Higher Education and Research Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

__________________

Before Clause 1

LORD STEVENSON OF BALMACARA

Insert the following new Clause—

“UK universities: functions

(1) UK universities are autonomous institutions and must uphold the principles of academic freedom and freedom of speech.

(2) UK universities must ensure that they promote freedom of thought and expression, and freedom from discrimination.

(3) UK universities must provide an extensive range of high quality academic subjects delivered by excellent teaching, supported by scholarship and research, through courses which enhance the ability of students to learn throughout their lives.

(4) UK universities must make a contribution to society through the pursuit, dissemination, and application of knowledge and expertise locally, nationally and internationally; and through partnerships with business, charitable foundations, and other organisations, including other colleges and universities.

(5) UK universities must be free to act as critics of government and the conscience of society.”

Insert the following new Clause—

“UK universities: establishment

(1) UK universities must be bodies corporate, primarily located in the United Kingdom, and established on a not-for-profit basis.

(2) UK universities are public bodies, contributing to society through the pursuit of education, learning, and research at high levels of excellence.

(3) UK universities (whether established by Act of Parliament, Royal Charter or by the Privy Council) may be awarded degree awarding powers in accordance with sections 40 to 50.
Before Clause 1 - continued

(4) Private universities, colleges of further education and other higher education providers established by Act of Parliament may be awarded degree awarding powers in accordance with sections 40 to 50.

(5) Only bodies under subsection (3) or (4) which have met the criteria relevant to the granting of degree awarding powers under section 40(1B) for at least four years may be registered as higher education providers, in accordance with section 3."

Clause 2

BARONESS WOLF OF DULWICH
Page 1, line 10, leave out “greater”

Page 1, line 13, after “competition” insert “and promote collaboration”

Page 1, line 15, after “competition” insert “or collaboration”

Page 1, line 15, leave out “and employers” and insert “, employers and society”

LORD LUCAS
Page 1, line 20, at end insert—

“( ) the need to help higher education providers plan in a co-ordinated way to meet the requirements of immigration policy regarding international students and staff,”

BARONESS WOLF OF DULWICH
Page 1, line 20, at end insert—

“( ) the financial health and viability of higher education providers and the higher education sector,”

Page 1, line 20, at end insert—

“( ) the need to maintain confidence in the higher education sector among students, employers, and the wider public,”

BARONESS WOLF OF DULWICH
BARONESS GARDEN OF FROGNAL
Page 2, line 2, at end insert—

“( ) the need to act in a manner compatible with the principle of institutional autonomy for English higher education providers,”
Clause 2 - continued

BARONESS WOLF OF DULWICH
LORD STOREY
BARONESS GARDEN OF FROGNAL

Page 2, line 8, at end insert—

“( ) In giving guidance under this section, the Secretary of State must have due regard to any advice given to the Secretary of State by the OfS.”

BARONESS WOLF OF DULWICH
BARONESS GARDEN OF FROGNAL

Page 2, line 9, after first “to” insert “the principle of institutional autonomy for English higher education providers and”

Page 2, line 25, at end insert—

“( ) the standards applied to a particular course of study.”

LORD STOREY
BARONESS GARDEN OF FROGNAL

Page 2, line 28, at end insert “, nor must it guide the OfS to perform a function in a way that prohibits the OfS from funding a particular course of study”

LORD LUCAS

Page 2, line 31, at end insert—

“( ) All bodies on which the OfS places responsibility for the execution of its duties shall be open to and governed by all classes of registered higher education providers, and all individual registered higher education providers shall have a role in choosing who on each such body’s board is chosen to be representative of them.”

LORD LISVANE
LORD JUDGE
LORD NORTON OF LOUTH
BARONESS O’NEILL OF BENGARVE

Page 2, line 31, at end insert—

“(7) The Secretary of State’s power to give guidance to the OfS is exercisable by statutory instrument.”

