

---

Report Stage: Monday 21 February 2022

---

## Skills and Post-16 Education Bill [Lords], As Amended (Report Stage Decisions)

This document sets out the fate of each clause, schedule, amendment and new clause considered at report stage. A glossary with key terms can be found at the end of this document.

---

Secretary Nadhim Zahawi

Agreed to NC12

To move the following Clause—

**“Office for Students: publication and protection from defamation**

In the Higher Education and Research Act 2017, after section 67 insert—

*“Publication*

**67A Power for the OfS to publish notices, decisions and reports**

- (1) The OfS may publish notices, decisions and reports given or made in the performance of its functions.
- (2) Subsection (1) does not affect any other power of the OfS to publish such a matter.
- (3) Publication under this section does not breach—
  - (a) an obligation of confidence owed by the OfS, or
  - (b) any other restriction on the publication or disclosure of information (however imposed).
- (4) But nothing in this section authorises the OfS to publish information where doing so contravenes the data protection legislation.

For this purpose “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act).

- (5) In deciding whether to publish a notice, decision or report under subsection (1), the OfS must, in particular, consider—
  - (a) the interests of—
    - (i) students on higher education courses provided by English higher education providers,
    - (ii) people thinking about undertaking, or who have undertaken, such courses, and
    - (iii) English higher education providers,

- (b) the need for excluding from publication, so far as practicable, any information which relates to the affairs of a particular body or individual, where publication of that information would or might, in the opinion of the OfS, seriously and prejudicially affect the interests of that body or individual, and
  - (c) the public interest.
- (6) For the purposes of this section and sections 67B and 67C—
  - (a) a reference to a decision includes a reference to the reasons for it, and
  - (b) any decision made in the course of exercising, or for the purposes of enabling the OfS to exercise, any of the OfS's functions (including making any other decision) is made "in the performance of its functions".

### **67B Publication of decision to conduct or terminate investigation**

- (1) This section applies where under section 67A(1) the OfS publishes a decision to conduct an investigation.
- (2) If the publication identifies a higher education provider or other body or individual whose activities are being, or to be, investigated, and—
  - (a) the OfS terminates the investigation without making any finding, or
  - (b) the findings of the investigation, so far as they relate to the higher education provider, body or individual, do not result in the OfS taking any further action,the OfS must publish a notice stating that fact.
- (3) Section 67C does not apply to the publication of the decision to conduct the investigation to the extent that it includes information other than—
  - (a) a statement of the OfS's decision to conduct the investigation,
  - (b) a summary of the matter being, or to be, investigated, and
  - (c) a reference to the identity of any higher education provider or other body or individual whose activities are being, or to be, investigated.
- (4) See section 67A(6) for the meaning of references to decisions.

### *Defamation*

#### **67C Protection from defamation claims**

- (1) For the purposes of the law of defamation, publication by the OfS of any notice, decision or report given or made in the performance of its functions is privileged unless the publication is shown to have been made with malice.  
This is subject to section 67B.
- (2) See section 67A(6) for the meaning of references to decisions."

---

Robert Halfon		<b>Not called</b>	<b>NC1</b>
Kim Johnson			
Ian Mearns			
Tom Hunt			
Brendan Clarke-Smith			
Miriam Cates			
Bob Blackman	Derek Thomas	Gordon Henderson	
Wera Hobhouse	Christian Wakeford	Sarah Olney	
Chris Green	Paul Maynard	Dr Matthew Offord	
Steve McCabe	Sir Peter Bottomley	Dan Carden	
Mr John Baron	Tony Lloyd	Sarah Champion	
Munira Wilson	Lee Anderson	Alicia Kearns	
Margaret Greenwood			

To move the following Clause—

**“Apprenticeships for prisoners**

Notwithstanding any other statutory provision, prisoners in English prisons may participate in approved English apprenticeships, as defined by section A1 of the Apprenticeships, Skills, Children and Learning Act 2009.”

