PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

HIGHER EDUCATION AND RESEARCH BILL

Sixth Sitting

Tuesday 13 September 2016

(Afternoon)

CONTENTS

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor's Room, House of Commons,

not later than

Saturday 17 September 2016

The Committee consisted of the following Members:

Chairs: Sir Edward Leigh, † Mr David Hanson

† Argar, Edward *(Charnwood)* (Con)
† Blackman-Woods, Dr Roberta *(City of Durham)* (Lab)
† Blomfield, Paul *(Sheffield Central)* (Lab)
† Chalk, Alex *(Cheltenham)* (Con)
† Churchill, Jo *(Bury St Edmunds)* (Con)
† Evennett, David *(Lord Commissioner of Her Majesty's Treasury)*
† Howlett, Ben *(Bath)* (Con)
† Johnson, Joseph *(Minister for Universities, Science, Research and Innovation)*
† Kennedy, Seema *(South Ribble)* (Con)
† Marsden, Gordon *(Blackpool South)* (Lab)
† Milling, Amanda *(Cannock Chase)* (Con)
† Monaghan, Carol *(Glasgow North West)* (SNP)
† Morton, Wendy *(Aldridge-Brownhills)* (Con)
† Mullin, Roger *(Kirkcaldy and Cowdenbeath)* (SNP)
† Pawsey, Mark *(Rugby)* (Con)
Rayner, Angela *(Ashton-under-Lyne)* (Lab)
† Smith, Jeff *(Manchester, Withington)* (Lab)
† Streeting, Wes *(Ilford North)* (Lab)
Vaz, Valerie *(Walsall South)* (Lab)
Warman, Matt *(Boston and Skegness)* (Con)

Katy Stout, Glenn McKee, *Committee Clerks*

† attended the Committee

Public Bill Committee

Tuesday 13 September 2016

(Afternoon)

[Mr David Hanson *in the Chair*]

Higher Education and Research Bill

Clause 2

General duties

2 pm

Dr Roberta Blackman-Woods (City of Durham) (Lab): I beg to move amendment 159, in clause 2, page 1, line 20, at end insert—

"( ) the need to maintain confidence in the higher education sector, and in the awards which they collectively grant, among students, employers, and the wider public."

This amendment will help to ensure that the OfS takes into account the need to maintain confidence in the UK's higher education sector.

The Chair: With this it will be convenient to discuss the following:

Amendment 136, in clause 2, page 2, line 6, at end insert—

"(g) the need to determine and promote the interests of students by consulting and working with student representatives.

( ) In this section "student representatives" means representatives with current experience of representing and promoting the interests of individual students, or students generally, on higher education courses provided by higher education providers."

This amendment would ensure that when higher education providers produce an Access and Participation Plan, they must consult with students and student representatives, including—but not limited to—the students' union at that higher education provider.

Amendment 140, in clause 2, page 2, line 6, at end insert—

"(g) the need to promote collaboration and innovation between English Higher Education Providers where this is in the best interest of students."

This amendment would encourage collaboration and innovation between Higher Education Providers.

Amendment 141, in clause 2, page 2, line 6, at end insert—

"(h) the need to promote adult, part-time and lifelong learning".

This amendment would ensure adult and part-time study was considered by the OfS.

Dr Blackman-Woods: Thank you, Mr Hanson. It is a pleasure to serve under your chairmanship again.

The amendment seeks to include a specific duty on the office for students in the Bill, to make it clear that maintaining confidence in the sector must be high up the OFS agenda. The UK's higher education sector has an extremely strong global reputation, and a degree from a university in the UK is generally of high value. The Bill must therefore protect the reputation of the sector, especially in the context of an increasingly competitive global market and the possible negative ramifications of Brexit for our universities. If we do not mandate a body to look after the health of the entire sector, we risk losing that hard-earned status. The amendment, which would insert that duty in the Bill, therefore seeks to reassure the sector that the Government have its interests at heart, that they are listening to it and that they understand the need to promote and maintain confidence in it.

Amendment 136 is also sensible because it seeks to ensure that student interests are protected by including the need for consultation with students when putting an access and participation plan together. That is sensible. I am not sure why someone would want to draw up a participation plan that is based on extending access to universities for additional students and then not to consult students. That would seem nonsensical. I hope that the Minister will reassure us that students will be put at the heart of such plans and will be consulted when they are being drawn up.

Gordon Marsden (Blackpool South) (Lab): It is a pleasure to return to serving under your chairmanship, Mr Hanson. It is also a pleasure to speak in support of our amendments, and to back the amendment moved by my hon. Friend.

I will say no more on amendment 159—my hon. Friend the Member for City of Durham has put our case strongly—but amendment 136 is in line with the gist of what we have been arguing throughout consideration of the Bill so far: if we are to have an office for students, we need to involve students as often as possible in all its vital aspects. We are genuinely disappointed that, despite their warm words about the role of students, the Government still seem determined not to put anything in the Bill about it. Their vote against our amendment the other day underlined that.

Amendment 140 is the other side of the coin. I shall not detain the Committee long with it, because in our extensive debate this morning the Minister took pains to make the point that he wanted to see collaboration and innovation. I do not want to suggest he should put his money where his mouth is; I merely invite him to insert a clause along the lines of our amendment. No doubt that would give some comfort to the groups that have been concerned about collaboration and innovation.

I have reserved most of my remarks on this group for amendment 141, which would ensure that the OFS takes on board

"the need to promote adult, part-time and lifelong learning".

Again, many warm words have been said about such things during our consideration of the Bill, but we want to see specifics and so do people in the sector. The Open University has expressed its view:

"A prosperous part-time higher education market is essential, now more than ever, to address the challenges and opportunities which lie ahead to deliver economic growth and raise national productivity…and to increase social mobility."

I see a strong argument for lifelong learning and part-time higher education based on their social value, but we also need to think hard about the economic and demographic circumstances. The figures are quite stark: only 13% of the 9.5 million in the UK who are considering higher education in the next five years are school leavers.

The majority are working adults. That cannot be said too often, because the phraseology of the White Paper and the Bill has made it look as if we are in a ghetto that extends between the ages of 18 and 22, which is not the case.

I pursue the point that the Minister was keen to make this morning: over the next 10 years, there will be 13 million vacancies but only 7 million school leavers to fill them. This is bread-and-butter stuff; it is not an appeal to the Government's better nature to give people second chances for the sake of it. If we do not empower people and we do not give those chances, the economy, our productivity and all sorts of other things will suffer.

There is a social dimension to the issue, underlined by the fact that one in five undergraduate entrants in England from low-participation neighbourhoods choose—or have no option, perhaps for financial reasons—to study part-time. Some 38% of all undergraduates from disadvantaged groups are mature students.

