate 186

Schedule 9, page 92, line 18, after “experience” insert “in the higher education sector in England, Scotland, Wales and Northern Ireland”

Joseph Johnson

Agreed to 247

Schedule 9, page 92, line 21, leave out “and new ideas” and insert “, new ideas and advancements in humanities”

Joseph Johnson

Agreed to 248

Schedule 9, page 92, line 37, leave out “A Council may include” and insert “A majority of the ordinary Council members of a Council must be”

Carol Monaghan
Roger Mullin

Not called 187

Schedule 9, page 92, line 38, at end insert—
“(6) UKRI must, in appointing members of each Council, have regard to the desirability of the members (between them) having experience of research in the higher education sector in England, Scotland, Wales and Northern Ireland.”

Joseph Johnson

Agreed to 249

Schedule 9, page 93, line 34, leave out “The Secretary of State” and insert “UKRI”

Joseph Johnson

Agreed to 250

Schedule 9, page 93, line 35, leave out “, allowances and expenses”

Joseph Johnson

Agreed to 251

Schedule 9, page 93, line 37, leave out “The Secretary of State” and insert “UKRI”

Joseph Johnson

Agreed to 252

Schedule 9, page 93, line 43, leave out “the Secretary of State” and insert “UKRI”

Joseph Johnson

Agreed to 253

Schedule 9, page 94, line 8, leave out “, allowances and expenses”

Joseph Johnson

Agreed to 254

Schedule 9, page 94, line 9, at end insert—
“( ) UKRI must pay, or make provision for paying, to or in respect of a person who is an employee of UKRI, such sums as UKRI may determine with the approval of the Secretary of State in respect of allowances or expenses.”
Higher Education and Research Bill, continued

Joseph Johnson

Schedule 9, page 94, line 9, at end insert—
“( ) UKRI may pay, or make provision for paying—
(a) to or in respect of a person who is or has been an employee of UKRI,
such sums as UKRI may determine with the approval of the Secretary of State in respect of pensions or gratuities, and
(b) to or in respect of a person who has been an employee of UKRI, such sums as UKRI may determine with the approval of the Secretary of State in respect of allowances or expenses.”

Gordon Marsden
Angela Rayner

Withdrawn after debate 331

Schedule 9, page 95, line 26, leave out “any” and insert “some”

Gordon Marsden
Angela Rayner

Withdrawn after debate 332

Schedule 9, page 97, line 1, leave out “except with the consent of the Secretary of State”

Schedule, as amended, agreed to.

Gordon Marsden
Angela Rayner

Withdrawn after debate 314

Clause 84, page 51, line 39, after “Secretary of State” insert “following consultation”

Clause agreed to.

Gordon Marsden
Angela Rayner

Not called 315

Clause 85, page 52, line 8, after “out” insert “basic, applied and strategic”

Gordon Marsden
Angela Rayner

Not called 317

Clause 85, page 52, line 8, after “humanities” insert “social sciences, arts”

Gordon Marsden
Angela Rayner

Not called 316

Clause 85, page 52, line 9, after “support” insert “basic, applied and strategic”
Higher Education and Research Bill, continued

Gordon Marsden
Angela Rayner
Clause 85, page 52, line 10, after “humanities” insert “social sciences, arts”

Gordon Marsden
Angela Rayner
Clause 85, page 52, line 12, after “technology” insert “humanities, social sciences, arts”

Dr Roberta Blackman-Woods
Paul Blomfield
Clause 85, page 52, line 12, after “technology” insert “arts, social sciences and humanities,”

Joseph Johnson
Clause 85, page 52, line 12, leave out “and new ideas” and insert “, new ideas and advancements in humanities”

Gordon Marsden
Angela Rayner
Clause 85, page 52, line 14, after “humanities” insert “social sciences, arts”

Gordon Marsden
Angela Rayner
Clause 85, page 52, line 16, after “humanities” insert “social sciences, arts”

Paul Blomfield
Clause 85, page 52, line 18, at end insert—
“(h) provide postgraduate training and skills development, working together with the OfS.”

Carol Monaghan
Roger Mullin
Clause 85, page 52, line 21, at end insert “but must be exercised in such a way as to be for the benefit of England, Scotland, Wales and Northern Ireland.”

Dr Roberta Blackman-Woods
Paul Blomfield
Clause 85, page 52, line 21, at end insert—
“(2A) The functions conferred by paragraphs (a) – (e) of subsection (1) may be carried out in partnership with other funding bodies”

Clause, as amended, agreed to.
Clause 86 agreed to.

