AMENDMENTS
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Clause 14

LORD STEVENSON OF BALMACARA

Page 9, line 9, at end insert—

“( ) For the purposes of subsection (1)(c), a student protection plan—
(a) must make provisions to avoid or minimise disruption to the studies of existing students of a provider;
(b) may include provisions for the transferring of some or all of a provider’s undertaking to another appropriate body;
(c) may include provisions that would enable existing students to complete their studies; and
(d) may identify arrangements that would be established for existing students to complete their studies at another institution.”

After Clause 16

LORD STEVENSON OF BALMACARA

Insert the following new Clause—

“Power to restrict enrolments

(1) If the OfS has reasonable grounds for believing that a registered higher education provider is in breach of an ongoing registration condition with respect to the quality of the higher education provided by the provider, or to its ability to implement a student protection plan which forms a condition of its registration, the OfS may place quantitative restrictions on the number of new students that the provider may enrol.

(2) The Secretary of State may by regulations make provision about the procedures for imposing such restrictions and about rights of appeal.”
Clause 18

LORD STEVENSON OF BALMACARA

Page 11, line 24, at end insert—

“( ) specify what happens to existing students during the suspension period as documented in a provider’s student protection plan.”

After Clause 20

LORD STEVENSON OF BALMACARA

Insert the following new Clause—

“De-registration: notification of students

(1) The governing body of a higher education provider must inform all students enrolled on a course if it—

(a) is notified by the OfS of its intention to suspend the provider’s registration under section 18(1),
(b) is notified by the OfS of its intention to remove it from the register under section 20(1),
(c) is notified by the OfS that it will refuse to approve a new access and participation plan under section 22(2), or
(d) has applied to be removed from the register under section 23(1).

(2) The governing body of a higher education provider must inform students by the date on which—

(a) the suspension takes effect,
(b) the de-registration takes effect, whether enforced or voluntary, or
(c) the expiry date of any existing access and participation plan that will not be renewed and the period of time for which approval of a new plan will be refused, whichever is applicable.”

After Clause 22

LORD STEVENSON OF BALMACARA

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.”
Clause 24

LORD STEVENSON OF BALMACARA

Page 15, line 16, 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.”

Clause 25

LORD STEVENSON OF BALMACARA

Page 15, line 42, 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.”

Page 16, line 6, at end insert—

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

After Clause 42

LORD STEVENSON OF BALMACARA

Insert the following new Clause—

“Automatic review of authorisation

(1) The OfS must consider whether to vary or revoke an authorisation given under section 41(1)—

(a) if the ownership of the registered provider is transferred,

(b) if 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 subsection (1) to vary or revoke an authorisation shall be carried out in accordance with section 44.”

Clause 61

LORD STEVENSON OF BALMACARA

Page 39, line 7, at end insert—

“( ) The information must cover key workforce data at individual institutions, including—

(a) number of staff employed on non-permanent contracts;
Clause 61 - continued

(b) proportion of teaching delivered by staff on non-permanent contracts; and
(c) staff-to-student ratios.”

After Clause 71

LORD STEVENSON OF BALMACARA

Insert the following new Clause—

“Transfer of regulatory functions relating to higher education providers and students from Competition and Markets Authority to Office for Students

On the establishment of the OfS—

(a) the OfS assumes responsibility for the regulatory functions in respect of higher education providers and students enrolled on higher education courses hitherto performed by the Competition and Markets Authority; and
(b) the Competition and Markets Authority ceases to have responsibility for those regulatory functions.”

After Clause 99

LORD KREBS
LORD STEVENSON OF BALMACARA

Insert the following new Clause—

“Autonomy of research councils

Any decision on the allocation of research money is to be made in a way which is compatible with the Haldane Principle, which has the meaning given to it in Annex A to the Department for Business Innovation and Skills' publication “The Allocation of Science and Research Funding 2011 to 2015”.”

Schedule 5

LORD STEVENSON OF BALMACARA

Page 89, line 22, at end insert—

“( ) the suspected breach may constitute fraud, or concerns serious or wilful mismanagement of public funds,”

Schedule 6

LORD STEVENSON OF BALMACARA

Page 94, line 27, at end insert—

“( ) a number of persons that, taken together, appear to the OfS to represent, or promote the interests of, higher education staff,”

Page 96, line 19, at end insert—

“( ) a number of persons that, taken together, appear to the OfS to represent, or promote the interests of, higher education staff,”
Schedule 9

LORD STEVENSON OF BALMACARA

Page 104, line 32, leave out from “UKRI,” to “experience” in line 33 and insert “ensure that the members have (between them) significant direct”

Page 104, line 38, after “commercial” insert “, charitable”

Page 104, line 39, at end insert—
“( ) funding of research from the charitable sector.”

Page 104, line 39, at end insert—
“in the higher education sector of England, Scotland, Wales and Northern Ireland.”

Page 105, line 2, leave out from “least” to end of line 4 and insert “—
(a) one person with relevant experience of Scotland;
(b) one person with relevant experience of Wales;
(c) one person with relevant experience of Northern Ireland;
with the respective agreement of the Scottish Government, Welsh Government and Northern Ireland Executive.”

Page 105, line 4, 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 the charitable research sector.”
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14 February 2017