That is the need: what has the response been? Until relatively recently, I am afraid it has been what I can only describe as "poor"—I will not use the unfortunate alliterative word I was going to put in front of that. The situation that faces adult learners is bleak, both in further education and in higher education; lifelong learning in the UK has declined. I am sorry to take issue with the Minister's statistics again, but the 24% cut to sections of the adult skills budget in 2015-16, along with the further 3.9% reduction, created a new large gap in college budgets.

As funding for non-apprenticeship skills has dropped, so has the number of learners. The latest data from the Skills Funding Agency show that 1.3 million learners have been lost from learning—excluding apprenticeships, which of course are the Government's great get-out clause: they always say "Look at all the money we've lavished on apprenticeships". They may have lavished money on apprenticeships—the end result is yet to be seen—but adult skills have been starved of funding in the process. That has not gone unnoticed by people in the sector. In its briefing to the Committee, Birkbeck said it was concerned that part-time students could be

"seen as an add-on rather than an integral part of the work of the OfS. Birkbeck would like to seek assurances that part-time students are an integral part of the Government's thinking in the Bill."

The Open University has made a number of similar points.

These issues do not affect only part-time and mature students; they affect the health of existing traditional universities that have found that by losing numbers of part-time and other students their funding and economic base has been chipped away at. They also, of course, affect some of the people in the workforces of those universities. That is why the trade union Unison, in submitting written evidence to the Committee, said:

"Opportunities for mature and non-traditional students should be increasing not decreasing."

It points out that mature students accessing higher education via a part-time route, while often having caring responsibilities or employment issues, increases both their life chances and the life chances of their families. It is vital for workers who are retraining or reskilling themselves and the decline of this group is worrying for our future society when considering social mobility and providing access for those from social and economically deprived backgrounds.

Similar points have been made by the Workers Educational Association, union learning representatives and many in the trade union movement who are genuinely concerned about the impact of the dropping away of opportunities.

The Bill's equality analysis claimed that there had been a dramatic improvement in the participation rate of disadvantaged young people. There has been an improvement, albeit from a low base, but I make the point again that that has not been seen for mature students where numbers have declined sharply. These huge challenges to social inequality and promoting social mobility in higher education were underlined by the survey of students by National Education Opportunities Network and University and College Union two months ago. It said:

"Over 40% may be choosing different courses and institutions than they would ideally like to because of cost and restricting the range of institutions they apply to by living at home or close to home."

It added:

"The majority of students who are participating in post-16 courses which can lead to HE are not choosing to progress to HE because of cost."

That is a real tragedy, not least because of the following. Here I would like to pay tribute to one of the Minister's predecessors, the right hon. Member for South Holland and The Deepings (Mr Hayes). When we had the big debate about advanced learning loans early in the life of the coalition Government, there were expressions of concern that it would put people off if they had to take out a loan for HE access. The then coalition Government specifically gave ground on that issue. We welcomed their response to that campaign on behalf of the thousands, if not tens of thousands, of students doing HE access courses who found they did not then have to take out two sets of loans.

The benefit of that concession and of looking more holistically at the process will be undermined if the Government do not address the issues of what happens to those part-time or mature students when they eventually get into HE education. According to the NEON/UCU survey,

"Nearly 50% of students think they will undertake part-time working to afford to eat and live."

The removal of grants, which the Government pressed hard on at the beginning of the year,

"will increase term-time working, especially for those from non-white backgrounds and those in receipt of free school meals".

It is astonishing that in such a large Bill, the Government have not so far put centrally the importance of adult and part-time learning towards improving social mobility.

However, I am glad to say that although the Government may have been reticent or deficient in that respect, members of the other place have not, where only yesterday, there was a very significant and fruitful debate on lifelong learning. The points the participants made, a couple of which I will quote, bear repeating.

2.15 pm

The issues were strongly put by Lord Rees, the former president of the Royal Society. He said in his speech that we needed to have a revolution in the way in which we formalised things into

"a system that more readily allows for transfers between institutions and between part-time and full-time study. The demand for

part-time and distance learning will grow, speeded of course by the high fees now imposed on students at traditional residential universities".

He also said:

"there are huge opportunities but to exploit them for maximum benefit our system needs a more diverse ecology … We need to remove the disincentives from mature students. We can exploit the benefits of IT to offer a better second chance to young people who have been unlucky in their earlier education".

The Labour party needs no persuading of the importance of these issues, which is why I am glad that Lord Watson, in speaking for us yesterday talked about the importance of the WEA's Save Adult Education campaign. He is a former OU tutor, as am I, although for a relatively short period at the start of my career as a tutor. He made the point again that it is essential for our economy and society that we continue to provide high-quality education for adults. In order to do that, the Minister and his colleagues need to address the dichotomy between the funding that has gone into apprenticeships and the reduction of funding over the period until 2016 that has gone into those other areas. This is like the Titanic; we cannot turn round overnight a very significant decline in adult education. It needs the Government to move rapidly on some of these issues. Lord Watson said:

"The data and assumptions underpinning the Higher Education and Research Bill, currently in Committee in another place, focus primarily on young, full-time students, without taking into account the value of other flexible learning options, such as part-time … It seems to have escaped the DfE's notice that 38% of all undergraduate students from disadvantaged groups are mature, but it will need to take that statistic on board if it is to have any chance of delivering on the commitment to double the number of disadvantaged students entering higher education by 2020".

I do not think that I can better what my colleague in the Lords said yesterday, except perhaps to pick up on another point that was made by Baroness Bakewell, the president of Birkbeck College, to which I have already referred. She said in the conclusion of her speech:

"What matters crucially now, not least for the Minister, is finance. It is difficult to finance these enterprises, but the Government have said that they support part-time maintenance loans. There is to be an official consultation on this, and I ask the Minister when that can begin. It cannot be too soon".—[*Official Report, House of Lords,* 12 September 2016; Vol. 774, c. 1352-1366.]

I echo those sentiments and ask the Minister to think very carefully about them in his response. The amendment is a really important step in reminding the OFS when it comes into existence that the need to promote adult, part-time and lifelong learning is a crucial part of things. We all know the old saying, "What gets measured gets funded". This needs to be measured and it also needs to be funded.

Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): I hope the Committee will forgive me if I do not detain it long, but I want to make a couple of slightly different points on amendment 141. We have to recognise that all countries in the world face a particular challenge because of the changing nature of society, and that is going to impinge on educational challenges in particular. It was estimated that there were more researchers working in the last 25 years of the 20th century than in the entire prior history of the world. When that is put together with the processing power of new technology, the rate of change and the production of new ideas and research is accelerating apace. That itself feeds into real change that has been happening in the labour market. For example, it was suggested some years ago that those entering the labour market in the UK around the year 2000 could expect on average to have between eight and 10 career changes in their working life. We have therefore moved away from a world where it is only at a younger age that people are prepared for their future professional lives. There has to be better regard for lifelong learning and for how technologies and education systems will change to meet the challenge of the modern world. In that slightly wider context, I support amendment 141.