---

Robert Halfon		<b>Not called</b>	<b>NC2</b>
Peter Aldous			
Bob Blackman			
Derek Thomas			
Gordon Henderson			
Wera Hobhouse			
Christian Wakeford	Miriam Cates	Sarah Olney	
Paul Maynard	Sir Peter Bottomley	Dan Carden	
Mr John Baron	Tony Lloyd	Sarah Champion	
Munira Wilson	Lee Anderson		

To move the following Clause—

**“Provision of opportunities for education and skills development**

- (1) Any person of any age has the right to free education on an approved course up to Level 3 supplied by an approved provider of further or technical education, if he or she has not already studied at that level.
- (2) Any approved provider must receive automatic in-year funding for any student covered by subsection (1), and supported by the Adult Education Budget, at a tariff rate set by the Secretary of State.
- (3) Any employer receiving apprenticeship funding must spend at least two thirds of that funding on people who begin apprenticeships at Levels 2 and 3 before the age of 25.”

Robert Halfon		Not called	NC3
Bob Blackman			
Derek Thomas			
Gordon Henderson			
Wera Hobhouse			
Christian Wakeford			
Peter Aldous	Miriam Cates	Sarah Olney	
Chris Green	Paul Maynard	Sir Peter Bottomley	
Dan Carden	Mr John Baron	Tony Lloyd	
Sarah Champion	Munira Wilson	Lee Anderson	
Alicia Kearns			

To move the following Clause—

**“Amendments to section 42B of the Education Act 1997**

- (1) Section 42B of the Education Act 1997 is amended as follows.
- (2) After subsection (1) insert—
  - “(1A) In complying with subsection (1), the proprietor must give a representative range of education and training providers (including, where reasonably practicable, a university technical college) access to registered pupils on at least three occasions during each of the first, second and third key phase of their education.”
- (3) After subsection (2) insert—
  - “(2A) The proprietor of a school in England within subsection (2) must—
    - (a) ensure that each registered pupil meets, during both the first and second key phase of their education, with a representative range of education and training providers to whom access is given, and
    - (b) ask providers to whom access is given to provide information that includes the following—
      - (i) information about the provider and the approved technical education qualifications or apprenticeships that the provider offers,
      - (ii) information about the careers to which those technical education qualifications or apprenticeships might lead,
      - (iii) a description of what learning or training with the provider is like, and
      - (iv) responses to questions from the pupils about the provider or technical education qualifications and apprenticeships.
  - (2B) Access given under subsection (1) must be for a reasonable period of time during the standard school day.”
- (4) After subsection (5)(a), insert—
  - “(aa) a requirement to provide access to a representative range of education and training providers to include where practicable a university technical college;”
- (5) In subsection (5)(c), after “access” insert “and the times at which the access is to be given;”
- (6) After subsection (5)(c), insert—

“(d) an explanation of how the proprietor proposes to comply with the obligations imposed under subsection (2A).”

(7) After subsection (9), insert—

“(9A) For the purposes of this section—

- (a) the first key phase of a pupil’s education is the period—
  - (i) beginning at the same time as the school year in which the majority of pupils in the pupil’s class attain the age of 13, and
  - (ii) ending with 28 February in the following school year;
- (b) the second key phase of a pupil’s education is the period—
  - (i) beginning at the same time as the school year in which the majority of pupils in the pupil’s class attain the age of 15, and
  - (ii) ending with 28 February in the following school year;
- (c) the third key phase of a pupil’s education is the period—
  - (i) beginning at the same time as the school year in which the majority of pupils in the pupil’s class attain the age of 17, and
  - (ii) ending with 28 February in the following school year.”

---

Chris Skidmore  
Caroline Ansell  
Siobhan Baillie  
Andrew Bowie

**Not called NC4**

To move the following Clause—

**“Green Skills Strategy**

The Secretary of State must, before the end of the period of 12 months beginning with the day on which this Act is passed, publish a Green Skills Strategy, setting out a plan to support people to attain the skills, capabilities or expertise through higher education, further education or technical education that directly contribute to, or indirectly support, the following—

- (a) compliance with the duty imposed by section 1 of the Climate Change Act 2008 (United Kingdom net zero emissions target),
- (b) adaptation to climate change, or
- (c) meeting other environmental goals (such as restoration or enhancement of the natural environment).”

