AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

Clause 2
BARONESS GARDEN OF FROGNAL
LORD STOREY
Page 1, line 10, at end insert “all”

Page 1, line 11, after “students,” insert “irrespective of whether they are studying full-time, part-time, at a distance, in the workplace, or using any combination of these methods,”

Clause 5
LORD STOREY
BARONESS GARDEN OF FROGNAL
Page 4, line 9, at end insert—
“(1A) Subject to subsection (1B), initial registration conditions of all providers under subsection (1)(a) must include a requirement that every provider—
(a) provides all eligible students and staff with a mental health support service, and
(b) notifies all students and staff of this service.
(1B) Subsection (1A) does not apply to the Open University and other distance learning institutions.”

Clause 8
BARONESS GARDEN OF FROGNAL
LORD STOREY
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,”
Clause 9

LORD LUCAS

Page 6, line 3, leave out “of a prescribed description”

Page 6, line 9, at end insert “for each course for each calendar month”

Page 6, line 10, after “provider” insert “for each course for each calendar month”

Page 6, line 12, at end insert “for each course for each calendar month”

Page 6, line 14, at end insert “for each course for each calendar month”

Page 6, line 14, at end insert—
“( ) the relationships between members of the university community.”

Page 6, line 14, at end insert—
“( ) the mental health of the university community.”

Page 6, line 14, at end insert—
“( ) such other matters as the OfS may specify, after consultation, as necessary to enable prospective students to make a fully informed decision on whether to take up a course at a particular registered higher education provider.”

Page 6, line 14, at end insert—
“( ) freedom of speech and academic freedom, with regard to the provider.”

Page 6, line 14, at end insert—
“( ) the expenditure by the registered higher education provider in relation to the services provided to students on each course.”

Page 6, line 14, at end insert—
“( ) the nature and duration of the interaction between students and staff (and the seniority of those staff) on each course.”

Page 6, line 14, at end insert—
“( ) the predictions made by schools as to examination outcomes, the offers made by the provider, the actual examination outcomes, and the admission decisions made by the provider once the actual outcomes were known.”

Page 6, line 14, at end insert—
“( ) the median and standard deviation of the tariff score of offers made and offers accepted, for each course for each calendar month.”
Clause 9 - continued

BARONESS GARDEN OF FROGNAL
LORD STOREY

Page 6, line 20, at end insert—
“( ) age group.”

LORD LUCAS

Page 6, line 20, at end insert—
“( ) the type of educational institution that applicants attend;
( ) the types of qualifications that applicants have;
( ) the national domicile of applicants.”

BARONESS GARDEN OF FROGNAL
LORD STOREY

Page 6, line 20, at end insert—
“( ) registered disability.”

LORD LUCAS

Page 6, line 20, at end insert—
“( ) A provider must ensure that the information published under this section, and any other information described in section 59, is made available to students on higher education courses and to those thinking of undertaking such courses in such manner and at such times as the OfS may require.”

After Clause 9

LORD LUCAS

Insert the following new Clause—

“Freedom of Information

The Secretary of State must use his or her best endeavours to ensure that all registered higher education providers are subject to the same Freedom of Information obligations.”

After Clause 12

BARONESS GARDEN OF FROGNAL
LORD STOREY

Insert the following new Clause—

“OfS report: international students

(1) The OfS shall, in accordance with information received under section 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.
After Clause 12 - continued

(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.”

Clause 24

BARONESS GARDEN OF FROGNAL
LORD STOREY

Page 15, line 15, 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 25

LORD LUCAS

Page 15, line 32, at end insert—

“( ) Such ratings—
( ) shall be on a scale of 1 to 10, 10 being the best;
( ) may only be awarded for each aspect of each course separately;
( ) may not be published as an average or otherwise summarised for a course or a provider.”

LORD STOREY
BARONESS GARDEN OF FROGNAL

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 each House of Parliament.

(8) Prior to the scheme being laid before Parliament under subsection (7) the OfS must make an assessment of—
(a) the evidence that any proposed metric for assessing teaching quality is correlated to teaching quality,
(b) any potential unintended consequences that could arise from implementing the scheme, including proposals on how such risks can be mitigated.

(9) Prior to making an assessment under subsection (8) the OfS must consult—
(a) bodies representing the interests of academic staff employed by 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.
Clause 25 - continued

(10) The assessments made under subsection (8) must be published.”

Clause 36

BARONESS GARDEN OF FROGNAL
LORD STOREY

Page 21, line 14, after “opportunity” insert “, including part-time provision for students aged 21 and over,”

Clause 59

LORD LUCAS

Page 37, line 13, at end insert “, and wherever possible must be published as open data, using informative and easily linkable identifiers, as soon as it is practicable to do so.”

Page 37, line 19, at end insert “, in particular in relation to how competitive each course is, what qualifications and tariff score are actually required for admission (for ordinary applications and in clearing), and when in the admissions cycle it is advantageous to apply;”

Page 37, line 20, at end insert—

“( ) In reaching its conclusions regarding the publication of information under subsection (5) the OfS must consider what information is available from independent providers that it would be in the interest of the persons mentioned in subsection (5) to have easily available to them at the same time, and which would usefully complement the information available to the OfS, and must arrange for such information to be made so available.”