Joseph Johnson

Clause 87, page 53, line 11, leave out “Economic and other”

Agreed to 257

Joseph Johnson

Clause 87, page 53, line 15, at end of entry in second column insert “aimed at improving human health”

Agreed to 258

Joseph Johnson

Clause 87, page 53, line 16, leave out “Earth sciences and ecology” and insert “Environmental and related sciences”

Agreed to 259

Joseph Johnson

Clause 87, page 53, line 18, after “physics” insert “space science, nuclear physics”

Agreed to 260

Gordon Marsden
Angela Rayner

Clause 87, page 53, line 34, after “life” insert “and social and cultural wellbeing”

Not called 322

Gordon Marsden
Angela Rayner

Clause 87, page 53, line 36, after “State” insert “following consultation”

Clause, as amended, agreed to.

Carol Monaghan
Roger Mullin

Clause 88, page 54, line 4, at end insert “having regard to the economic policies of the UK Government, the Scottish Government the Welsh Government and the Northern Ireland Executive”

Not called 181

Gordon Marsden
Angela Rayner

Clause 88, page 54, line 8, after “relate” insert “to maintain its focus on assisting businesses and”

Withdrawn after debate 324
Clause agreed to.

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**Gordon Marsden**

**Angela Rayner**

Withdrawn after debate

**Clause 89**, page 54, line 13, at end insert—

“(1) Research England may—

(a) provide non-hypothecated funding to eligible higher education providers for the purpose of supporting basic, strategic and applied research; and

(b) support knowledge exchange and skills provision.”

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**Gordon Marsden**

**Angela Rayner**

Not called

**Clause 89**, page 54, line 33, after “appropriate” insert “including relevant bodies in the devolved administrations”

Clause agreed to.

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**Joseph Johnson**

Agreed to

**Clause 90**, page 54, line 39, at end insert—

“( ) Arrangements under subsection (1) may result in a function of UKRI being exercisable by more than one Council.”

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**Joseph Johnson**

Agreed to

**Clause 90**, page 54, line 42, leave out “in other ways”

Clause, as amended, agreed to.

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**Gordon Marsden**

**Angela Rayner**

Withdrawn after debate

**Clause 91**, page 55, line 8, after “approval” insert—

“(c) consult with a Committee of Executive Chairs of Councils in the development of UKRI’s strategy.”

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**Carol Monaghan**

**Roger Mullin**

Not called

**Clause 91**, page 55, line 16, at end insert—
“(4A) Before exercising his powers under subsection (4), the Secretary of State must consult the Scottish Government, the Welsh Government and the Northern Ireland Executive and have regard to their views in respect of any proposed research and innovation strategy.”

Clause agreed to.

Clause 92 agreed to.

Joseph Johnson

Agreed to 263

Clause 93, page 56, line 6, at end insert—

“( ) Where a grant is made in respect of functions exercisable by Research England pursuant to arrangements under section 89, terms and conditions under subsection (1) may be imposed only if—

(a) they are requirements to be met before financial support of a specified amount or of a specified description is given by Research England in respect of activities carried on by an institution, and

(b) they apply to every institution, or every institution within a specified description, in respect of whose activities that support may be provided.”

Carol Monaghan
Roger Mullin

Not called 284

Clause 93, page 56, line 6, at end insert—

“(1A) In making grants to UKRI under subsection (1), the Secretary of State must specify the separate allocation of funding to be made by UKRI to—

(a) functions exercisable by the Councils mentioned in section 87(1) pursuant to arrangements under that section,

(b) functions exercisable by Innovate UK pursuant to arrangements under section 88, and

(c) functions exercisable by Research England pursuant to arrangements under section 89.

(1B) No variation may be made to the allocation of funding specified by the Secretary of State in subsection (1A) unless the House of Commons has passed a resolution approving any such variation and the variation has the consent of the Northern Ireland Executive, the Scottish Government and the Welsh Government.”

Joseph Johnson

Agreed to 264

Clause 93, page 56, line 22, at end insert—

“( ) In this section “specified” means specified in the terms and conditions.”

Clause, as amended, agreed to.
Clause 94, page 56, line 24, at beginning insert “Subject to subsections (4A) and (4B),”

Not called 184

Clause 94, page 56, line 24, leave out “directions” and insert “recommendations”

Withdrawn after debate 328

Clause 94, page 56, line 25, at end insert—

Agreed to 265

“( ) The Secretary of State may give a direction under this section in respect of functions exercisable by Research England pursuant to arrangements under section 89, only if —

(a) it relates to requirements to be met before financial support of a specified amount or of a specified description is given by Research England in respect of activities carried on by an institution, and

(b) it relates to every institution, or every institution within a specified description, in respect of whose activities that support may be provided.”