---

Peter Aldous  
Chris Skidmore  
Robert Halfon  
Margaret Greenwood

**Not called NC5**

To move the following Clause—

**“Universal Credit conditionality review**

The Secretary of State must review universal credit conditionality with a view to ensuring that adult learners who are—

- (a) unemployed, and
- (b) in receipt of universal credit

remain entitled to universal credit if they enrol on an approved course for a qualification which is deemed to support them to secure sustainable employment.”

---

Chris Skidmore

Not called NC6

To move the following Clause—

**“Skills levels in England and Wales: review**

- (1) Within one year of the passing of this Act, and each year thereafter, the Secretary of State must prepare and publish a report on overall levels of skills in England and Wales and their economic impact, including regional and demographic breakdowns.
- (2) The report under subsection (1) must in particular examine—
  - (a) cohort sizes and compositions of all qualifications from entry level to level 8,
  - (b) cohort skill achievement rates, in terms of result breakdowns,
  - (c) cohort placement success rates, in terms of numbers in further qualifications or new employment within 12 months after achieving each qualification,
  - (d) job retention and labour market turnover,
  - (e) labour productivity, and
  - (f) job satisfaction and fulfilment.
- (3) The report under subsection (1) must be laid before both Houses of Parliament.”

---

Chris Skidmore

Not called NC7

To move the following Clause—

**“Lifetime skills guarantee**

- (1) All persons have the right to study a fully-funded approved course for a qualification up to level 3 supplied by an approved provider of further, higher, or technical education if they—
  - (a) do not currently hold a level 3 qualification, or
  - (b) currently hold a level 3 qualification and would benefit from re-training.
- (2) The Secretary of State must prepare and publish a list of approved courses for the purposes of subsection (1).

- (3) The Secretary of State must consult on the list of approved courses to ensure that they are compatible with national levelling up and skills strategies.
- (4) The Secretary of State must review the list of approved courses at least every six months with a view to ensuring that they reflect the skills needed as the economy changes.”

---

Chris Skidmore

Not called NC8

To move the following Clause—

**“National Strategy for Integrated Education**

- (1) The Secretary of State must, before the end of the period of 12 months beginning with the day on which this Act is passed, publish a National Strategy for Integrated Education.
- (2) A strategy under this section must—
  - (a) support the creation or development of courses offering integrated academic and vocational content, or a range of academic and vocational modules which can be combined into hybrid qualifications, at levels 4 to 8;
  - (b) support the creation or development of institutions offering courses under paragraph (a);
  - (c) set out a role for training programme providers in designing courses under paragraph (a).
- (3) The Secretary of State must consult the Institute for Apprenticeships and Technical Education, Ofqual, and Quality Assurance Agency on any strategy to be published under this section.
- (4) The Secretary of State must make regulations within 24 months of the passing of this Act to provide for such elements of the strategy as require enactment through statutory provisions.”

---

Chris Skidmore

Not called NC9

To move the following Clause—

**“Integrated compatibility of modules and accreditation**

- (1) The Secretary of State must publish a National Accreditation Framework for Modular Learning. A framework must include guidance on—
  - (a) the unbundling of modular components of courses and qualifications;
  - (b) the stacking of modular components of courses and qualifications; and
  - (c) the transfer of modular components between institutions, for the purposes of ensuring—
    - (i) transparency;

- (ii) mutual recognition of qualifications across academic, vocational and integrated further and higher education institutions; and
  - (iii) clarity on the options available to learners for unbundling or stacking modules into an overall qualification which meets the needs of their own professional development, and skills gaps within the national labour-market.
- (2) The Institute for Apprenticeships and Technical Education, Ofqual, and Quality Assurance Agency must assist in the preparation of any framework under this section.
  - (3) A framework under this section must set out a role for the Institute, Ofqual and the Quality Assurance Agency in ensuring the effective operation of the framework."