LORD STOREY
BARONESS GARDEN OF FROGNAL

Page 2, line 31, at end insert—

“( ) The OfS may provide the Secretary of State with such information or advice relating to its functions and the provision of higher education in England as it thinks fit.”
Clause 2 - continued

BARONESS WOLF OF DULWICH
BARONESS GARDEN OF FROGNAL

Page 2, line 31, at end insert—

“(6A) For the purposes of this Act, the “principle of institutional autonomy for English higher education providers” includes the freedom of such providers to determine—

(a) which courses to teach and what to research, the contents of particular courses or programmes of research, and the manner in which they are taught, supervised and assessed;
(b) the criteria for the selection, appointment, promotion, remuneration, and dismissal of academic staff and apply those criteria in particular cases; and
(c) the criteria for the admission of students and apply those criteria in particular cases.”

After Clause 2

BARONESS WOLF OF DULWICH
BARONESS GARDEN OF FROGNAL

Insert the following new Clause—

“Meaning of higher education

For the purposes of this Act, the provision of higher education by English higher education providers comprises higher education provision by—

(a) universities,
(b) colleges of further education, and
(c) other higher education providers, both registered and unregistered.”

Clause 3

LORD STEVENSON OF BALMACARA

Page 3, line 3, at end insert—

“( ) The OfS may not register an institution in the register unless it has met the quality requirements set out by—

(a) the OfS, where no body has been designated under Part 1 of Schedule 4, or
(b) where a body has been designated under Part 1 of Schedule 4, the designated body,

for a minimum of four years.”

Clause 8

BARONESS WOLF OF DULWICH

Page 5, line 30, after second “which” insert “materially”
Clause 8 - continued

Page 5, line 35, after “may” insert “reasonably”

Page 5, line 39, after “may” insert “reasonably”

LORD LUCAS

Page 5, line 39, at end insert—
“(d) a condition that requires the governing body of the provider to collaborate with other registered higher education providers and with the OfS in the evaluation of elements of, or proposals for elements of, access and participation plans, and the publication of such evaluations.”

Page 5, line 39, at end insert—
“(d) a condition that requires the governing body of the provider to collaborate with other registered higher education providers and with the OfS in the promotion of English higher education abroad through the GREAT Britain campaign, the British Council, or otherwise.”

Page 5, line 39, at end insert—
“(d) a condition that requires the governing body of the provider to collaborate with other registered higher education providers and with the OfS in the facilitation of communication between the OfS and current and former students of the provider.”

Page 5, line 39, at end insert—
“(d) a condition that requires the governing body of the provider to collaborate with other registered higher education providers and with the OfS in the compilation of information on the domicile, employment status and geographical location of students who are taking or who have taken courses offered by the provider.”

Clause 10

LORD STEVENSON OF BALMACARA

Page 6, line 32, leave out paragraph (a) and insert—
“( ) either—
(i) in connection with his or her undertaking a qualifying course, or
(ii) on the basis of the academic credit he or she will achieve within the academic year, as identified by the provider,“

LORD NORTON OF LOUTH

Lord Norton of Louth gives notice of his intention to oppose the Question that Clause 10 stand part of the Bill.
Clause 13

BARONESS WOLF OF DULWICH

Page 8, line 27, leave out from second “the” to end of line 29 and insert “threshold standards that are used by a provider to ensure that a student is eligible for the award of academic credit or a qualification.”

Clause 15

LORD LISVANE
LORD JUDGE
LORD NORTON OF LOUTH
BARONESS O’NEILL OF BENGARVE

Page 9, line 18, leave out “it appears to the OfS” and insert “the OfS has reasonable grounds for believing”

Clause 16

LORD LISVANE
LORD JUDGE
LORD NORTON OF LOUTH
BARONESS O’NEILL OF BENGARVE

Page 9, line 33, leave out “it appears to the OfS” and insert “the OfS has reasonable grounds for believing”

Clause 17

BARONESS WOLF OF DULWICH

Page 10, line 33, at end insert—

“( ) During the specified period the OfS must have due regard to the general desirability of keeping confidential the fact of, and reasons for, its intention to suspend a provider from the register until it has issued a notice to the governing body of the provider under subsection (5).”