Clause 94, page 56, line 25, at end insert—

Withdrawn after debate 285

“(1A) Within six months of this Act coming into force, the Secretary of State shall give a direction to UKRI to commission an independent evaluation of the matters under subsection (1B) and shall lay the report of the evaluation before the House of Commons.

(1B) The evaluation under subsection (1A) shall consider—

(a) the effect of the absence of post study work visas for persons graduating from higher education institutions in the United Kingdom to be granted leave to remain in the UK on completion of their studies to work for up to two years for an employer on—

(i) the economy, efficiency and effectiveness of the higher education sector, and

(ii) the UK economy, and

(b) how post study work visa arrangements, applying either broadly or to classes of students, disciplines and institutions, could operate in the UK and their effect of each on—

(i) the economy, efficiency and effectiveness of the higher education sector, and

(ii) the UK economy.”

Clause 94, page 56, line 26, leave out “But”

Agreed to 266

Clause 94, page 56, line 34, at end insert—

Agreed to 267
Higher Education and Research Bill, continued

“( ) In this section “specified” means specified in the direction.”

Carol Monaghan
Roger Mullin

Clause 94, page 56, line 34, at end insert—

“(4A) In giving direction to UKRI, the Secretary of State must act in the best interests of all constituent parts of the United Kingdom and, before giving such direction, must consult—

(a) the Scottish Government,
(b) the Welsh Government, and
(c) the Northern Ireland Executive

on research and innovation policies and their priorities.

(4B) Before giving any direction to UKRI under subsection (1), the Secretary of State must seek agreement to the terms of that direction from—

(a) the Scottish Government,
(b) the Welsh Government, and
(c) the Northern Ireland Administration.”

Clause, as amended, agreed to.

Gordon Marsden
Angela Rayner

Clause 95, page 57, line 4, leave out “reasonable”

Clause agreed to.

Carol Monaghan
Roger Mullin

Clause 96, page 57, line 14, at end insert—

“(3) In exercising functions under this Part, the Secretary of State must act in the best interests of England, Scotland, Wales and Northern Ireland, having consulted—

(a) the Scottish Government,
(b) the Welsh Government, and
(c) the Northern Ireland Executive before exercising these functions.”

Clause agreed to.

Clause 97 agreed to.
Clause 98 agreed to.

Joseph Johnson

Agreed to 268

Clause 99, page 58, line 5, leave out “in relation to” and insert “into”

Clause, as amended, agreed to.

Clause 100 agreed to.

Clause 101 agreed to.

Joseph Johnson

Agreed to 269

Clause 102, page 59, line 4, leave out “social science” and insert “social sciences”

Clause, as amended, agreed to.

Gordon Marsden
Angela Rayner

Not called 334

Clause 103, page 59, line 11, leave out “may” and insert “must”

Gordon Marsden
Angela Rayner

Not called 333

Clause 103, page 59, line 12, after “functions” insert—
“(1A) The OfS and UKRI must cooperate with one another on—
(a) the health of disciplines,
(b) awarding of research degrees,
(c) post-graduate training,
(d) shared facilities,
(e) knowledge exchange and
(f) skills development”

Gordon Marsden
Angela Rayner

Not called 335

Clause 103, page 59, line 13, leave out subsection (2)
Clause agreed to.

Schedule 10, page 98, line 13, after “means” insert “the Secretary of State or”

Schedule 10, page 99, line 14, leave out from “provide” to end of line 15 and insert—

“(a) for the scheme to be modified by agreement after it comes into effect, and
(b) for any such modifications to have effect from the date when the original scheme comes into effect.”

Schedule, as amended, agreed to.

Clause 105 agreed to.

Clause 106 agreed to.

Clause 107 agreed to.

Clause 108 agreed to.

Clause 109 agreed to.

Clause 110 agreed to.

Schedule 11, page 102, line 30, at end insert—

“21A(1) Section 82 (joint exercise of functions) is amended as follows.
(2) Omit subsections (1) to (1B).
(3) In subsection (2), for “Great Britain” substitute “Wales and Scotland”.
(4) In subsection (2A), after “Scottish” insert “Further and”.
(5) In subsection (3)(a)—
(a) for “a higher education funding council” substitute “the HEFCW”,
(b) for “the National Assembly of Wales” substitute “the Welsh Ministers”,
(c) for “it is discharging its” substitute “they are discharging their”, and
(d) after “Scottish” insert “Further and”.”
Higher Education and Research Bill, continued

Schedule, as amended, agreed to.