---

Chris Skidmore

Not called NC10

To move the following Clause—

**“Role of employers in employee reskilling**

- (1) The Secretary of State may make regulations for the purpose of ensuring that employers provide—
  - (a) a minimum number of hours per year for in-work training and skills development for employees; and
  - (b) a minimum number of hours of retraining support for courses chosen at the discretion of former employees who have been made redundant, as part of an employer’s redundancy package.
- (2) The minimum numbers of hours under section (1)(a) and (b) are to be set by the Secretary of State.
- (3) In this section, “employer” has the same meaning as in section 4.
- (4) The Secretary of State may, by regulation, establish a skills tax credit, for the purpose of—
  - (a) making allowance for funding the provision of time and training under subsection (1); and
  - (b) incentivising and rewarding employers for investing the skills development of their employees.”

---

Munira Wilson  
Sarah Olney

Not called NC11

To move the following Clause—

**“Transition to 16+ education**

- (1) The Secretary of State may make regulations requiring local authorities to fulfil the function of an admissions authority with regard to admissions to further education courses provided within their administrative

jurisdiction, for the purposes of ensuring admission to further education is allocated in an open and fair manner.

- (2) Regulations under this section may require local authorities to run admissions processes in relation to further education in a manner comparable with the processes set out in Part III of the School Standards and Framework Act 1998 in so far as they relate to the admissions processes for primary and secondary education.
- (3) In this section, “further education” has the same meaning as in the Education Act 1996 (see section 2 of that Act).”

---

Stephen Timms  
Kate Green

**Not called NC13**

To move the following Clause—

**“Access to Sharia-compliant lifelong learning loans**

- (1) The Secretary of State must make provision by regulations for Sharia-compliant student finance to be made available as part of the lifelong learning entitlement.
- (2) Regulations under this section are to be made by statutory instrument, and a statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

---

Caroline Lucas  
Clive Lewis  
Tim Farron  
Wera Hobhouse  
Kenny MacAskill  
Stephen Farry  
Nadia Whittome  
Richard Burgon  
Claudia Webbe

**Negated on division NC14**

Dame Diana Johnson  
Wendy Chamberlain  
Zarah Sultana

Tony Lloyd  
Daisy Cooper

To move the following Clause—

**“Recognition of skills in the energy sector**

- (1) Within six months of the passing of this Act, the Secretary of State must publish an Energy Sector Skills Strategy, for the purposes of—
  - (a) achieving cross-sector recognition of core skills and training in the offshore energy sector, including the oil and gas sector, and the renewable energy sector; and
  - (b) ensuring training and training standards bodies within the offshore energy sector adopt a transferable skills and competency-based approach to training.
- (2) The strategy must target all workers, whether directly or indirectly (sub-contracted or agency) employed, or engaged through day-rate or self-employed contract models.
- (3) When producing the strategy, the Secretary of State must consult with—

- (a) workers within the offshore energy sector;
  - (b) unions within the offshore energy sector;
  - (c) energy companies; and
  - (d) training standards bodies relevant to the offshore energy sector.
- (4) The Secretary of State must implement the strategy within 12 months of the passing of this Act. The Secretary of State may make regulations to provide for such elements of the strategy as require enactment through statutory provision."

Caroline Lucas  
Clive Lewis  
Tim Farron  
Wera Hobhouse  
Kenny MacAskill  
Stephen Farry  
Nadia Whittome  
Richard Burgon  
Claudia Webbe

Dame Diana Johnson  
Wendy Chamberlain  
Zarah Sultana

Tony Lloyd  
Daisy Cooper

Not called NC15

To move the following Clause—

**"Retraining guarantee for oil and gas workers**

- (1) The Secretary of State must guarantee access to training, grants, resources and other support facilities to workers in the oil and gas sector, including—
- (a) assessment of existing skills and training;
  - (b) understanding of skills matrices for careers in the offshore energy sector, including renewable energy and oil and gas;
  - (c) advice on alternative green energy jobs; and
  - (d) funding to complete training relevant to the green energy sector;
- for the purpose of proactively supporting oil and gas workers wishing to transition to careers in the green energy sector, regardless of their current contract status.
- (2) Support under this section must be made available to—
- (a) all workers, whether directly or indirectly (sub-contracted or agency) employed, or engaged through day-rate or self-employed contract models; and
  - (b) workers who have recently left the oil and gas sector."