The Minister for Universities, Science, Research and Innovation (Joseph Johnson): First, let me say that I can see the principles that hon. Members are seeking to address here. I entirely agree that it is very important that the strong reputation of the English HE sector is maintained and that there is confidence in both the sector and the awards it collectively grants. The OFS has a key role to play in that. I also agree that the OFS will need to determine and promote the interests of students, that providers should continue to collaborate and innovate, and that studying part-time and later in life brings enormous benefits for individuals, the economy and employers. However, the OFS is already required under clause 2 to have regard to the need to promote quality and greater choice and opportunity for students.

Our higher education sector is indeed world class, and one of our greatest national assets. I entirely agree that it is crucial that this strong reputation is maintained and that there is confidence in both the sector and in the awards made by its providers. We have heard the same arguments about letting in poor providers at every period of great university expansion. The expansion of the sector over the decades has been the story of widening participation and access to the benefits of higher education. The concerns that we have heard at every wave of expansion have successively proved to have been manageable and, eventually, unfounded.

There is no specific current legislative provision that places a duty on the regulator to maintain confidence in the academic awards made by HE providers. However, the OFS is already required, under clause 2, to have regard to the need to promote quality, and good quality is the key ingredient that inspires confidence. As the Quality Assurance Agency recently noted, it is the Government's intention that,

"no higher education provider will be given DAPs"

degree-awarding powers—

"without due diligence around quality assurance and this responsibility is expected to be carried out by the designated independent quality body."

The QAA also said that,

"the transition to a more flexible, risk-based approach to awarding DAPs and university title…will help underpin the government's policy objectives to open the sector to new high quality providers, encourage innovation and offer more choice to students".

In particular, the power to award degrees will remain subject to specific criteria which all prospective providers must meet. The detail of those will be subject to consultation in due course, but I do not envisage the criteria themselves differing much from the existing criteria, and certainly not in a way where quality and therefore confidence is undermined.

The criteria for degree awarding powers are currently set out in detailed guidance. That will continue to be the case under the Bill. The current criteria and guidance for degree awarding powers run to 25 pages; all the criteria go towards ensuring quality and therefore confidence. Current guidance describes in some detail what is expected of providers with regard to key aspects concerning, for example, governance and academic management, academic standards and quality assurance, scholarship and pedagogical effectiveness, and the environment supporting delivery of taught HE programmes. We intend to consult on the detail of the future guidance, but will in all circumstances seek to assure quality. That level of detail cannot be captured in primary legislation.

Through our new regulatory framework, we are giving the OFS the powers to ensure that quality and standards are maintained. That will ensure that all parties, be they students, employers or the wider public, can have confidence that an English degree remains a high-quality degree and that it will continue to be something that has real value.

Let me deal with amendment 136. For the OFS to function effectively in the student interest, students should of course be represented, and that is our intention. Student interests are at the heart of our reforms, and we will continue to engage with our partners as the implementation plans are developed. As has been seen, from the Green Paper onwards we have sought the engagement and thoughts of all involved in the sector; we have engaged directly with students and their representatives, and I have had numerous meetings over the past year with student representative bodies including the NUS and the Union of Jewish Students, as well as many meetings with individual students. We will be embedding that culture of engagement within the OFS across all its duties, not just access and participation plans.

The Committee has heard from Universities UK, GuildHE and MillionPlus, all of which agreed that the general principle of student engagement was right, but that goes further than just representation. There needs to be a variety of mechanisms to enable student engagement, rather than just prescribing in legislation how that is to be achieved. The Office for Fair Access, for example, already requires providers to include a detailed statement on how they have consulted students in developing access agreements. The director of fair access has regard to that statement when deciding whether to approve an access plan.

Wes Streeting (Ilford North) (Lab): The Minister is right to point to the guidance from the Office for Fair Access, but may I just point out that what he describes has not always been the case? Although the current director of fair access may take the attitude that students ought to be involved, his predecessor did not always do the same.

Joseph Johnson: Under the current director of fair access, we have seen spectacular progress, as we all acknowledged in Thursday's sitting, and we would expect him and his successor to continue with the excellent model that he has put in place. That has seen these arrangements work well, and that is why we do not think it necessary to legislate.

Wes Streeting: I am grateful to the Minister for giving way a second time. He talks about the importance of engaging with students but, with respect, there is not a great deal of that engagement reflected in the Bill. Will the Minister reflect on that and perhaps some of our earlier debates on the issue?

Joseph Johnson: We obviously are thinking very carefully about the debates that we have at all stages of the Committee's proceedings, and I am reflecting on how best we ensure that we achieve all our intentions to ensure that students are better represented in the sector's systems and structures. We have put forward a proposal, which we discussed in great detail, in relation to the role of the OFS board in representing the student interest. We want to ensure that that is about more than representation and that the student interest genuinely is mainstreamed throughout everything that the OFS does.

That is why, for example, we absolutely recognise the need for access plans in particular to continue representing the student interest, and why in this Bill we are extending access plans to include participation and therefore looking at students and what happens for them right across their time in higher education. The hon. Member for Ilford North will appreciate that that goes far further than the plans introduced in 2004, which were limited to the point of access into higher education, rather than participation in and the benefits from higher education, to which we are seeking to extend them.

We will be embedding outreach activity to engage with students within the culture of the OFS, as part of its duty to promote quality and greater choice and opportunities for students. I would expect the OFS to use a range of ways to engage and consult with students, including social media, online consultation, and collaboration with partners, which has had wide reach in the past.

On amendment 140, the general duties of the OFS are absolutely consistent with the idea that providers should continue to collaborate and innovate in the new regulatory system, as we discussed extensively this morning. We are wholly supportive of collaboration where that is in the interests of students, and nothing in the Bill prevents it. Collaboration can take many forms, and we do not want to be prescriptive about what it should look like.

2.30 pm

Paul Blomfield (Sheffield Central) (Lab): I thank the Minister for giving way. I wonder if he could help me, because I am struggling to understand his point on this issue of collaboration. He says that he does not want to be prescriptive. He speaks highly of collaboration and of competition. Competition is on the face of the Bill. Can the Minister explain to me why he is prepared to be prescriptive in that context, but not in this one?

Joseph Johnson: We believe strongly that there is a need for competition to generate the driving forces that push up the quality of provision in the HE system and enable a more meaningful range of choices for students. We think that that would be in the student interest. Our overarching purpose is to make sure that the OFS operates in the student interest. We believe that that overriding goal captures many of the benefits that collaboration could achieve, and therefore putting

[Joseph Johnson]

collaboration on the face of the Bill would be redundant. When collaboration is in the interests of students it would already be covered by the OFS's overarching duty in clause 2.