Joseph Johnson

Agreed to 272
Schedule 12, page 109, line 24, at end insert—
“20A The Government of Wales Act 2006 is amended as follows.
20B (1) Schedule 3A (functions exercisable concurrently or jointly with the Welsh Ministers) (which is inserted by the Wales Act 2016) is amended as follows.
(2) In the Table in paragraph 1(2), in the entry relating to the Science and Technology Act 1965, in the column headed “Functions”, after “relating to” insert “United Kingdom Research and Innovation and”.”

Joseph Johnson

Agreed to 273
Schedule 12, page 109, line 28, at end insert—
“21A(1) In Part 2 of Schedule 7A (specific reservations) (which is inserted by the Wales Act 2016), Section C11 (Research Councils) is amended as follows.
(2) In the heading, at the beginning insert “United Kingdom Research and Innovation and”.
(3) In paragraph 85—
(a) at the beginning insert “United Kingdom Research and Innovation (“UKRI”), and”, and
(b) after “relating to” insert “UKRI and”.
(4) In paragraph 86—
(a) omit “Arts and Humanities Research Council within the meaning of Part 1 of the Higher Education Act 2004, and the”,
(b) for “that Act” substitute “the Higher Education Act 2004”, and
(c) for “that Council” substitute “UKRI”.”

Joseph Johnson

Agreed to 274
Schedule 12, page 109, line 37, at beginning insert “In the English language text,”

Joseph Johnson

Agreed to 275
Schedule 12, page 110, line 4, at end insert—
“( ) In the Welsh language text, omit the entries relating to—
(a) Cyngor Cyfleusterau Gwyddoniaeth a Thechnoleg,
(b) Cyngor Ymchwil Biotechnoleg a Gwyddorau Biolegol,
(c) Y Cyngor Ymchwil Economiaid a Chymdeithasol,
(d) Y Cyngor Ymchwil Meddygol,
(e) Cyngor Ymchwil Peirianneg a Gwyddorau Ffisegol,
(f) Cyngor Ymchwil yr Amgylchedd Naturiol, and
(g) Y Cyngor Ymchwil i’r Celfyddydau a’r Dyniaethau.”
Joseph Johnson

Schedule 12, page 110, line 5, at beginning insert “In the English language text,”

Agreed to 276

Joseph Johnson

Schedule 12, page 110, line 7, in column 1 after “Innovation” insert “(“Ymchwil ac Arloesedd y Deyrnas Unedig”)”

Agreed to 277

Joseph Johnson

Schedule 12, page 110, line 10, at end insert—

“( ) In the Welsh language text, insert at the appropriate place under the heading “cyffredinol”—

<table>
<thead>
<tr>
<th>“Ymchwil ac Arloesedd y Deyrnas Unedig (“United Kingdom Research and Innovation”)”</th>
<th>Safonau cyflenwi gwasanaethau</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safonau llunio polisi</td>
<td></td>
</tr>
<tr>
<td>Safonau gweithredu</td>
<td></td>
</tr>
<tr>
<td>Safonau cadw cofnodion””</td>
<td></td>
</tr>
</tbody>
</table>

Agreed to 278

Joseph Johnson

Schedule 12, page 110, line 12, leave out from “Crown)” to end of line 14 and insert “, in paragraph (a), for “the Natural Environment Research Council” substitute “United Kingdom Research and Innovation””

Agreed to 279

Joseph Johnson

Schedule 12, page 110, line 14, at end insert—

“(2) Subsections (2) and (3) of section 34 of the Antarctic Act 1994 (power to extend to the Channel Islands, Isle of Man and British overseas territories) apply in relation to section 10 of the Antarctic Act 2013 as amended by sub-paragraph (1).”

Agreed to 280

Joseph Johnson

Schedule 12, page 110, line 18, leave out sub-paragraph (2)

Schedule, as amended, agreed to.

Agreed to 312

Joseph Johnson

Clause 111, page 61, line 23, at end insert—
Higher Education and Research Bill, continued

“( ) section 25 (rating the quality of, and standards applied to, higher education);”

Joseph Johnson

Clause 111, page 61, line 25, at end insert—
“( ) section 75 (meaning of “English higher education provider” etc);”

Joseph Johnson

Clause 111, page 61, line 37, at end insert—
“( ) Subsection (3) does not apply to the amendments and repeals made by paragraph 13 of Schedule 12 to section 41 of the Patents Act 1977 which have the same extent as that section.”

Clause, as amended, agreed to.