Clause 18

LORD LISVANE
LORD JUDGE
LORD NORTON OF LOUTH
BARONESS O’NEILL OF BENGARVE

Page 11, line 26, leave out “it appears to the OfS” and insert “the OfS has reasonable grounds for believing”

Page 11, line 31, leave out “it appears to the OfS” and insert “the OfS has reasonable grounds for believing”
Clause 19

BARONESS WOLF OF DULWICH

Page 12, line 13, at end insert—

“( ) During the specified period the OfS must have due regard to the general desirability of keeping confidential the fact of, and reasons for, its intention to remove a provider from the register until it has issued a notice to the governing body of the provider under subsection (5).”

Clause 20

LORD LISVANE
LORD JUDGE
LORD NORTON OF LOUTH
BARONESS O’NEILL OF BENGARVE

Page 13, line 2, leave out paragraph (d)

Clause 21

LORD LISVANE
LORD JUDGE
LORD NORTON OF LOUTH
BARONESS O’NEILL OF BENGARVE

Page 13, line 8, leave out “it appears to the OfS” and insert “the OfS has reasonable grounds for believing”

After Clause 21

LORD LUCAS

Insert the following new Clause—

“Duty of OfS to seek to place students whose provider ceases to offer courses

If a higher education provider ceases to be able, or eligible, to provide higher education courses for its students, the OfS must, as promptly as possible, seek to make arrangements for the students of that provider to be offered places on similar courses with another higher education provider.”

After Clause 22

LORD STEVENSON OF BALMACARA

Insert the following new Clause—

“Higher education providers: the overarching principle of institutional autonomy

(1) The principle of institutional autonomy applies to all registered English higher education providers, and includes the right—

(a) to determine which courses to teach, the contents of particular courses and the manner in which they are taught, supervised and assessed;

(b) to determine the criteria for the selection, appointment, promotion, remuneration, and dismissal of academic staff and apply those criteria in particular cases;
After Clause 22 - continued

(c) to determine the criteria for the admission of students and apply those criteria in particular cases; and

(d) to constitute and govern themselves in a manner which they deem appropriate for their purpose, subject to legal requirements relating to the corporate form and purposes that they may adopt.

(2) All persons or bodies exercising powers under this Act are under a duty to protect the principle of institutional autonomy in accordance with subsection (1).

Insert the following new Clause—

“Higher education providers: the principle of academic freedom

(1) The principle of academic freedom for academic staff of registered English higher education providers applies to all such providers and includes the freedom, within the law—

(a) to question and test received wisdom, and

(b) to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or any privileges they may enjoy at the provider.

(2) All persons or bodies exercising powers under this Act are under a duty to protect the principle of academic freedom in accordance with subsection (1).”

Clause 23

BARONESS WOLF OF DULWICH

Page 14, line 31, leave out “standards applied to” and insert “systems and processes the provider has in place to ensure appropriate standards are applied to”

Page 14, line 32, at end insert—

“( ) In fulfilling its responsibilities under this section to assess standards for the purpose of determining whether institutions satisfy initial or ongoing conditions of registration applying to higher education providers, the OfS must have due regard to any advice received from the Quality Assessment Committee.”

Page 14, line 34, leave out “standards applied to” and insert “systems and processes the provider has in place to ensure appropriate standards are applied to”

Page 14, line 42, leave out “standards applied to” and insert “systems and processes the provider has in place to ensure appropriate standards are applied to”

Clause 25

LORD NORTON OF LOUTH

Page 15, line 25, leave out “give ratings” and insert “provide information”
Clause 25 - continued

BARONESS WOLF OF DULWICH
Page 15, line 26, leave out “, and the standards applied to,”

LORD NORTON OF LOUTH
Page 15, line 28, leave out “a rating” and insert “information”

BARONESS WOLF OF DULWICH
Page 15, line 31, leave out “, and the standards applied to,”

LORD NORTON OF LOUTH
Page 15, line 32, leave out “a rating” and insert “information”

BARONESS WOLF OF DULWICH
Page 15, line 32, at end insert—

“() The OfS must publish all statistics and metrics used to carry out any of its duties which may have an impact on funding agreements or fees charged by higher education providers.