I have listened carefully to the hon. Gentleman, and I can assure him that we will of course make clear in our guidance to the OFS that having regard to collaboration is part of its general role in having an overview of the sector and of the role of providers. We will make clear in the guidance that collaboration is compatible with competition when it is in the interests of students. The OFS does not need a separate duty to promote collaboration; it has a general duty to have regard to the student interest and can therefore support collaboration when it is in that student interest.

We know that there is a continuing entrenchment of the same model of higher education in this country. The share of undergraduate students in English higher education institutions doing typical full-time first degrees has increased from 65% in 2010-11 to 78% in 2014-15. It is important that the OFS has a focus on supporting a competitive and more innovative market. This will have the effect of making it easier for new providers to enter the market and expand, helping to drive up teaching standards overall, enhance the life chances of students, drive economic growth, and be a catalyst for social mobility. Competition will incentivise providers to raise their game, fostering innovation, which has been stifled for too long under the current system.

I concur with the hon. Gentleman about a lack of innovation. In my view, promoting innovation, like collaboration, does not require a separate duty. When it is in the student interest, the OFS will be fully able to support it, because the student interest is at the very heart of the OFS.

Wes Streeting: Can the Minister provide a specific example of where competition in higher education has been proven to raise standards? If he cannot provide a specific example in higher education, perhaps he can find an example across public service provision more generally.

Joseph Johnson: I think that it is generally recognised that competition is one of the great forces—

Wes Streeting: It is not.

Joseph Johnson: Monopolies and the absence of competition in almost any sector that the hon. Gentleman cares to examine have led to a decline in the standards of public services, a lack of choice and a lack of quality provision. Competition is generally recognised as one of the great drivers of the consumer interest and we want it to continue to be so.

I turn now to amendment 141. I have always been absolutely clear that fair and equal access to higher education is vital. Everyone with the potential to benefit from education in every form should be able to do so. Studying part time and later in life brings enormous benefits to individuals, the economy and employers. That is why we are introducing maintenance loans for part-time study and have enabled more people to re-study through the extension of the exemption for equivalent or lower qualifications.

We want to promote retraining and prepare people for the labour market of the future, which is why we are reviewing the gaps in support for lifetime learning, including flexible and part-time study. New providers can play an important role here: 59% of students at alternative providers are aged over 25, compared with just 23% of students at publicly funded institutions.

Gordon Marsden *rose—*

Joseph Johnson: I will give way, but we do need to make more progress.

Gordon Marsden: Indeed. We might make a bit more progress if the Minister were able to answer the question that I put, or rather the question from my colleague in the House of Lords that I echoed, about the part-time maintenance consultation, which is highly welcome but which, as was said, could not come too soon. Do we have a date for this yet?

Joseph Johnson: I will happily come back to the Committee with an intended date of consultation. We are moving full speed ahead with the introduction of the part-time maintenance loans, which will be an important feature of the new system. We are transforming the funding environment for part-time students and the consultation will take us one step towards our objective.

It is essential that the OFS works collaboratively with the Institute for Apprenticeships, which will play a significant part in accomplishing the agenda. Although I support the principles behind amendment 141, the changes sought by the hon. Members are more than adequately achieved by the current text. We would do well to keep the OFS's duties and responsibilities more open to future-proof the new body against unforeseeable economic challenges. For those reasons, the amendment is not necessary. We should avoid limiting flexibility. By doing so, we ensure that our education system remains responsive to change in the labour market and to the needs of our economy in the future. On that basis, although I understand the intentions of hon. Members, I respectfully ask that the amendment be withdrawn.

Dr Blackman-Woods: I thank the Minister for recognising that the excellent reputation of our higher education sector must be protected. However, promoting quality and maintaining confidence in the sector are not exactly the same thing. I will give a brief example. Let us say that 30 new providers are allowed to come into the sector as new universities, and that then there is a regulatory framework that says, "Oh, sorry, the bar wasn't set quite high enough to begin with and you're now going to be closed." That could damage the reputation of the sector hugely even though it was, in fact, "promoting quality".

I am not suggesting that we do not promote quality. I am suggesting that safeguards are needed in the Bill to ensure that the reputation of the sector is protected in addition to promoting quality. We may need to go away, look at the guidance that might be relevant to the issue, and return to it again once we have considered that in more detail. On that basis, I beg to ask leave to withdraw the amendment.

The Chair: Is it the Committee's wish that the amendment be withdrawn?

Hon. Members: Aye.

Gordon Marsden May I ask the Minister about amendment 141?

The Chair: Technically, the lead amendment has been withdrawn, but I will allow the hon. Gentleman to comment.

Gordon Marsden: Thank you, Mr Hanson. I would have indicated earlier had I realised that that would be the effect.

I thank the Minister for his rhetoric. I appreciate that it is not empty, but how he can say—when he reads *Hansard* he might reflect on his infelicity choice of words—that putting the issues of adult and part-time students on the face of the Bill would somehow limit flexibility for the future of the OFS, whereas apparently putting collaboration in the Bill does not limit flexibility, even though there have been recent circumstances in which competition turns into cartels, is absolutely beyond me.

The Minister might reflect on the fact that that dismissal hardly sends a positive message to the Open University, Birkbeck, the WEA and the hundreds of thousands of adults and part-time students who want to progress. I accept the Minister's assurances that the issue will be more central to the work of the Government and the OFS, but we want progress on the consultation and we will continue to come back to the process and hold him to that.

The Chair: Order. I gave the hon. Gentleman some leeway because he wished to comment, but he should have done so before Dr Blackman-Woods asked leave to withdraw the amendment. If the Minister wishes to respond, he may. He does not wish to do so.

Dr Blackman-Woods: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment proposed: 28, in clause 2, page 2, line 6, at end insert—

"( ) The OfS must monitor the geographical distribution of higher education provision and introduce measures to encourage provision where the OfS considers there to be a shortfall in relation to local demand."—*(Wes Streeting.)*

This amendment would place a duty on the OfS to monitor the geographical distribution of higher education provision and encourage provision where there is a shortfall relative to local demand.

Question put, That the amendment be made.

The Committee divided: Ayes 5, Noes 10.

Division No. 3]

AYES

Blackman-Woods, Dr Roberta	Smith, Jeff
Blomfield, Paul	
Marsden, Gordon	Streeting, Wes

NOES

Argar, Edward	Johnson, Joseph
Chalk, Alex	Kennedy, Seema
Churchill, Jo	Milling, Amanda
Evennett, rh David	Morton, Wendy
Howlett, Ben	Pawsey, Mark

Question accordingly negatived.

Dr Blackman-Woods: I beg to move amendment 161, in clause 2, page 2, leave out lines 18 to 25.