Joseph Johnson

Clause 112, page 61, line 39, after “103” insert “and section (Joint working)”

Joseph Johnson

Clause 112, page 61, line 39, after “103” insert “and section (Advice to Northern Ireland departments)”

Joseph Johnson

Clause 112, page 61, line 39, after “103” insert “and section (Pre-commencement consultation)”

Joseph Johnson

Clause 112, page 61, line 40, at end insert—
“(1A) Sections 78, 79 and 80 come into force, so far as relating to a matter specified in an entry in column 1 of the following table, on such day as the person specified in the corresponding entry in column 2 of the table may by regulations made by statutory instrument appoint, after consulting the person (if any) specified in the corresponding entry in column 3 of the table.

TABLE

<table>
<thead>
<tr>
<th>1. Matters:</th>
<th>2. Commencement by:</th>
<th>3. After consulting:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Powers exercisable by the Welsh Ministers</td>
<td>The Welsh Ministers</td>
<td></td>
</tr>
</tbody>
</table>
Clause 112, page 61, line 40, at end insert—

“(1A) Section (Amendments to powers to support research) comes into force at the end of the period of two months beginning with the day on which this Act is passed.”

Clause, as amended, agreed to.

Clause 113 agreed to.

NEW CLAUSES

To move the following Clause—

“Retention of fee related income
(1) The OfS must pay its fee income to the Secretary of State except to the extent that the Secretary of State, with the consent of the Treasury, directs otherwise.
(2) “Fee income” means the sums received by the OfS by way of—
(a) fees charged under section 63 (registration fees) or 64 (other fees), or
(b) costs recovered by virtue of regulations made under section 63(2)(f) or 64(2)(g).
(3) The OfS must pay its other fee related income to the Secretary of State.
(4) “Other fee related income” means the sums received by the OfS by way of—
(a) penalties imposed by virtue of regulations made under section 63(2)(g) or 64(2)(h), or
Higher Education and Research Bill, continued

(b) interest charged by virtue of regulations made under section 63(2)(i) or 64(2)(j)."

Joseph Johnson

To move the following Clause—

“Joint working

(1) A relevant authority may exercise any of its functions jointly with another relevant authority if the condition in subsection (2) is met.

(2) The condition is that it appears to the relevant authorities concerned that exercising the function jointly—

(a) will be more efficient, or

(b) will enable them more effectively to exercise any of their functions.

(3) In this section “relevant authority” means—

(a) the OfS,

(b) UKRI, but only in relation to functions exercisable by Research England pursuant to arrangements made under section 89,

(c) the Higher Education Funding Council for Wales,

(d) the Scottish Further and Higher Education Funding Council,

(e) the Secretary of State to the extent that the Secretary of State is exercising functions under section 14 of the Education Act 2002 (power to give financial assistance for purposes related to education or children etc),

(f) the Welsh Ministers to the extent that they are exercising their functions under Part 2 of the Learning and Skills Act 2000 (further and sixth form education in Wales), or

(g) the Department for the Economy in Northern Ireland, or the Department of Agriculture, Environment and Rural Affairs in Northern Ireland, in relation to funding higher education, or research, in Northern Ireland but only to the extent that the Department is exercising functions in connection with such funding.

(4) For the purposes of subsection (3)(g) “higher education” has the same meaning as in Article 2(2) of the Further Education (Northern Ireland) Order 1997 (S.I. 1997/1772 (N.I. 15)).”

Joseph Johnson

To move the following Clause—

“Amendments to powers to support research

(1) In section 5 of the Science and Technology Act 1965 (further powers of Secretary of State), after subsection (1) insert—

“(1ZA) The power to give financial support under subsection (1)(a) includes, in particular, power to make a grant, loan or other payment, on such terms and conditions as the relevant authority considers appropriate."
Higher Education and Research Bill, continued

(1ZB) The terms and conditions may, in particular—

(a) enable the relevant authority to require the repayment, in whole
or in part, of sums paid by it if any of the terms and conditions
subject to which the sums were paid is not complied with,

(b) require the payment of interest in respect of any period during
which a sum due to the relevant authority in accordance with any
of the terms and conditions remains unpaid, and

(c) require a person to whom financial support is given to provide
the relevant authority with any information it requests for the
purpose of the exercise of any of its functions.

(1ZC) In subsections (1ZA) and (1ZB), “the relevant authority” means—

(a) in the case of the power of the Secretary of State to give financial
support under subsection (1)(a), the Secretary of State;

(b) in the case of the power of the Welsh Ministers to give financial
support under subsection (1)(a), the Welsh Ministers;

(c) in the case of the power of the Scottish Ministers to give financial
support under subsection (1)(a), the Scottish Ministers.”

(2) In section 10 of the Higher Education Act 2004 (research in arts and humanities),
after subsection (4) insert—

“(5) The powers under this section to give financial support include, in
particular, power to make a grant, loan or other payment, on such terms
and conditions as the relevant authority considers appropriate.

