



SUPPLEMENT TO THE VOTES AND PROCEEDINGS

Monday 21 November 2016

REPORT STAGE PROCEEDINGS

**HIGHER EDUCATION AND RESEARCH BILL, AS
AMENDED**

GLOSSARY

This document shows the fate of each clause, schedule, amendment and new clause.

The following terms are used:

Agreed to: agreed without a vote.

Agreed to on division: agreed following a vote.

Negatived: rejected without a vote.

Negatived on division: rejected following a vote.

Not called: debated in a group of amendments, but not put to a decision.

Not moved: not debated or put to a decision.

Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.

Not selected: not chosen for debate by the Speaker.

NEW CLAUSES

Secretary Justine Greening

Agreed to **NC1**

To move the following Clause—

“Duty to monitor and report on financial sustainability

- (1) The OfS must monitor the financial sustainability of the following registered higher education providers—
 - (a) those who are funded wholly or partly by a grant, loan or other payment from the OfS under section 37 or 38 (financial support for providers),
 - (b) those who are not so funded but are eligible to receive such funding under section 37 or 38, and
 - (c) those who provide higher education courses which are designated for the purposes of section 22 of the Teaching and Higher Education Act 1998

Higher Education and Research Bill, *continued*

(financial support for students) by or under regulations made under that section.

- (2) The OfS must include in its annual report a financial sustainability summary for the financial year to which the report relates.
- (3) “A financial sustainability summary” for a financial year is a summary of conclusions drawn by the OfS for that year, from its monitoring under subsection (1), regarding relevant patterns, trends or other matters which it has identified.
- (4) Patterns, trends or other matters are “relevant” if—
 - (a) they relate to the financial sustainability of some or all of the registered higher education providers monitored under subsection (1), and
 - (b) the OfS considers that they are appropriate to be brought to the attention of the Secretary of State.
- (5) In this section—

“annual report” means the annual report under paragraph 13 of Schedule 1;

“financial year” has the same meaning as in that Schedule (see paragraph 12(6)).”

Wes Streeting
Paul Blomfield
Stella Creasy
Catherine McKinnell
Alison McGovern
Mr Ben Bradshaw

Dan Jarvis
Graham Jones
Ann Coffey
Conor McGinn
Vernon Coaker
Dr Roberta Blackman-Woods
Dame Margaret Hodge

Liz Kendall
Anna Turley
Caroline Lucas
Rachel Reeves
Ruth Smeeth
Mr Jamie Reed
Ian Austin

Mr Chuka Umunna
Mr Gavin Shuker
Tristram Hunt
Angela Smith
Mike Gapes
Holly Lynch

Negated on division NC2

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

Higher Education and Research Bill, *continued*

- (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,
 - (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
Stella Creasy
Catherine McKinnell
Alison McGovern
Mr Ben Bradshaw

Dan Jarvis	Liz Kendall
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Ann Coffey	Caroline Lucas
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Vernon Coaker	Ruth Smeeth
Dr Roberta Blackman-Woods	Mr Jamie Reed
Dame Margaret Hodge	Ian Austin

Mr Chuka Umunna
Mr Gavin Shuker
Tristram Hunt
Angela Smith
Mike Gapes
Holly Lynch

Not called **NC3**

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.”
-

Higher Education and Research Bill, *continued*

Gordon Marsden
Angela Rayner

Not called NC4

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.

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- (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.”

Gordon Marsden
Angela Rayner

Negated on division NC5

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.”

Gordon Marsden
Angela Rayner

Not called NC6

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).”

Higher Education and Research Bill, *continued*

Paul Blomfield

Not called NC7

To move the following Clause—

“Automatic review of authorisation

- (1) The OfS must consider whether to vary or revoke an authorisation given under section 40(1) if—
 - (a) the ownership of the registered provider is transferred,
 - (b) the owner of the registered provider has restrictions placed on its degree-awarding powers in relation to another registered provider under its control or ownership, or
 - (c) for any other reason considered to be in the interest of students enrolled at the institution or the public.
 - (2) A decision taken under sub-section (1) to vary or revoke an authorisation shall be carried out in accordance with section 43.”
-

Paul Blomfield

Not called NC8

To move the following Clause—

“Access to support for students recognised as needing protection

- (1) Within six months from the day on which this Act comes into force, the Secretary of State must, by regulations made under the Higher Education Act 2004 and the Teaching and Higher Education Act 1998, make provision for financial support for higher education courses offered to students with certain immigration statuses.
- (2) The regulations specified in sub-section (1) must include, but shall not be restricted to—
 - (a) provision for persons 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
 - (b) provision for persons who have claimed asylum and been granted a form of leave to remain in the UK to be eligible for—
 - (i) 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) student loans for a higher education course, if—
 - (a) they have been ordinarily resident in the United Kingdom and Islands since being granted leave, and
 - (b) 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 considered as “qualifying persons” under regulations made under the Higher Education Act 2004;

Higher Education and Research Bill, *continued*

“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.”