Margaret Greenwood  
 Ian Byrne  
 Claudia Webbe  
 Peter Dowd  
 Mick Whitley  
 Paula Barker  
 Kim Johnson  
 Maria Eagle  
 Kate Green  
 Emma Hardy  
 Nadia Whittome

Not called NC16

Sir George Howarth  
 Rosie Cooper  
 Kerry McCarthy  
 Kate Osborne

Dame Angela Eagle  
 Sarah Champion  
 Dame Diana Johnson  
 Christian Wakeford

To move the following Clause—

**“National review and plan for improving levels of adult literacy**

- (1) Within two years of the passing of this Act, and every two years thereafter, the Secretary of State must review adult literacy levels in England, for the purpose of improving adult literacy levels.
- (2) A review under this section must identify the number of adults with literacy levels—
  - (a) below Entry Level 1,
  - (b) below Entry Level 2,
  - (c) below Entry Level 3,
  - (d) below Level 1, and
  - (e) below Level 2.
- (3) The findings of a review under this section must be published in a report, which must be laid before Parliament.
- (4) A report under this section must include a breakdown of the levels of adult literacy by local authority area.
- (5) When a report under this section is laid before Parliament, the Secretary of State must also publish a strategy setting out steps the Government intends to take to improve levels of adult literacy in England.”

Margaret Greenwood  
 Ian Byrne  
 Claudia Webbe  
 Peter Dowd  
 Mick Whitley  
 Paula Barker  
 Kim Johnson  
 Maria Eagle  
 Dame Diana Johnson

Not called NC17

Sir George Howarth  
 Rosie Cooper  
 Emma Hardy

Dame Angela Eagle  
 Sarah Champion  
 Kate Osborne

To move the following Clause—

**“Availability of humanities, social sciences, arts and languages courses**

- (1) The Secretary of State must review the availability of humanities, social sciences, arts and languages courses at Entry Level through to Level 4 in a specified area to which a local skills improvement plan relates.
- (2) The outcome of a review under this section must be—

- (a) provided to the relevant employer representative body for a specified area; and
- (b) laid before both Houses of Parliament.
- (3) Where a review under this section identifies inadequate availability of courses in a specified area, the Secretary of State must take steps to remedy this inadequacy, to ensure courses are available in all specified areas.
- (4) A review under this section in relation to a specified area must be conducted each time the Secretary of State approves and publishes a local skills improvement plan for that specified area."

---

Peter Aldous **Not called** **2**  
Margaret Greenwood

Clause 1, page 2, line 36, after "authority" insert "and further education providers in the specified area"

---

Margaret Greenwood **Not called** **18**  
Ian Byrne  
Claudia Webbe  
Peter Dowd  
Mick Whitley  
Paula Barker  
Kim Johnson Sir George Howarth Dame Angela Eagle  
Maria Eagle Rosie Cooper Sarah Champion  
Dame Diana Johnson Emma Hardy Kate Osborne  
Christian Wakeford Nadia Whittome

Clause 1, page 3, line 6, at end insert—

- "(ba) draws on responses to a public consultation conducted by the relevant local authority for the specified area on the education and training that should be made available in the relevant area, and"

---

Mr Toby Perkins **Not called** **16**  
Matt Western

Clause 1, page 3, line 10, at end insert—

- "(d) lists specific strategies to support learners who have or have previously had, a statement of Special Educational Need or an Education and Health Care Plan into employment, including but not limited to provision for supported internships."
-

---

Mr Toby Perkins **Negated on division** 14  
 Matt Western

Clause 2, page 3, line 15, after "England" insert "with the consent of the relevant local authority, Local Enterprise Partnership (LEP) and, where relevant, Mayoral Combined Authority"

---

Chris Skidmore **Not called** 4

Clause 2, page 3, line 20, after "employers", insert "and any relevant community, education, arts, faith and third sector organisations"

---

Chris Skidmore **Not called** 5

Clause 2, page 3, line 41, at end insert—

"(6) The functions of the Secretary of State under this section may also be exercised by a relevant mayoral combined authority in England, where the designation relates to an area within their administrative jurisdiction, provided that education and skills are within the relevant authority's devolved competence."