Page 37, line 32, at end insert—

“( ) a number of persons that, taken together, appear to the OfS to represent the interests of people thinking about undertaking courses of higher education, in particular schools and colleges,”

Clause 60

LORD LUCAS

Page 38, line 21, at end insert “under any enactment.”

Clause 62

LORD LUCAS

Page 38, line 31, after “costs” insert “necessarily”
After Clause 82

BARONESS GARDEN OF FROGNAL
LORD STOREY

Insert the following new 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 subject to the requirement in 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 must, by regulations under section 22(3)(b), amend the level of earnings specified in accordance with the requirement in section 22(3A) by the same percentage increase as UK consumer price inflation as determined under subsection (1).

(3) If the Secretary of State is not required to make regulations 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’ Consumer Price Inflation Statistical Bulletin.””

LORD LUCAS

Insert the following new Clause—

“Student Loans Company

The Secretary of State must instruct the Student Loans Company to facilitate communication between the OfS and current and former borrowers.”
After Clause 83

LORD HANNAY OF CHISWICK
BARONESS GARDEN OF FROGNAL
BARONESS ROYALL OF BLAISDON
LORD PATTEN OF BARNES

Insert the following new Clause—

“Students at higher education establishments: treatment for public policy purposes

The Secretary of State has a duty to encourage international students to attend higher education establishments covered by this Act, and to that end shall ensure that no student, either undergraduate or postgraduate, who has received an offer to study at such a higher education establishment shall be treated for public policy purposes as an economic migrant to the UK, for the duration of their studies at such an establishment.”

Insert the following new Clause—

“Students at higher education establishments: immigration

Persons, who are not British citizens, who receive an offer to study as an undergraduate or postgraduate student at a higher education establishment shall not, in respect of that course of study, be subject to more restrictive immigration controls or conditions than were in force for a person in their position on the day on which this Act was passed.”

Insert the following new Clause—

“Academic staff at higher education establishments: immigration

Persons, who are not British citizens, who receive an offer of employment as a member of academic staff at a higher education establishment shall not, in respect of that employment, be subject to more restrictive immigration controls or conditions than were in force for a person in their position on the day on which this Act was passed.”

Clause 86

BARONESS GARDEN OF FROGNAL
LORD STOREY

Page 55, line 12, leave out paragraph (h)
Clause 87

LORD HANNAY OF CHISWICK
BARONESS GARDEN OF FROGNAL
BARONESS ROYALL OF BLAISDON
LORD PATTEN OF BARNES

Page 55, line 38, at end insert—

“() In carrying out its functions under subsection (1), UKRI shall take every possible opportunity to encourage and facilitate the maximum co-operation between British higher education and research establishments and those based outside the UK, and in particular with projects and programmes funded by the European Union.”

After Clause 87

BARONESS GARDEN OF FROGNAL
LORD STOREY

Insert the following new Clause—

“UKRI report: international specialist employees

(1) Within six months of section 84 coming into force, and every year thereafter, UKRI shall report to the Secretary of State on—

(a) EU (excluding people 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, the Secretary of State must make an assessment of the impact of that reduction on UKRI’s ability to deliver its functions under section 87.

(4) The Secretary of State shall lay any report produced under this section before each House of Parliament.”

Clause 90

BARONESS GARDEN OF FROGNAL
LORD STOREY

The above-named Lords give notice of their intention to oppose the Question that Clause 90 stand part of the Bill.
Schedule 1

BARONESS GARDEN OF FROGNAL
LORD STOREY

Page 70, line 37, at end insert “including those offering part-time and distance learning.”

Schedule 2

BARONESS GARDEN OF FROGNAL
LORD STOREY

Page 78, line 3, leave out paragraph (b)

Schedule 6

LORD LUCAS

Page 90, line 7, at end insert “, or whether such a body might be created.”

Page 90, line 21, at end insert—

“( ) a number of persons that, taken together, appear to the OfS to represent the interests of people thinking about undertaking courses of higher education, in particular schools and colleges, and”

Page 91, line 20, leave out “D” and insert “E”

Page 91, line 25, at end insert—

“( ) no class of registered higher education providers is unrepresented, and that all individual registered higher education providers have had a voice in who is chosen to be representative of them,”

Page 91, line 34, at end insert—

“( ) Condition E is that the constitution of the body requires it to place the interests of students on higher education courses and of those thinking of undertaking such courses ahead of the interests of registered higher education providers and of the body’s own commercial gain.”

Page 91, line 34, at end insert—

“( ) Condition E is that the body should have been subject to a full and independent audit of its IT and other systems, and that these should have been found to provide an up-to-date, proper and resilient foundation for the services that the body might be required to provide.”

Page 92, line 15, at end insert—

“( ) a number of persons that, taken together, appear to the OfS to represent the interests of people thinking about undertaking courses of higher education, in particular schools and colleges, and”
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15 December 2016