John Pugh

Not called NC9

To move the following Clause—

“OfS report: international students

- (1) The OfS shall, in accordance with information received under paragraph 8(1)(ba), produce an annual report for the Secretary of State on—
 - (a) EU (excluding from the UK), and
 - (b) non- EU
 students enrolled with English higher education providers.
- (2) A report under subsection (1) must include an assessment of—
 - (a) the number of international students, and
 - (b) the financial contribution of international students to English Higher Education providers.
- (3) The Secretary of State shall lay the report produced under subsection (1) before each House of Parliament.”

John Pugh

Not called NC10

To move the following Clause—

“Student support: requirement to assess repayment terms

- (1) The Teaching and Higher Education Act 1998 is amended as follows.
- (2) In Section 22 (new arrangements for giving financial support to students)—
 - (a) in subsection (3)(b), after “and” insert “subject to subsection (3A)”
 - (b) after subsection (3) insert—
 - “(3A) Regulations under subsection (3)(b) must include a level of earnings below which a person shall not be required to make repayments of such a loan.”
- (3) After Section 22 insert—
 - “(22A) Duty to assess consumer prices in determining terms for loan repayments
 - (1) In relation to regulations made under section 22(3A) the Secretary of State must, for each tax year, review UK consumer price inflation for the period since the last review under this subsection.
 - (2) If the review concludes that consumer prices for the previous tax year have increased, the Secretary of State shall, by order, amend the level of earnings specified in regulations made under sub-

Higher Education and Research Bill, *continued*

section 22(3A) by the same percentage increase as consumer price inflation determined under sub-section (1).

- (3) If the Secretary of State is not required to make an order under this section, the Secretary of State shall lay before each House of Parliament a report explaining the reasons for arriving at that determination.
- (4) For the purpose of this section—
 - ”consumer prices” means the Consumer Price Index;
 - ”consumer price inflation” refers to the annual assessment made by the Office for National Statistics in the UK consumer price inflation Statistical bulletin.”

John Pugh

Withdrawn after debate NC11

To move the following Clause—

“UKRI report: international specialist employees

- (1) Within six months of section 84 of this Act coming into force, and every year thereafter, UKRI shall report to the Secretary of State on—
 - (a) EU (excluding from the UK), and
 - (b) non-EU
 specialist employees employed by UKRI and English higher education providers.
- (2) For the purposes of this section “specialist employee”—
 - (a) in relation to a Council, has the same meaning as in section 88(3), and
 - (b) in relation to an English higher education provider, means the academic staff of the institution.
- (3) Should any report made under subsection (1) identify a decrease in the number of international specialist employees since the previous report was produced, the Secretary of State must make an assessment of the impact of such a reduction on UKRI’s ability to deliver its functions under section 86 of this Act.
- (4) The Secretary of State shall lay any report produced under this section before each House of Parliament.”

John Pugh

Not called NC12

To move the following Clause—

“Prohibition: use of quality of higher education when determining a visa application

An assessment made of the quality rating of a higher education provider in the United Kingdom under section 25 of this Act may not be used when assessing a

Higher Education and Research Bill, *continued*

person's eligibility for leave to enter or remain in the United Kingdom under Part 1 of the Immigration Act 1971."