---

Emma Hardy **Not called** 17

Clause 2, page 3, line 41, at end insert—

"(6) Representative bodies which are employers, and employer organisations which are members of employer representative bodies, must sign up to the Disability Confident employer scheme within six months of being designated, or becoming a member of, the employer representative body."

---

Chris Skidmore **Not called** 6

Clause 3, page 4, line 18, at end insert—

"(5) The functions of the Secretary of State under this section may also be exercised by a relevant mayoral combined authority in England, where the designation relates to an area within their administrative jurisdiction, provided that education and skills are within the relevant authority's devolved competence."

---

---

Mr Toby Perkins **Not called** **12**  
 Matt Western  
 Margaret Greenwood

Clause 6, page 7, line 23, at end insert—

“(2A) The Institute shall perform a review of the operation of the apprenticeship levy, paying particular regard to considering whether sufficient apprenticeships at level 3 and below are available.”

---



---

Mr Toby Perkins **Not called** **15**  
 Matt Western

Clause 7, page 10, line 37, at end insert—

“(2A) Subsection (2) does not apply to the withdrawal of level three courses for the period of four years beginning with the day on which this Act is passed.”

---



---

Robert Halfon **Not called** **1**  
 Page 17, line 28, leave out Clause 14

---

Chris Skidmore **Not called** **8**

Clause 14, page 17, line 28, at end insert—

“(A1)Section 42A of the Education Act 1997 (Provision of careers guidance in schools in England) is amended as follows—

After subsection (4)(c), insert—

“(d) is provided by a person who is registered with the Career Development Institute, and who holds a level 4 qualification.””

---

Mr Toby Perkins **Negated on division** **13**  
 Matt Western

Clause 14, page 18, line 5, at end insert—

“(aa) ensure that each registered pupil receives two weeks’ worth of compulsory work experience,  
 (ab) ensure that each registered pupil receives face to face careers guidance, and”

---

Chris Skidmore Not called 7

Clause 14, page 19, line 1, at end insert—

“(9B) Local Authorities shall have oversight of the provisions in subsection (2A) and subsection (5), for the purposes of ensuring the provision of careers advice is consistent and high quality.”

---



---

Chris Skidmore Not called 3

Clause 15, page 20, line 29, at end insert—

“(3) After section 22(2)(c) of the Teaching and Higher Education Act 1998 insert—

“(ca) for the establishment of a system of means-tested financial grants, for the purpose of ensuring that financial hardship is not a dissuading factor in the take-up of higher education or further education modules or courses.””

---



---

Caroline Lucas Not called 11

Clive Lewis

Tim Farron

Wera Hobhouse

Kenny MacAskill

Stephen Farry

Nadia Whittome

Richard Burgon

Claudia Webbe

Dame Diana Johnson

Wendy Chamberlain

Zarah Sultana

Tony Lloyd

Daisy Cooper

Clause 34, page 40, line 20, at end insert—

“(e) Sections [*Recognition of skills in the energy sector*] and [*Retraining guarantee for oil and gas workers*].”

---

---

Secretary Nadhim Zahawi

**Not called** 9

Clause 35, page 40, line 31, leave out "and 23 to" and insert ", 23 to (*Office for Students: publication and protection from defamation*) and"

---

Secretary Nadhim Zahawi

**Not called** 10

Title, line 5, after "assessments" insert "and publication of certain matters"

*Bill read the third time, and passed with amendments.*

---

## Glossary

**Added:** New Clause agreed without a vote and added to the Bill.

**Agreed to:** agreed without a vote.

**Agreed to on division:** agreed following a vote.

**Negated:** rejected without a vote.

**Negated 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.

**Question proposed:** debate underway but not concluded.

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

**Not selected:** not chosen for debate by the Speaker.

---