() In carrying out its duties under subsection (1), the OfS must ensure that all statistics and metrics used for ratings which are published by the OfS are collected, analysed and presented in accordance with the Code of Practice for Official Statistics, and that this is stated on all official publications of the OfS.”

After Clause 25

BARONESS WOLF OF DULWICH
LORD STEVENSON OF BALMACARA
Insert the following new Clause—

“Assessments under section 25: international students

The quality ratings attributed to a registered higher education provider under section 25 of this Act may not be used to determine whether a provider may enrol non-EU international students.”

Clause 27

BARONESS WOLF OF DULWICH
Page 17, line 15, leave out “condition relating to quality or standards is” and insert “conditions relating to quality or standards are”

Page 17, line 20, leave out “condition relating to quality or standards is” and insert “conditions relating to quality and standards are”

Page 17, line 22, leave out subsection (3) and insert—

“() The amount of a fee payable under subsection (2)(a) by an institution or provider—
Clause 27 - continued

(a) must 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 the institution or provider, and

(b) may not be calculated by reference to costs incurred by the designated body in the performance of any other functions or in relation to a different institution or provider.”

Page 17, line 40, leave out “unconnected” and insert “connected”

After Clause 39

BARONESS WOLF OF DULWICH
BARONESS GARDEN OF FROGNAL
LORD STOREY

Insert the following new Clause—

“Application of Freedom of Information Act 2000 to registered providers

(1) Schedule 1 to the Freedom of Information Act 2000 is amended as follows.

(2) In Part 4, paragraph 53, after sub-paragraph (1)(a) insert —

“(aa) a registered higher education provider receiving financial support from the Office for Students under sections 37 or 38 of the Higher Education and Research Act 2016;

(ab) a registered higher education provider, providing a course designated for the purpose of student support under section 22 of the Teaching and Higher Education Act 1998;

(ac) a registered higher education provider, within the meaning of section 3 of the Higher Education and Research Act 2016, providing a course designated for the purpose of student support under section 22 of the Teaching and Higher Education Act 1998;”.

Clause 40

LORD STEVENSON OF BALMACARA

Page 23, line 3, at beginning insert “Subject to subsections (1A) and (1B),”

BARONESS GARDEN OF FROGNAL
LORD STOREY

Page 23, line 6, at end insert “and Certificates of Higher Education”

BARONESS WOLF OF DULWICH

Page 23, line 6, at end insert —

“( ) The OfS may not authorise a provider to grant research awards under subsection (1) unless it has first consulted—

(a) UKRI; and

(b) such other persons as it considers appropriate.”
**Clause 40 - continued**

**LORD STEVENSON OF BALMACARA**

Page 23, line 6, at end insert—

“(1A) In order to award a recognised foundation, taught or research degree in the United Kingdom, a registered higher education provider must be expressly authorised to do so by virtue of a Royal Charter, by Act of Parliament or by the Privy Council.

(1B) The OfS may make an authorisation under subsection (1) only if the provider meets criteria which shall cover governance and academic management; academic standards and quality assurance; scholarship and the pedagogical effectiveness of staff; and the environment supporting the delivery of programmes.”

**LORD NORTON OF LOUTH**

Page 23, line 24, at end insert—

“(a) The OfS may not authorise a provider under subsection (1) unless—

(b) the OfS is assured that the provider is able to maintain the required standards of a UK degree for the period in which the authorisation has effect,

(c) the OfS has in place validation arrangements, and

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

( ) “Validation arrangements” has the same meaning as in section 46(4).”

**BARONESS WOLF OF DULWICH**

Page 23, line 28, at end insert—

“(a) The OfS may not authorise a provider for the first time under subsection (1)(a) unless the provider has in place validation arrangements.

(b) In this section, “validation arrangements” has the same meaning as in section 46(4).”