Roger Mullin
Carol Monaghan

Negatived on division NC14

☆ To move the following Clause—

“Post Study Work Visa: evaluation

- (1A) Within six months of this Act coming into force, UKRI must commission an independent evaluation of the matters under subsection (1B) and shall lay the report before the House of Commons.
- (1B) The evaluation under subsection (1A) must assess—
- (a) the effect of the absence of post study work visas for persons graduating from higher education institutions in the United Kingdom 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 might operate in the UK, including an estimate of their effect on—
 - (i) the economy, efficiency and effectiveness of the higher education sector, and
 - (ii) the UK economy.”
-

Gordon Marsden
Angela Rayner

Not called NC15

☆ To move the following Clause—

“Standing Commission on the integration of higher education and lifelong learning

- (1) The Secretary of State shall establish a Standing Commission on the integration of Higher Education and Lifelong Learning.
- (2) The terms of reference of the Commission shall include the following purposes—
 - (a) to report on progress being made in respect of the opportunities available to individuals, employers and communities to integrate higher education with lifelong learning in England;
 - (b) to consider the potential to update and review the range of higher education qualifications available for mature students at all registered higher education providers;
 - (c) to evaluate current funding systems for registered higher education providers with respect to the opportunities available to individuals, employers and communities to integrate higher education with life-long learning, in England;

Higher Education and Research Bill, *continued*

- (d) to examine and report on the introduction of personal learning accounts to be used for higher education—
 - (i) funded on the contributory principle from employers, individuals and structures of devolved local and national government; and
 - (ii) on the arrangements that will operate to facilitate input from corporate or trade union bodies, which can be used to support lifelong learning and adult education;
 - (e) to examine and report on the potential to develop education and skills accounts (ESAs), including the possibility of a single lifetime higher education entitlement; and
 - (f) to examine and report on the establishment of a national credit rating, accumulation and transfer system as a mechanism to improve flexible learning in further and higher education, including for mature students, and on the feasibility of a digital credit system, which could also facilitate where appropriate the integration of work-based learning and higher education.
- (3) The Commission will make the following reports on the matters set out at subsection (2) to be laid before Parliament—
- (a) within 12 months of its establishment; and
 - (b) thereafter annually.
- (4) When the report in respect of ESAs required at subsection (2)(e) has been made, the Secretary of State may authorise the OfS to work with higher education providers, employers and financial institutions to develop a framework for ESAs.”

Dr Roberta Blackman-Woods

Not called **NC16**

☆ To move the following Clause—

“Migration Statistics: students

When the Secretary of State publishes statistics on the immigration of people to the United Kingdom, the relevant publication must provide—

- (a) the figures net and gross of those people who are students studying in the UK, or
 - (b) a note indicating how many students included in the total immigration figures are students studying in the UK.”
-

Secretary Justine Greening

Agreed to **1**

Clause 2, page 2, line 28, at end insert—

- “() Guidance framed by reference to a particular course of study must not guide the OfS to perform a function in a way which prohibits or requires the provision of a particular course of study.”
-

Higher Education and Research Bill, *continued*

Paul Blomfield

Not called 51

Clause 5, page 4, line 9, at end insert—

“(1A) Subject to subsection (1C), 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.

(1B) For the purposes of subsection (1A)—

- (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.

(1C) Subsection (1A) does not apply to the Open University and other distance learning institutions.”

Gordon Marsden
Angela Rayner*Not called* 37Clause 5, page 4, line 17, after “providers” insert “, staff and students”

John Pugh

Not called 52

Clause 8, page 5, line 35, at end insert—

- “(ba) a condition that requires the governing body of the provider to provide the OfS with information on the number of international students enrolled on a higher education course at that institution and the fees charged to those students,”

Higher Education and Research Bill, *continued*

Gordon Marsden
Angela Rayner

Not called 38

Clause 8, page 5, line 39, at end insert—
“and

(d) an access and participation plan condition, as defined in section 12.”

Secretary Justine Greening

Agreed to 2

Clause 9, page 6, leave out lines 10 to 13

Gordon Marsden
Angela Rayner

Not called 39

Clause 9, page 6, line 13, at end insert—

“(iv) age band,

(v) people with disabilities, and

(vi) care leavers.”

Secretary Justine Greening

Agreed to 3

Clause 9, page 6, line 18, at the end insert—

“() The information which the OfS may request in relation to the numbers mentioned in subsection (2) includes those numbers by reference to one or more of the following—

(a) the gender of the individuals to which they relate;

(b) their ethnicity;

(c) their socio-economic background.”

Secretary Justine Greening

Agreed to 4

Clause 13, page 8, line 17, after “plan”, insert “and to publish it”

Gordon Marsden
Angela Rayner

Not called 46

Clause 25, page 15, line 25, at beginning insert “Subject to subsection (7),”

Higher Education and Research Bill, *continued*

Paul Blomfield

Not called 49

Clause 25, page 15, line 32, at end insert—

“(1A) The scheme established under subsection (1) shall have two ratings—

- (a) meets expectations, and
- (b) fails to meet expectations.