This amendment would allow universities to innovate and respond to new and emerging markets and employer and student interest without Ministerial direction or interference.

The Chair: With this it will be convenient to discuss amendment 142, in clause 2, page 2, line 25, at end insert—

"(f) the creation of, or closure of, such courses, or

(g) the standards applied to such courses, or the systems or processes a provider of higher education has in place to ensure appropriate standards are applied.

(4C) In this section "standards" has the same meaning as in section 13(1)(a).

(4D) In determining whether any course of study satisfies the criteria set out in paragraphs (4)(a) or (b) the Secretary of State must have regard to any advice given to him by the OfS on this matter."

This amendment would allow for course-specific guidance to be given.

Dr Blackman-Woods: With this amendment I want to test the Minister on how extensive he thinks the powers of the OFS and the Secretary of State should be. Large portions of clause 2 appear to have been transferred from the Further and Higher Education Act 1992, but of course the context and consequences of the powers are now very different. Under the 1992 Act the powers related specifically to conditions attached to grant funding, and successive Secretaries of State and Ministers, including the current ones, have been able to use the powers to advise the Higher Education Funding Council for England to support some elements of provision, but that guidance has not covered courses. Instead, grant letters from HEFCE have focused on strategically important or high-cost subjects or matters such as employer engagement.

The Bill proposes to include these powers in the OFS's general duties. Accordingly, the power provided to the Secretary of State by this clause no longer pertains to the direction of funds, which are in any case reducing, but is potentially focused on the decisions that institutions make on course provision. As it stands, the clause gives the Secretary of State extended powers to make decisions about course provision, including course opening and closure. That appears to completely undermine the autonomy of institutions and providers in course provision, which is one of the most successful outcomes of the 1992 Act because it allows universities to innovate and respond to new and emerging markets and to employer and student interest without ministerial direction or interference.

It is also difficult to see how those aspects of the clause align with the Government's pro-market approach to the sector, or indeed with what the Minister has said about not wishing to be prescriptive. This measure could be highly prescriptive about what individual institutions are able to do. Perhaps that is not the intention of the clause, but I wait to hear what the Minister has to say so that I can get a better feel for what he thinks are the powers of the Secretary of State.

Joseph Johnson: I am grateful for the opportunity to discuss this important issue, which has been raised by a number of Members and by people beyond this Committee. For 25 years the Government have issued guidance to HEFCE on what are high priority and strategically important subjects, such as STEM. The Bill enshrines that guidance in law while simultaneously creating new

[Joseph Johnson]

protections to safeguard providers' academic freedoms and institutional autonomy, which are, I believe we all agree, the cornerstones of our higher education system. In his evidence to this Committee last week, Sir Leszek Borysiewicz, vice-chancellor of Cambridge University, praised the protections we have included in the Bill, saying that he particularly liked

"the implicit and explicit recognition of autonomy, as originally proposed by Robbins and Dearing".—[*Official Report, Higher Education and Research Public Bill Committee,* 6 September 2016; c. 23, Q32.]

2.45 pm

With a diminishing amount of grant funding available, the Secretary of State must be able to ensure that the OFS is fully aware of which subjects are of strategic importance to the nation. This is necessary to allow the OFS to provide top-up funding to high-cost subjects, such as STEM, in the way HEFCE does now. The key word here is "strategic". The guidance will not be specific; for example, it cannot be used to target individual courses at individual higher education providers. Clause 2(5) makes that clear. We must remember that we are talking about guidance here: it can advise, perhaps strongly, but it cannot mandate.

Members may ask why this new, targeted power is needed when Government can and do already prioritise high-cost STEM subjects. We think that a more easily targeted power will be needed in the future to ensure that the limited government resources available can be targeted to where they will achieve the best value. For example, we talk about STEM subjects in general terms, but the recent review by Bill Wakeham found that there is as much variation between STEM subjects in terms of cost to deliver and student outcomes as there is between STEM and non-STEM subjects. As we consider what these differences mean, we want to ensure that in the future the Government have the power to direct incentives to courses in a more targeted way.

The two amendments take slightly different approaches. Amendment 142 adds additional restrictions on what the Secretary of State's guidance can include. In response to the first part of that amendment, I formally reassure the Committee that there is no intention for such guidance to relate to the creation or closure of specific courses. On the other concern being raised through amendment 142, I assure the Committee that the Government will have no role in prescribing course structure or content, or in providing guidance to the OFS to do so. It is, however, essential that the OFS is able to ensure that providers in the system are genuinely offering qualifications that are of a suitable standard to be considered higher education, and that the overall higher education system's quality is not undermined by providers offering substandard qualifications.

Gordon Marsden: I should have mentioned, although I am sure that members will have noticed it, that there is a typo in the explanatory statement, which says that the amendment "would allow" for course-specific guidance to be given, whereas, of course, we are arguing that it should not be. I am grateful to the Minister for making that very clear.

Joseph Johnson: Pam Tatlow, chief executive at MillionPlus, agreed in her evidence to the Committee that,

"we have got to protect quality and standards for our students. We have also got to maintain a system in which we can maintain confidence".—[*Official Report, Higher Education and Research Public Bill Committee,* 6 September 2016; c. 12, Q11.]

As a result, the Bill makes explicit mention of standards in order to ensure there is no uncertainty about the ability of the OFS to provide these assurances.

Amendment 161 seeks to remove the Secretary of State's ability to refer to particular courses in her guidance to the OFS. There would be no ability for the OFS to have regard to the Government's overall priorities and strategy for higher education where this relates to specific subjects; the amendment would remove that ability from current and future Governments. This would deviate from current practice, whereby the Government continue to issue strategic guidance in this way. I therefore strongly resist such an amendment.

Further, the Bill sets clear limitations on the Government's powers to direct the OFS in order to protect academic freedoms and institutional autonomy. For the first time, it is made explicit that it cannot refer to parts of courses, their content, how they are taught, who teaches them or admissions arrangements for students. I hope that I have addressed the Committee's concerns on these points and that the amendment will be withdrawn.

Dr Blackman-Woods: I thank the Minister for that full response. I am reassured by what he has said. Providing that clauses 4 and 5 are implemented in the way he suggests, they should give enough reassurance to the sector that its autonomy is being protected. I beg to ask leave to withdraw the amendment.

Amendment, by leave withdrawn.

Clause 2 ordered to stand part of the Bill.

Clause 3

The register

Gordon Marsden: I beg to move amendment 143, in clause 3, page 3, line 6, leave out "may" and insert

"must, after a period of consultation".

This amendment would help inform the nature of the choices made by the Secretary of State, and ensure that any changes must be set out to show that they benefit the sector.

The Chair: With this it will be convenient to discuss amendment 144, in clause 3, page 3, line 17, at end insert—

'( ) The Secretary of State shall, on a quarterly basis, make that register available to Parliament and relevant Select Committees."