**LORD LISVANE**

**LORD JUDGE**

**LORD NORTON OF LOUTH**

**BARONESS O’NEILL OF BENGARVE**

Page 24, line 11, after “instrument” insert “with the approval of the Secretary of State”

**After Clause 40**

**BARONESS WOLF OF DULWICH**

Insert the following new Clause—

“Independent scrutiny process for degree awarding powers and university title

(1) Where a body has been designated under Schedule 4, the OfS must seek the advice of the designated body on—
After Clause 40 - continued

(a) the general exercise of the OfS’s functions under sections 40, 42, 43 and 53 of this Act, and section 77 of the Further and Higher Education Act 1992;
(b) particular use of the OfS’s powers under section 40(1) of this Act; and
(c) particular use of the OfS’s powers under section 77 of the Further and Higher Education Act 1992.

(2) The OfS must seek the advice of the designated body 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;
(c) providing consent under section 77 of the Further and Higher Education Act 1992 for an education institution or body corporate to change its name so as to include the word “university” in the name of the institution or body corporate.

(3) The OfS must seek the advice of the designated body before—
(a) revoking an authorisation to grant taught awards, research awards or foundation degrees;
(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.

(4) Subsection (3) 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.

(5) In providing its advice to the OfS, the designated body 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.

(6) The OfS must have regard to the advice given to it by the designated body or committee under subsections (2) and (3).

(7) Where no body is designated under Schedule 4, the OfS must establish a committee called the “Committee on Degree Awarding Powers and University Title” to carry out the functions prescribed by this section to a body designated under Schedule 4.

(8) The majority of the members of any Committee set up under subsection (7) 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.
After Clause 40 - continued

(9) In appointing members of the Committee who meet the criteria in subsection (8), the OfS must have regard to the desirability of the members being engaged in, or responsible for, the provision of higher education at the time of their appointment.

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

(11) Paragraph 8 of Schedule 1 applies to a committee set up under subsection (7).

(12) When providing this advice in relation to a university title, the designated body or committee must report its views on the merits of an application in relation to the following factors—

(a) whether the provider has a primary purpose of teaching, scholarship and research,
(b) the provider’s financial accountability and independence,
(c) the provider’s accountability to students, the academic community and the wider public.”

Clause 43

LORD LISVANE
LORD JUDGE
LORD NORTON OF LOUTH
BARONESS O’NEILL OF BENGARVE

Page 25, line 20, leave out “The OfS may by order” and insert “On the advice of the OfS, the Secretary of State may by order made by statutory instrument”

Page 25, line 30, leave out “OfS” and insert “Secretary of State”

Page 25, line 32, leave out subsection (5)

Clause 44

LORD LISVANE
LORD JUDGE
LORD NORTON OF LOUTH
BARONESS O’NEILL OF BENGARVE

Page 26, line 5, leave out “OfS” and insert “Secretary of State”

Page 26, line 7, leave out “OfS’s” and insert “Secretary of State’s”

Page 26, line 13, leave out “OfS” and insert “Secretary of State”

Page 26, line 16, leave out “OfS” and insert “Secretary of State”

Page 26, line 18, leave out “OfS” and insert “Secretary of State”.
Clause 44 - continued

Page 26, line 28, leave out “OfS” and insert “Secretary of State”

Clause 45

LORD LISVANE
LORD JUDGE
LORD NORTON OF LOUTH
BARONESS O’NEILL OF BENGARVE

Page 26, line 32, leave out “of the OfS”

Page 26, line 41, leave out paragraph (c)

Clause 46

BARONESS WOLF OF DULWICH

Page 27, line 27, at end insert—

“( ) The conditions specified by the OfS under subsection (2) must provide for any higher education provider with which the OfS has entered into commissioning arrangements under subsection (1) to be able to decline to enter into validation arrangements on grounds of the quality of higher education provided by a provider seeking to enter into validation arrangements with it.”

Clause 47

BARONESS WOLF OF DULWICH
LORD NORTON OF LOUTH

The above-named Lords give notice of their intention to oppose the Question that Clause 47 stand part of the bill.