(1B) Each year, after the scheme established under subsection (1) comes into force the OfS must lay a report before Parliament on the number of international students—

- (a) applying to, and
- (b) enrolled

at the Higher Education Providers that have applied for a rating within the meaning of subsection (1).”

Gordon Marsden
Angela Rayner*Negatived on division* 47

Clause 25, page 16, line 23, at end insert—

“(7) 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

Not called 50

Clause 25, page 16, line 23, at end insert—

“(7) In making arrangements under sub-section (1), the OfS must make an assessment of—

- (a) the evidence that any proposed metric for assessing teaching quality is correlated to teaching quality, and
- (b) the potential unintended consequences that could arise from implementing the scheme including proposals on how such risks can be mitigated.

(8) Prior to making an assessment under subsection (7) the OfS must consult—

- (a) bodies representing the interests of academic staff employed at English higher education providers,
- (b) bodies representing the interests of students enrolled on higher education courses, and
- (c) such other persons as the OfS considers appropriate.

(9) The assessments made under subsection (7) must be published.”

Secretary Justine Greening

Agreed to 5

Clause 27, page 17, line 7, at end insert—

“(za) charge an institution a fee for any activity undertaken, or service provided, by the body in the performance by it of functions under section 23(1) (power to assess quality and standards) in relation to the institution,”

Higher Education and Research Bill, continued

Secretary Justine Greening

Agreed to 6

Clause 27, page 17, line 9, leave out from “body” to end of line 12 and insert “in the performance by it of functions under section 23(2)(a) (duty to assess to determine if initial registration condition relating to quality or standards is met) in relation to the institution, and”

Secretary Justine Greening

Agreed to 7

Clause 27, page 17, line 17, at end insert—

- “() The amount of a fee payable under subsection (2)(za) by an institution may be calculated by reference to costs incurred by the designated body in the performance by the body of functions under section 23(1) in relation to a different institution or of its general functions.
- () The total fees payable under subsection (2)(za) must not exceed in any period of 12 months the total costs incurred by the body in that period in the performance by the body of its functions under section 23(1) and of its general functions.”

Secretary Justine Greening

Agreed to 8

Clause 27, page 17, line 18, leave out “or provider”

Secretary Justine Greening

Agreed to 9

Clause 27, page 17, line 23, leave out paragraph (b)

Secretary Justine Greening

Agreed to 10

Clause 27, page 17, line 27, leave out “the functions” and insert “its functions”

Secretary Justine Greening

Agreed to 11

Clause 27, page 17, line 35, leave out “the functions” and insert “its functions”

Gordon Marsden
Angela Rayner

Negatived on division 40

Clause 40, page 23, line 22, 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

Not called 41

Clause 40, page 23, line 47, 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,

Higher Education and Research Bill, *continued*

and in the awards which they collectively grant, among students, employers, and the wider public.”

Dr Roberta Blackman-Woods

Not called 57

☆ Clause 40, page 24, line 13, at end insert—

“(13) Before authorising any provider to grant research awards, the OfS must consult with—

- (a) UKRI, including Research England,
 - (b) the appropriate National Academies and learned societies, and
 - (c) such other persons as the OfS considers appropriate.”
-

Dr Roberta Blackman-Woods

Not called 58

☆ Clause 51, page 31, line 41, at end insert—

“(A2) The power described in subsection (A1) may be exercised so as to include the word “university” in the name of the institution only if the institution can demonstrate that—

- (a) it offers access to a range of cultural activities, including, but not restricted to—
 - (i) the opportunity to undertake sport and recreation, and
 - (ii) the opportunity to access 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.”
-

Secretary Justine Greening

Agreed to 12

Clause 67, page 41, line 41, at end insert—

“() Terms and conditions under subsection (1) framed by reference to a particular course of study must not require the OfS to perform a function in a way which prohibits or requires the provision of a particular course of study.”

Higher Education and Research Bill, *continued*

Secretary Justine Greening

Agreed to 13

Clause 70, page 44, line 8, at end insert—

“() Directions under subsection (1) framed by reference to a particular course of study must not direct the OfS to perform a function in a way which prohibits or requires the provision of a particular course of study.”