(6) The terms and conditions may, in particular—

(a) enable the relevant authority to require the repayment, in whole
or in part, of sums paid by it if any of the terms and conditions
subject to which the sums were paid is not complied with,

(b) require the payment of interest in respect of any period during
which a sum due to the relevant authority in accordance with any
of the terms and conditions remains unpaid, and

(c) require a person to whom financial support is given to provide
the relevant authority with any information it requests for the
purpose of the exercise of any of its functions.

(7) In subsections (5) and (6), “the relevant authority” means—

(a) in the case of the power under subsection (1)(a), the Secretary of
State;

(b) in the case of the power under subsection (2)(a), the Welsh
Ministers;

(c) in the case of the power under subsection (3)(a), the Scottish
Ministers;

(d) in the case of the power under subsection (4)(a), the Northern
Ireland Department having responsibility for higher education.”

Joseph Johnson

To move the following Clause—

Added NC16
Higher Education and Research Bill, continued

“Pre-commencement consultation

(1) Subsections (2) and (3) apply in relation to a provision of this Act under or by virtue of which the OfS has a function of consulting another person.

(2) At any time before the provision comes into force (and whether before or after the passing of this Act), the Secretary of State, the DFA or HEFCE or any of them acting jointly—

(a) may carry out any consultation that the OfS would have power or a duty to carry out after the provision comes into force, and

(b) for that purpose, may prepare drafts of any documents to which the consultation relates.

(3) At any time after the provision comes into force, the OfS may elect to treat any consultation carried out or other thing done under subsection (2) by the Secretary of State, the DFA or HEFCE (or any of them acting jointly) as carried out or done by the OfS.

(4) Subsections (5) and (6) apply in relation to a provision of this Act under or by virtue of which UKRI has a function of consulting another person.

(5) At any time before the provision comes into force (and whether before or after the passing of this Act), the Secretary of State or HEFCE or the Secretary of State and HEFCE acting jointly—

(a) may carry out any consultation that UKRI would have power or a duty to carry out after the provision comes into force, and

(b) for that purpose, may prepare drafts of any documents to which the consultation relates.

(6) At any time after the provision comes into force, UKRI may elect to treat any consultation carried out or other thing done under subsection (5) by the Secretary of State or HEFCE (or the Secretary of State and HEFCE acting jointly) as carried out or done by UKRI.

(7) In this section—

“the DFA” means the Director of Fair Access to Higher Education;

“HEFCE” means the Higher Education Funding Council for England.”

Joseph Johnson

To move the following Clause—

“Advice to Northern Ireland departments

(1) The OfS and UKRI may provide such advisory services as the Department for the Economy in Northern Ireland or the Department of Agriculture, Environment and Rural Affairs in Northern Ireland may require in connection with the discharge of the Department’s functions relating to higher education in Northern Ireland.

(2) The services may be provided on such terms as may be agreed.

(3) For the purposes of this section “higher education” has the same meaning as in Article 2(2) of the Further Education (Northern Ireland) Order 1997 (S.I. 1997/ 1772 (N.I. 15)).”
Wes Streeting

To move the following Clause—

“Consultation

(1) In exercising its functions the governing body of a registered higher education provider must have regard to any guidance given from time to time by the OfS about consultation with—
   (a) persons who are enrolled on a course at the institution,
   (b) persons who are likely to enrol on a course at the institution, or
   (c) employees of the institution,
   in connection with the taking of any decisions affecting them.

(2) The governing body consults in accordance with sub-section (1) if it consults a number of persons within a prescribed group that, taken together, appear to the governing body to represent, or promote the interests of, a broad and diverse range of persons within that group.

(3) Any guidance under this section about consultation with persons falling within paragraphs (1)(a) or (1)(b) must provide for the views of such a person to be considered in light of his or her age and understanding.

(4) For the purposes of subsection (1), “course” includes any graduate or postgraduate course.”

Dr Roberta Blackman-Woods

To move the following Clause—

“De-registration: notification of students

(1) The governing body of a higher education provider must inform all students enrolled on a course if it—
   (a) is notified by the OfS of its intention to suspend the provider’s registration under section 17(1),
   (b) is notified by the OfS of its intention to remove it from the register under section 19(1),
   (c) is notified by the OfS that it will refuse to approve a new access and participation plan under section 21(2), or
   (d) has applied to be removed from the register under section 22(1),

(2) The governing body of an institution must notify students under subsection (1) by the date on which—
   (a) the suspension takes effect,
   (b) the de-registration takes effect, whether enforced or voluntary, or
   (c) the expiry date of any existing access and participation plan that will not be renewed and the period of time for which approval of a new plan will be refused, whichever is applicable.”
To move the following Clause—

“Committee on Degree Awarding Powers and University Title

(1) The OfS must establish a committee called the “Committee on Degree Awarding Powers and University Title”.