Clause 53

LORD LISVANE
LORD JUDGE
LORD NORTON OF LOUTH
BARONESS O’NEILL OF BENGARVE

Page 33, line 37, leave out “The OfS may by order” and insert “On the advice of the OfS, the Secretary of State may by order made by statutory instrument”

Page 34, line 1, leave out “OfS” and insert “Secretary of State”

Page 34, line 8, leave out subsection (4)
Clause 54

LORD LISVANE
LORD JUDGE
LORD NORTON OF LOUTH
BARONESS O’NEILL OF BENGARVE

Page 34, line 19, leave out “OfS” and insert “Secretary of State”

Page 34, line 22, leave out “OfS’s” and insert “Secretary of State’s”

Page 34, line 28, leave out “OfS” and insert “Secretary of State”

Page 34, line 31, leave out “OfS” and insert “Secretary of State”

Page 34, line 33, leave out “OfS” and insert “Secretary of State”

Page 34, line 43, leave out “OfS” and insert “Secretary of State”

Clause 55

LORD LISVANE
LORD JUDGE
LORD NORTON OF LOUTH
BARONESS O’NEILL OF BENGARVE

Page 35, line 3, leave out “OfS” and insert “Secretary of State”

Page 35, line 13, leave out paragraph (c)

Clause 61

BARONESS WOLF OF DULWICH

Page 38, line 37, leave out “unconnected” and insert “connected”

Clause 64

BARONESS WOLF OF DULWICH

Page 40, line 26, leave out subsection (3) and insert—

“( ) The regulations may not provide for the fees to be calculated except by reference to costs incurred, or to be incurred, by the OfS in the performance of its functions connected with the institution in question.”

Clause 65

BARONESS WOLF OF DULWICH

Page 41, line 12, after “may” insert “not”
Clause 68

BARONESS WOLF OF DULWICH
LORD STOREY
BARONESS GARDEN OF FROGNAL

Page 42, line 13, at end insert—

“( ) In determining the terms and conditions under subsection (1), the Secretary of State must have due regard to any advice given to him or her by the OfS.”

BARONESS WOLF OF DULWICH
BARONESS GARDEN OF FROGNAL

Page 42, line 17, after first “to” insert “the principle of institutional autonomy for English higher education providers and”

LORD STOREY
BARONESS GARDEN OF FROGNAL

Page 42, line 34, at end insert “, nor must it require the OfS to perform a function in a way that prohibits the OfS from funding a particular course of study”

Clause 71

BARONESS WOLF OF DULWICH
LORD STOREY
BARONESS GARDEN OF FROGNAL

Page 44, line 30, at end insert—

“( ) In giving such directions, the Secretary of State must have due regard to any advice given to him or her by the OfS.”

BARONESS WOLF OF DULWICH
BARONESS GARDEN OF FROGNAL

Page 44, line 31, after “to” insert “the principle of institutional autonomy for English higher education providers and”

LORD STOREY
BARONESS GARDEN OF FROGNAL

Page 45, line 7, at end insert “, nor must it direct the OfS to perform a function in a way that prohibits the OfS from funding a particular course of study”
After Clause 83

LORD LUCAS

Insert the following new Clause—

“Publication of student visa information

The Secretary of State shall, in respect of applications from potential international students for visas to allow them to attend courses provided by registered higher education providers in England and Wales, publish on an annual basis the number and types of study visa granted, by institution, and what proportion they represent of the relevant numbers and types of applications made.”

After Clause 84

LORD STEVENSON OF BALMACARA

Insert the following new Clause—

“Higher education providers: freedom of speech

All registered English higher education providers must ensure that their students, staff and invited speakers are able to practise freedom of speech in the provider’s premises, forums and events on all matters not specifically prohibited by law.”

Clause 86

BARONESS WOLF OF DULWICH

Page 55, line 18, at end insert—

“( ) The Secretary of State must carry out a consultation exercise prior to any recommendation to add or omit a Council under subsection (2).”