Secretary Justine Greening

Agreed to 14

Clause 79, page 50, line 23, leave out “Secretary of State’s opinion” and insert “opinion of the person making the regulations concerned”

Secretary Justine Greening

Agreed to 15

Clause 79, page 50, line 34, leave out “and (f)” and insert “to (h)”

Secretary Justine Greening

Agreed to 16

Clause 79, page 50, line 37, leave out subsection (10)

John Pugh

Not called 53

Clause 85, page 54, leave out line 19

Secretary Justine Greening

Agreed to 17

Clause 86, page 55, line 3, at end insert—

“() The functions conferred by subsection (1)(a) to (e) include, in particular, power to encourage and support the provision of postgraduate training in science, technology, humanities and new ideas.”

As an Amendment to Secretary Justine Greening’s proposed Amendment (No. 17):—

Dr Roberta Blackman-Woods

Not called (a)

☆ Line 3, after “humanities” insert “, social sciences”

Higher Education and Research Bill, *continued*

John Pugh

Not called 54

Page 56, line 30, leave out Clause 89

Gordon Marsden
Angela Rayner*Not called* 42

Clause 90, page 57, line 21, after “appropriate” insert “including relevant bodies in the devolved administrations”

Roger Mullin
Carol Monaghan*Not called* 55

☆ Clause 94, page 58, line 38, 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 88(1) pursuant to arrangements under that section,
- (b) functions exercisable by Innovate UK pursuant to arrangements under section 89, and
- (c) functions exercisable by Research England pursuant to arrangements under section 90.

(1B) No variation may be made to the allocation of funding specified by the Secretary of State in subsection (1A) unless each House of Parliament has passed a resolution approving any such variation and has the consent of the devolved administrations.”

Roger Mullin
Carol Monaghan*Negatived on division* 56

☆ Clause 95, page 59, line 45, at end insert—

“(6) 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 on research and innovation policies and their priorities with the following—

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

Higher Education and Research Bill, *continued*

- (7) 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 Executive.”

Gordon Marsden
Angela Rayner

Clause 105, page 63, line 23, leave out “may” and insert “must”

Not called 43

Gordon Marsden
Angela Rayner

Clause 105, page 63, line 24, 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”

Not called 44

Gordon Marsden
Angela Rayner

Clause 105, page 63, line 25, leave out subsection (2)

Not called 45

Secretary Justine Greening

Clause 112, page 66, line 23, leave out “or repeals” and insert “, repeals or revokes”

Agreed to 18

Secretary Justine Greening

Clause 112, page 66, line 34, after “provision”, insert “, and

- () include provision framed by reference to matters determined or published by the OfS.”

Agreed to 19

Higher Education and Research Bill, *continued*

Secretary Justine Greening

Agreed to 20

Clause 116, page 67, line 26, at end insert—

“() Section 79(9)—

- (a) so far as it relates to section 22(4B)(e) of the Teaching and Higher Education Act 1998, also extends to Scotland and Northern Ireland;
 - (b) so far as it relates to section 22(4B)(f), (g) and (h) of that Act, also extends to Northern Ireland.”
-

Gordon Marsden
Angela Rayner*Not called* 36

Schedule 1, page 69, line 37, at end insert—

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

Wes Streeting
Gordon Marsden
Angela Rayner*Not called* 48

Schedule 1, page 69, line 37, at end insert—

“(h) representing or promoting the interests of employees in higher education establishments.”

Secretary Justine Greening

Agreed to 21

Schedule 1, page 69, line 37, at end insert—

“() But at least one of the ordinary members must have experience of representing or promoting the interests of individual students, or students generally, on higher education courses provided by higher education providers.”

Secretary Justine Greening

Agreed to 22

Schedule 1, page 71, line 2, leave out “, allowances and expenses”

Secretary Justine Greening

Agreed to 23

Schedule 1, page 71, line 18, leave out “, allowances and expenses”

Secretary Justine Greening

Agreed to 24

Schedule 1, page 71, line 20, at end insert—

“() The OfS must pay, or make provision for paying, to or in respect of a person who is an employee of the OfS, such sums as the OfS may determine with the approval of the Secretary of State in respect of allowances or expenses.”