(2) The function of the Committee is to provide advice to the OfS on—
   (a) the general exercise of its functions under sections 40, 42, 43 and 53 of this Act, and section 77 of the Further and Higher Education Act 1992;
   (b) particular uses of its powers under section 40(1) of this Act; and
   (c) particular uses of its powers under section 77 of the Further and Higher Education Act 1992.

(3) The OfS must seek the advice of the Committee before—
   (a) authorising a registered higher education provider or qualifying further education provider to grant taught awards, research awards or foundation degrees under section 40(1) of this Act;
   (b) varying any authorisation made under section 40(1) of this Act so as to authorise a registered higher education provider or qualifying further education provider to grant a category of award or degree that, prior to the variation of the authorisation, it was not authorised to grant; and
   (c) providing consent under section 77 of the Further and Higher Education Act 1992 for an education institution or body corporate to change its names so as to include the word “university” in the name of the institution or body corporate.

(4) The OfS must also seek the advice of UKRI before authorising a registered higher education provider or qualifying further education provider to grant research awards under section 40(1) of this Act.

(5) The OfS does not need to seek the advice of the Committee before—
   (a) revoking an authorisation to grant taught awards, research awards or foundation degrees; or
   (b) varying any authorisation to grant taught awards, research awards, or foundation degrees so as to revoke the authorisation of a registered higher education provider or qualifying further education provider to grant a category of award that, prior to the variation of the authorisation, it was authorised to grant.

(6) Subsection (4) applies whether the authorisation being revoked or varied was given—
   (a) by an order made under section 40(1) of this Act;
   (b) by or under any Act of Parliament, other than under section 40(1) of this Act; or
   (c) by Royal Charter.

(7) In providing its advice to the OfS, the Committee must in particular consider the need for students, employers and the public to have confidence in the higher education system and the awards which are granted by it.

(8) The OfS must have regard to the advice given to it by the Committee on both the general exercise of its functions referred to in subsection 2 and any particular uses of its powers referred to in subsection 3.

(9) The majority of the members of the Committee must be individuals who appear to the OfS to have experience of providing higher education on behalf of an English higher education provider or being responsible for the provision of higher education by such a provider.
Higher Education and Research Bill, continued

(10) In appointing members of the Committee who meet these criteria, the OfS must have regard to the desirability of their being currently engaged at the time of their appointment in the provision of higher education or in being responsible for such provision.

(11) The majority of the members of the Committee must be individuals who are not members of the OfS.

(12) Schedule 1 applies to the Committee on Degree Awarding Powers and University Title as it applies to committees established under paragraph 8 of that Schedule.”

Angela Rayner
Gordon Marsden

To move the following Clause—

“Revocation of the Education (Student Support) (Amendment) Regulations 2015

The Education (Student Support) (Amendment) Regulations 2015 (Statutory Instrument no. 1951/2015) are revoked.”

Paul Blomfield
Wes Streeting

To move the following Clause—

“Automatic review of authorisation

(1) The OfS must review an authorisation given by a previous order under section 40(1) if—

(a) the ownership of the registered provider is transferred to another legal person; or

(b) the owner of the registered provider has had restrictions placed on its degree-awarding powers in another jurisdiction, or

(c) for any other reason it would be in the student or public interest to do so.

(2) In this section “review” means consider whether to vary or revoke authorisation within the meaning of section 42.”

Paul Blomfield
Wes Streeting

To move the following Clause—

Negatived on division NC8

Not called NC9

Not called NC10
Higher Education and Research Bill, continued

“Impact of changes to financial support for students on access and participation

(1) The OfS must, within six months of the day on which this Act is passed, report to the Secretary of State an assessment of the impact of changes to student financial support arrangements made within the previous twenty-four months on access and participation, and make recommendations.

(2) The OfS may, in making the assessment of such changes as specified in section (1), make recommendations to the Secretary of State about further necessary changes to student support to enhance or mitigate the impact of that change on access and participation.

(3) The OfS must, within twelve months of any change to student financial support arrangements coming into force and after two twelve month periods thereafter, report to the Secretary of State an assessment of the impact of the change on access and participation and make recommendations.

(4) The OfS may, in making the assessment of such changes as specified in section (3), make recommendations to the Secretary of State about further necessary changes to student support to enhance or mitigate the impact of that change on access and participation.