This amendment would ensure the Register of Higher Education Providers is published to Parliament.

Gordon Marsden: These amendments are to seek some strong reassurance about what the role of the Secretary of State may be. I always feel—not absolutely as a principle—that in such Bills it is sometimes better to say "must" than "may" because "may", with all due respect to our Prime Minister, is open to a number of interpretations, which lead us into judicial review and

other such matters. The purpose of amendment 143 is to help to inform the choices made by the Secretary of State and to ensure that any changes must—not may—be set out to show that they benefit the sector.

Amendment 144 is simply to emphasise the fact that the register will be a rolling register that will be updated regularly. I assume I am correct on this; if I am not, the Minister is welcome to intervene. While not expecting Parliament or the relevant Select Committees to receive a running commentary, we do feel it would be helpful to ensure that the register of higher education providers is published regularly. We have suggested a quarterly basis and that the register should be made available to Parliament and the relevant Select Committees—"Committees" is deliberately in the plural, Mr Hanson, because of this morning's discussions about the cross-over between the two Departments.

Joseph Johnson: The higher education sector in England has undergone significant change over the last 30 years. The regulatory architecture we have today is out of date. As we have discussed, it was designed in the early 1990s for an era of limited university competition, student number controls and majority grant funding. As the funding that providers receive has passed from Government to students, so the basis for regulation has widened from the protection of the public purse to the protection of the student. At its heart, the system needs to have informed choice and competition among high-quality institutions. Competition between providers in higher education—indeed competition in any market—incentivises them to raise their game, offering consumers a choice of more innovative and better-quality products and services at lower cost. In order to deliver that competitive market, we need a single, simple regulatory system appropriate for all providers. We need to stop treating institutions differently based on incumbency or corporate form and instead create a level playing field with a single route to entry and a risk-based approach to regulation. The Bill will create just such a single regulatory system, underpinned, for the first time, by a single, comprehensive register of English HE providers.

Amendment 143 is intended to place a clear duty on the Secretary of State to lay regulations—and consult before doing so—on the information that must be included in an institution's entry on the register. I accept that the nature of the information on the register is vital. It is through establishing and publishing the register that we will, for the first time, be able to give students consistent and comparable assurances about all registered higher education providers. I also accept that there is a need to set out the information that must be included in a provider's entry to the register in regulations that will be laid before Parliament and subject to scrutiny. Although the current draft of the Bill suggests that the Secretary of State may make regulations, that is standard legislative drafting and is not meant to imply that the Secretary of State will not usually make regulations. I can assure Members that they will be made, and that they will be subject to the usual scrutiny process. However, I believe that consulting on each and every case may be going too far if we are making only minor changes.

Amendment 144 seeks to place a duty on the Secretary of State to make the register available on a quarterly basis to Parliament and Select Committees. Entry on the register is voluntary, but if the provider wishes to access the benefits of student support and official recognition as an HE provider, it must be registered. The OFS register is a single, comprehensive record of those English HE providers. It gives students consistent and comparable assurances about all registered HE providers. It will be updated in real time, as and when changes are made to it, so it will be live. The register and the information within it will be publicly available, and will be hosted on the OFS website. There would be little value in placing a duty on the Secretary of State to make available information that will already automatically be in the public domain. On that basis, although I understand the intentions here and fully agree with the need to promote these important issues, I do not believe that the amendment is necessary; the Bill already makes the relevant provisions. I ask the hon. Gentleman to consider withdrawing the amendment.

Gordon Marsden: I am grateful to the Minister for his thoughtful, succinct and indeed positive response to the intentions behind the two amendments. I am content with his explanation on amendment 143. I hear what he says about the information being available all the time, but one of the paradoxes of the digital age is that things that are there all the time for people to look at never get looked at because they are there all the time. I am not going to oppose this and I will withdraw the amendment, but I would ask the Minister and his officials to give proper thought as to how things are promoted online, rather than simply put online. I hope that the Department will take that on board. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 3 ordered to stand part of the Bill.

Clause 4

Registration Procedure

Gordon Marsden: I beg to move amendment 145, in clause 4, page 3, line 32, leave out "28" and insert "40"

This amendment would increase the notification period from 28 days to 40 days.

The Chair: With this it will be convenient to discuss the following:

Amendment 149, in clause 6, page 4, line 37, leave out "28" and insert "40"

This amendment would increase the notification period from 28 days to 40 days.

Amendment 173, in clause 17, page 10, line 25, leave out "28" and insert "40"

This amendment would extend the specified period from 28 days to 40 days.

Gordon Marsden: I rise to propose what appear to be slightly assorted amendments, but they have the common theme that has been raised during our consideration of the Bill. It is a purely pragmatic suggestion. There is no hidden agenda. We suggest that it would be more appropriate and reasonable to consider examining these matters on a 40-day basis, rather than a 28-day basis, given some of the issues that have to be discussed—notifications, registers, withdrawals and so on—and given the nature sometimes of higher education provider terms and other matters. We have taken that process

[Gordon Marsden]

through for the information of Members. Amendment 145 refers to the registration procedure. There we are saying that the specified period before refusing an application must be 40 days, rather than 28 days. In clause 6, on page 4, line 37, we suggest a similar period be made available for the specific ongoing registration conditions. The principle is well established and that is essentially what we are proposing to the Committee.

3 pm

Joseph Johnson: I start by thanking the hon. Gentleman for his helpful and pragmatic suggestions. Before I turn to his amendments, it might be helpful if I explained how we expect the OFS to operate this risk-based approach to regulation in practice.

The OFS will consult on, and then publish, the initial registration conditions that all providers will be required to meet before they are granted entry to the register. The conditions will relate to important matters such as quality, financial sustainability and standards of management and governance. Providers that cannot demonstrate that they meet these standards will not be registered. Additionally, if the OFS considers that an institution or an element of an institution, such as its financial sustainability, poses a particularly high risk, the OFS can add, change or tailor specific registration conditions to the risks posed by the provider.

Amendment 145 seeks to increase from 28 to 40 days the minimum time the OFS must allow for a provider to make further representations in the event of the OFS proposing to refuse a provider's application for entry on to the register. Amendment 149 has a similar theme: it would increase from 28 to 40 days the minimum time for a provider to make representation to the OFS if the OFS proposed introducing or varying a condition of registration. Finally, amendment 173 seeks to increase from 28 to 40 days the minimum period of time for a provider to make representations to the OFS if the OFS proposes to suspend the provider from the register.

Allowing providers an absolute minimum of 28 days to make additional representations to the OFS is not, in itself, ungenerous. The OFS is required to act in a transparent, accountable and proportionate manner. It is our firm expectation that if a provider has a good case for needing additional time to make a representation, the OFS would and will allow it. Members will note that the minimum period of 28 days has precedents. It is a frequently used time period for allowing appeals and representations, appearing, for example, in section 151A (5) and (6), "Power to impose monetary penalties", in the Apprenticeships, Skills, Children and Learning Act 2009.