Higher Education and Research Bill, *continued*

Secretary Justine Greening

Agreed to 25

Schedule 1, page 71, line 20, at end insert—

“() The OfS may pay, or make provision for paying—

- (a) to or in respect of a person who is or has been an employee of the OfS, such sums as the OfS 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 the OfS, such sums as the OfS may determine with the approval of the Secretary of State in respect of allowances or expenses.”
-

Secretary Justine Greening

Agreed to 26

Schedule 4, page 79, line 6, leave out paragraph 1

Secretary Justine Greening

Agreed to 27

Schedule 4, page 79, line 13, leave out from beginning to “consult” in line 14 and insert “The OfS may”

Secretary Justine Greening

Agreed to 28

Schedule 4, page 79, line 31, leave out sub-paragraphs (4) and (5) and insert—

“Recommendation

- 2A (1) This paragraph applies where the OfS has consulted in accordance with paragraph 2.
- (2) The OfS must consider whether there is a body that is suitable to perform the assessment functions.
- (3) If the OfS considers that there is only one body that is suitable to perform the assessment functions, the OfS must recommend that body to be designated to perform those functions.
- (4) If the OfS considers that there is more than one body that is suitable to perform the assessment functions, the OfS must recommend the most appropriate body to be designated to perform those functions.
- (5) “The most appropriate body” means, out of those bodies, the body whose designation the OfS considers would be most appropriate for securing the effective assessment of the quality of, and the standards applied to, higher education provided by English higher education providers.
- (6) If the OfS considers that there is no body that is suitable to perform the assessment functions, the OfS may not recommend a body to be designated to perform those functions.
- (7) The OfS must—
- (a) notify the Secretary of State of its recommendation or that no recommendation is made, and
 - (b) publish that notification.”

Higher Education and Research Bill, *continued*

Secretary Justine Greening

Schedule 4, page 79, line 37, leave out “paragraphs 1 and 2” and insert “paragraph 2A” *Agreed to* 29

Secretary Justine Greening

Schedule 6, page 88, line 22, leave out paragraph 1 *Agreed to* 30

Secretary Justine Greening

Schedule 6, page 88, line 27, leave out from beginning to “consult” in line 28 and insert “The OfS may” *Agreed to* 31

Secretary Justine Greening

Schedule 6, page 89, line 5, leave out sub-paragraphs (4) and (5) and insert— *Agreed to* 32

“Recommendation

- 2A (1) This paragraph applies where the OfS has consulted in accordance with paragraph 2.
- (2) The OfS must consider whether there is a body that is suitable to be designated under this Schedule.
- (3) If the OfS considers that there is only one body that is suitable to be designated under this Schedule, the OfS must recommend the designation of that body under this Schedule.
- (4) If the OfS considers that there is more than one body that is suitable to be designated under this Schedule, the OfS must recommend the designation under this Schedule of whichever one of those bodies it considers appropriate.
- (5) If the OfS considers that there is no body that is suitable to be designated under this Schedule, the OfS may not recommend the designation of a body under this Schedule.
- (6) The OfS must—
- (a) notify the Secretary of State of its recommendation or that no recommendation is made, and
 - (b) publish that notification.”

Secretary Justine Greening

Schedule 6, page 89, line 11, leave out “paragraphs 1 and 2” and insert “paragraph 2A” *Agreed to* 33

Secretary Justine Greening

Schedule 6, page 89, line 14, after “body”, insert “for the purposes of section 59” *Agreed to* 34

Higher Education and Research Bill, *continued*

Secretary Justine Greening

Agreed to 35

Schedule 9, page 98, line 39, at end insert—

- “() The Secretary of State must, in appointing the members of UKRI, have regard to the desirability of the members including at least one person with relevant experience in relation to at least one of Wales, Scotland and Northern Ireland.
- () “Relevant experience” means experience of one or more of the following—
- (a) research into science, technology, humanities or new ideas;
 - (b) the development or exploitation of science, technology, new ideas or advancements in humanities;
 - (c) industrial, commercial or financial matters or the practice of any profession.”

Dr Roberta Blackman-Woods

Not called 59

☆ Schedule 9, page 101, line 20, at end insert—

- “(9) A joint committee is to be established by UKRI and OfS, which must—
- (a) consist of representatives of both UKRI and OfS, and
 - (b) produce an annual report on the health of the higher education sector.
- (10) The report must make an assessment of—
- (a) the strength of the sector,
 - (b) work undertaken to improve equality of opportunity,
 - (c) the strength of separate disciplines,
 - (d) the availability of research funding,
 - (e) the awarding of research degrees,
 - (f) the quality of post-graduate training,
 - (g) access to shared facilities,
 - (h) the effectiveness of knowledge exchange,
 - (i) skills development, and
 - (j) measures taken to act in the public interest.”

Bill read the third time, and passed.