Clause 87

LORD PATEL

Page 55, line 38, at end insert—

“( ) In carrying out its functions under subsection (1), UKRI must recognise the autonomy of the Research Councils, their institutions and their partnerships and relationships, and the principle of subsidiarity in decision-making.”

Clause 91

BARONESS WOLF OF DULWICH

Page 58, line 1, leave out “either or both of” and insert “any or all of”

Page 58, line 7, at end insert—

“( ) the undertaking of activities, or provision of facilities, to support interaction between the provider and external parties, where this promotes the social or economic impact of the research undertaken by the provider.”
Clause 95

BARONESS WOLF OF DULWICH
BARONESS GARDEN OF FROGNAL

Page 60, line 3, after “(1)” insert “must respect the principle of institutional autonomy set out in section 2(6A), and”

Clause 96

BARONESS WOLF OF DULWICH

Page 60, line 29, at end insert—

“( ) In giving directions under this section, the Secretary of State must have regard to the principle of institutional autonomy in respect of English higher education providers.”

Clause 98

BARONESS WOLF OF DULWICH

Page 61, line 16, at end insert—

“( ) In exercising its functions, UKRI must have regard to the need to act in a manner compatible with the principle of institutional autonomy in respect of English higher education providers.”

Clause 113

LORD LISVANE
LORD JUDGE
LORD NORTON OF LOUTH
BARONESS O’NEILL OF BENGARVE

Page 66, line 42, at end insert—

“( ) guidance under section 2(7) (general duties);”

Page 67, line 4, at end insert—

“( ) an order under section 43(1) (variation or revocation of other authorisations to grant degrees etc.);”

Page 67, line 4, at end insert—

“( ) an order under section 53(1) (revocation of authorisation to use “university” title);”

Clause 117

LORD STEVENSON OF BALMACARA

Page 68, line 6, at end insert—

“(za) sections (UK universities: establishment) and (UK universities: functions);”
Schedule 3

BARONESS WOLF OF DULWICH

Page 78, line 37, at end insert—

“( ) During the specified period the OfS must have due regard to the general desirability of keeping confidential the fact of, and reasons for, its intention to impose a monetary penalty on a provider, until it has issued a notice to the provider under sub-paragraph (1).”

Schedule 4

LORD STOREY
BARONESS GARDEN OF FROGNAL

Page 80, line 13, leave out “may” and insert “must”

BARONESS WOLF OF DULWICH

Page 81, line 6, leave out from “quality” to end of line 7 and insert “and standards of higher education provided by English higher education providers for the purpose of registration”

Page 81, line 14, at end insert—

“( ) In this Schedule, “standards” has the same meaning as in section 13(2).”

Page 81, line 23, leave out from “quality” to end of line 24 and insert “and standards of higher education provided by English higher education providers for the purpose of registration”

Page 82, line 19, leave out from “quality” to end of line 20 and insert “and standards of higher education provided by English higher education providers for the purpose of registration, or”

Page 84, line 4, at end insert “independence and”

LORD STOREY
BARONESS GARDEN OF FROGNAL

Page 84, line 11, at end insert—

“(5) Any directions given under this section—

(a) must not require any action that could adversely impact upon the designated body’s suitability to carry out the assessment functions in paragraph 4;

(b) must be compatible with any duties that the persons who determine the strategic priorities of the body are also subject to under the Companies Act 2006 and the Charities Act 2011; and

(c) must not relate to the operational activity of the body in carrying out the assessment functions unless the OfS has informed the Secretary of State about significant concerns under paragraph 11.”
Schedule 5

BARONESS WOLF OF DULWICH

Page 85, line 14, at end insert—
“( ) the suspected breach may constitute fraud, or concerns serious or wilful mismanagement of public funds,”

Schedule 8

BARONESS WOLF OF DULWICH

Page 96, line 3, at end insert —
“(4) The Secretary of State may by order provide for a research institution which offers research degrees accredited by a higher education institution to become a higher education corporation.”
AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

21 December 2016