We could have chosen to follow much tighter timescales for making representations, such as the 14-day warning notice period for sanctions imposed under the Financial Services and Markets Act 2000. We think a starting point of 28 days achieves the right balance between procedural fairness for the provider and an efficient, speedy outcome for others affected by the decisions, such as students.

Gordon Marsden: Yes, I hear what the Minister has to say, and although I have spoken against the omnipotence of precedent on previous occasions, I am not against precedent, and in the case that he mentioned, 14 days was perfectly reasonable. Entering into the spirit of what the Minister said on new providers, some of them—we could refer to some of those who presented evidence to us—would probably start off in an entrepreneurial state, without the full administrative panoply to be able to respond practically in that period. The purpose of putting down 40 days was to recognise that under the Government's proposals, a number of much smaller institutions than we have had so far will want to gain approval.

Joseph Johnson: I take on board the hon. Gentleman's further clarification of his amendment, which we found helpful and constructive, as I said. I hope that the Government have explained their thinking. We feel we have a balanced and proportionate approach that gives providers a procedural chance to make representations, but that also takes into account the interests of other parties affected by such decisions.

For all three scenarios covered by the amendments, there is a clear process to follow: the OFS must notify providers of its intention. Furthermore, the particular characteristics of the higher education sector mean that proportionate regulation is needed to protect the interests of students, employers and taxpayers. Clause 2(1)(f) states that

"so far as relevant, the principles of best regulatory practice…should be…proportionate and…targeted only at cases in which action is needed."

On that basis, although I understand that the hon. Gentleman means well, and although I fully agree on the need to promote these important issues, I do not believe that his amendments are necessary. The Bill already makes the necessary provisions, so I ask him to withdraw his amendment.

Gordon Marsden: I am reassured by what the Minister says, not least because the provision is de minimis and the OFS will be able to vary the period. On that basis, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 4 ordered to stand part of the Bill.

Clause 5

The initial and general ongoing registration conditions

Paul Blomfield: I beg to move amendment 165, in clause 5, page 4, line 8, at end insert—

"(2A) Subject to subsection (2C), 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.

(2B) For the purposes of subsection (2A)—

(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.

(2C) Subsection (2A) does not apply to the Open University and other distance-learning institutions."

This amendment would ensure that the OfS includes as a registration condition for higher education providers the integration of electoral registration into the student enrolment process. Distance-learning providers are exempt.

I am pleased to introduce amendment 165, because although it is in my name alone, I know it enjoys cross-party support. That is not surprising, because it seeks to introduce a requirement on universities in line with the Cabinet Office's work on electoral registration. The Cabinet Office has endorsed my approach and has been encouraging.

The amendment simply requires universities to make a minor change to their student enrolment systems to provide new students who enrol with the opportunity to have their names added to the electoral register in a seamless process. Like the Cabinet Office, Universities UK has endorsed the system and has been encouraging. The issue is certainly topical; today, to the comfort or discomfort of hon. Members, new boundaries have been published based on an electoral register that we all agree could have significantly more people registered on it.

Let me put the amendment in context. Members will recognise that when individual electoral registration was introduced in 2014, it created a substantial culture change, not least for universities. Before IER, universities used their role as head of household to block-register students who lived in their accommodation—a practice that was well established throughout the sector. When IER removed that opportunity for universities, there was a real concern that hundreds of thousands of eligible students would disappear from the electoral register, and that proved to be the case.

As the Member of Parliament who represents more students than any other, I have been keenly focused on the issue. In anticipation of the problem, I worked with the University of Sheffield and the Sheffield electoral registration officer. We looked into developing a seamless system at the point at which the university collected the data that the electoral registration officer needed to put people on the register. We piloted the system for the 2014 entry, and it was extremely successful. It turned a negative into a positive, reaching out not only to those students who might otherwise have been registered by virtue of living in university accommodation, but to all students. We managed to achieve a registration level of 65% of eligible students.

The success of the pilot led to its endorsement by Universities UK and the Cabinet Office. A number of other universities followed up on it in the 2015 intake, by changing their student enrolment systems, with even greater success than Sheffield. I think that Cardiff hit over 70% registration, De Montfort's level was approaching 90%, and there have been one or two other examples. However, the sector has been slow to take the pilot up, and it seemed that this Bill, provided an opportunity to embed good practice across the sector, in terms of conditions for registration. That is what this amendment seeks to do.

Wes Streeting: It is a pleasure to serve under your chairmanship again, Mr Hanson. I will speak briefly in support of the amendment tabled by my hon. Friend the Member for Sheffield Central. There are genuine issues around the registration of students. As many hon. and right hon. Members will be aware, effectively students can choose to cast their vote in their traditional home constituency or in the constituency in which they are studying, if those two constituencies are different. There is a good reason for that rule. Students spend much of the year away from home, and often find themselves away from home during a general election, local election or indeed the occasional referendum.

There are real issues about the way that individual electoral registration has disfranchised significant numbers of students. It is regrettable that the principled motivations behind individual electoral registration got rid of common-sense measures, such as university vice-chancellors being able to block-register students in university-run accommodation. The vice-chancellors clearly know who the students are; they clearly know that the students are resident at the university; and with the law of unintended consequences being what it is, individual electoral registration has led to additional bureaucracy and people missing out on being able to make their voice heard.

The duty proposed by the amendment is common sense. It would be welcomed by the sector, including by students unions, and probably by lots of electoral registration officers in local authorities up and down the country, who could probably do with some assistance in getting people registered. In and of itself, it will not address the broader challenge, which is that once students are registered to vote, how on earth do we get them to turn out at the polling stations? It is a perennial frustration of mine, having run all sorts of student voter registration campaigns over the years, that students and young people generally do not cast their vote in the same numbers and proportions as older residents, which has an impact on public policy. This amendment would not solve that particular challenge, but it would at least help more people to engage in our democracy and to exercise their democratic right to vote. Surely that can only be a good thing. I hope that the Minister will give us a favourable response.

Gordon Marsden: I obviously rise to support strongly the amendment tabled by my hon. Friend the Member for Sheffield Central. He had his mind concentrated on this issue by the circumstances in his constituency, but we should all have our minds concentrated on it, given the importance of students in national life.

What has happened over the years—it has sort of been potentiated by the introduction of IER—has meant that we have had a lottery regarding who gets on the register and their ability to know about it. The modest proposals, on which I hope there is consensus, arising from the excellent pilot that my hon. Friend took forward give the Government an opportunity, in this part of the Bill, to take the pilot forward in a relatively straightforward way. There will always be issues about the capacity of higher education providers to do that—and, in some cases, about their proactiveness—but earlier in consideration

[Gordon Marsden]

of the Bill, we talked about the public interest of universities, as did my hon. Friend this morning. Surely it should be part of universities' public interest to ensure that their students, when at that university or higher education provider, participate in the electoral process. I strongly commend the amendment to the Government.