(5) The Secretary of State must lay the reports specified in subsections (1) and (3) before both Houses of Parliament.”

Paul Blomfield

To move the following Clause—

“Access to support for modular study

The Secretary of State must, within six months of the day on which this Act is passed, set out arrangements in regulations made under sections 22 and 42 of the Teaching and Higher Education Act 1998, as amended, to provide support for students studying for institutional credits, as distinct from working towards a full qualification.”

Paul Blomfield

To move the following Clause—

“Access to support for students recognised as needed protection

(1) The Secretary of State must, within six months of the day on which this Act is passed, set out in regulations to apply across the UK the availability of financial support for higher education courses to students with certain immigration statuses.

(2) The regulations specified in subsection (1) must at a minimum

(a) make provision for all those who have been brought to the UK under the Syrian Vulnerable Persons Relocation Scheme or any equivalent scheme and their family members to access student loans on the same basis as refugees recognised in-country; and,
make provision for those who have claimed asylum and been granted a form of leave to remain in the UK to be eligible—

(i) for home fees for a higher education course if they have been ordinarily resident in the United Kingdom and Islands since being granted leave; and,

(ii) for student loans for a higher education course, if they have been ordinarily resident in the United Kingdom and Islands since being granted leave and are ordinarily resident in the United Kingdom and Islands on the first day of the first academic term of that course.

(3) In this section “home fees” means fees for a higher education course charged to persons not considered as “qualifying persons” under regulations made under the Higher Education Act 2004.

(4) In this section “student loans” means loans made to students in connection with their undertaking of a higher education course under the Teaching and Higher Education Act 1998.”

Wes Streeting
Paul Blomfield

Not called NC13

To move the following Clause—

“Student support: restricted modification of repayment terms

(1) Section 22 of the Teaching and Higher Education Act 1998 (power to give financial support to students) is amended in accordance with subsections (2) to (4).

(2) In subsection (2)(g) at the beginning insert “Subject to subsections (3)(A) and (3)(B),”.

(3) In subsection (2)(g) leave out from “section” to the end of subsection (2)(g).

(4) After subsection (3) insert—

“(3A) Other than in accordance with subsection (3B), no provision may be made under subsection (2)(g) relating to the repayment of a loan that has been made available under this section once the parties to that loan (including the borrower) have agreed the terms and conditions of repayment, including during—

(a) the period of enrolment on a course specified under subsection (1)(a) or (1)(b), and

(b) the period of repayment.

(3B) Any modification to any requirement or other provision relating to the repayment of a loan made available under this section and during the periods specified in subsection (3A) shall only be made if approved by an independent panel.

(3C) The independent panel shall approve modifications under subsection (3B) if such modifications meet conditions to be determined by the panel.

(3D) The approval conditions under subsection (3C) must include that—

(a) the modification is subject to consultation with representatives of the borrowers,
Higher Education and Research Bill, continued

(b) the majority of the representative group consider the modification to be favourable to the majority of students and graduates who have entered loans, and
(c) there is evidence that those on low incomes will be protected.

(3E) The independent panel shall consist of three people appointed by the Secretary of State, who (between them) must have experience of—
(a) consumer protection,
(b) loan modification and mediation,
(c) the higher education sector, and
(d) student finance.”

Wes Streeting
Paul Blomfield
Not called NC14

To move the following Clause—

“Student loans: regulation

(1) Any loan granted under section 22(1) of the Teaching and Higher Education Act 1998, (“student loans”) irrespective of the date on which the loan was granted, shall be regulated by the Financial Conduct Authority.
(2) Any person responsible for arranging, administering or managing, or offering or agreeing to manage, student loans shall be regulated by the Financial Conduct Authority.”

Gordon Marsden
Angela Rayner
Not called NC15

To move the following Clause—

“Higher Education loans: restrictions on modification of repayment conditions

(1) A loan made by the Secretary of State to eligible students in connection with their undertaking a higher education course or further education course under the Teaching and Higher Education Act 1998 shall—
(a) not be subject to changes in repayment conditions retroactively without agreement from both Houses of Parliament;
(b) not be subject to changes in repayment conditions in the event of the loan being sold to private concerns, unless these changes are made to all loans, in the manner prescribed above;
(c) be subject to beneficial changes, principally to the repayment threshold, in line with average earnings.
(2) In section 8 of the Sale of Student Loans Act 2008, for subsection (1) substitute—

“(1) Loans made in accordance with regulations under section 22 of the Teaching and Higher Education Act 1998 (c. 30) are to be regulated by the Consumer Credit Act 1974 (c. 39).”

*Bill, as amended, to be reported.*