3.15 pm

Joseph Johnson: I thank the hon. Member for Sheffield Central for his amendment, which he was kind enough to flag to me last week. The Government fully share his aim of increasing the number of younger people registered to vote. Participating in elections at all levels is essential if we are to have a healthy democracy. Indeed, the Government have demonstrated their commitment to that aim by supporting and contributing financially to the pilot project of the University of Sheffield, which is in the constituency of the hon. Member for Sheffield Central, as he mentioned.

The pilot project sought to integrate electoral registration with student enrolment. I congratulate the University of Sheffield on its commitment to devising a workable solution to the problem. It achieved the successful outcome of integrating online electoral registration and university enrolment using the university's bespoke in-house enrolment software. The vice-chancellor should be commended as the driving force behind the successful pilot. However, this is not a case of one size fits all. Integrated registration is just one option that the Government will consider alongside others in determining how best to increase student registration. Those options will include working in partnership with student-facing organisations and local authorities.

The process should be voluntary. It would not be right to force all providers on the register to adopt such an arrangement. Administering such an arrangement will incur costs, which larger institutions such as the University of Sheffield may find easier to accommodate than smaller specialist providers. Moreover, it would not be appropriate to include such a condition in the Bill. The conditions of registration are primarily to provide proportionate safeguards for students and the taxpayer, and to take forward social mobility policies. Requiring providers to carry out electoral registration, particularly when there are other means of students enrolling on the electoral register, is not the best way forward.

In addition, the introduction of online electoral registration by the previous Government has made it simpler and easier than ever to register to vote. Since the introduction of individual electoral registration in June 2014, there have been more than 20 million applications to register. Some 78% of electors currently apply to register online, and that figure rises to 86% for the 18 to 24 age group. That demonstrates that the way in which electors engage with electoral registration is evolving.

The Government are looking at modernising and streamlining the annual registration canvass. Impacts on students from the current process will be picked up as part of the modernising electoral registration programme. We are looking at the lessons learned from enrolment pilot schemes, such as the one conducted successfully at the University of Sheffield, to see whether they have wider application. We are also considering other options to increase student registration, including as part of the Government's democratic engagement strategy, and we expect to set that out early in 2017. Ahead of that, I ask that the amendment be withdrawn.

Paul Blomfield: I note the Minister's points and I am grateful for his acknowledgement of the role that the University of Sheffield has played. I endorse it and reiterate how grateful we were for the support, both in encouraging the pilot and getting it off the ground financially.

The Minister highlighted the fact that the University of Sheffield used the opportunity to tweak its bespoke software, which is right. In a sense, that makes it not easier, but more challenging for the university, because the overwhelming majority of providers buy off-the-shelf software that is designed in partnership with user groups, and it is relatively easy to tweak that off-the-shelf software to minimise the cost for individual institutions.

The Minister said that the process should be voluntary. The important thing that should be voluntary in the process is students having the choice of whether to register. That is the important voluntary element, and that is what this system provides for. It simply draws students' attention, when they are enrolling, to the opportunity to register and explains a little bit about that. They tick one box, which leads to another stage of providing a national insurance number. The important principle of voluntary engagement with the democratic process is at the heart of this system. I do not think it is unreasonable to expect providers to make such a minor adjustment when we are all committed to the principle.

The Minister makes the very fair point that this is not central to the purposes of the Bill, but I reflect back to him that the Government—and previous Governments—have on occasion been known to bung stuff into a Bill that was not central to its purposes when there was a convenient opportunity to do something that we all wanted to do. This is something that we all want to do.

Notwithstanding those reservations, if the Minister would commit to meeting me and the relevant Cabinet Office Minister to talk a little about how we can move this forward, I am happy to withdraw the amendment.

Joseph Johnson: I am happy to discuss further with the hon. Gentleman how we can involve the Cabinet Office. We have already had quite detailed discussions with Cabinet Office Ministers who are sighted on the hon. Gentleman's amendment. They are aware of the status of our Bill, but I am happy to discuss this further outside the Committee.

Paul Blomfield: On the basis that we can meet with the Cabinet Office Minister responsible, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Gordon Marsden: I beg to move amendment 146, in clause 5, page 4, line 11, leave out

"if it appears to it appropriate to do so"

The Chair: With this it will be convenient to discuss the following:

Amendment 147, in clause 5, page 4, line 13, after "providers", insert ", staff and students"

This amendment would ensure consultation with bodies representing higher education staff and students.

Amendment 148, in clause 5, page 4, line 17, after "institution", insert

"and the students and/or student body of that institution"

This amendment would ensure students and their representatives are informed of changes to their institutions registration conditions.

Amendment 150, in clause 6, page 4, line 41, at end insert—

'( ) The OfS may also consider other representations from relevant stakeholders as the OfS considers appropriate."

This amendment would allow for relevant stakeholders to be consulted if the OfS deems it necessary.

Gordon Marsden: I rise to speak to this miscellany of amendments which has a common theme. Clauses 5 and 6 are about the registration conditions. The Minister has quite rightly put emphasis on the innovation of having a central register and everything that goes with it. It is therefore incumbent on us to consider that when registration conditions are made the OFS has considered the broadest range of recommendations about what will be very important decisions, either to allow a registration to go forward, or to revise it, sometimes in a minor way, but sometimes perhaps in a major way, or sometimes, of course, to refuse it. Because of that, the principle behind these amendments is that everybody who is involved in the life of that institution—insofar as practically possible—whether students, teachers, or the workforce that supports those institutions should have some input to that process.

Philosophically, that is a really important thing that the Bill and Ministers need to grasp. If we want to engage people more broadly in higher education, whether to work, to teach or to study in it, we have to give them a stake in the decisions that affect the institution where they are working. That is the principle behind the amendments.

Amendment 146 on the consultation of HE providers would omit, as far as the OFS is concerned, the phrase,

"if it appears to it appropriate to do so".

This terminology is more redolent of an absolutist monarch such as Louis XIV, the Sun King, than of a new transparent organisation. The language is, to use the French, de haut en bas. The Minister has excellent French, so he will know what I mean. To be honest, it is daft to say

"if it appears to it appropriate to do so".

Of course it is appropriate to consult higher education providers in such circumstances.

Amendment 147 is very specific, and it states that in clause 5, after the word "providers" we should insert for the avoidance of doubt, as the phrase has it, "staff and students". The amendment would ensure that there is some consultation with bodies or informal groups representing higher education staff and students. I refer to informal groups because again I am conscious, not least because the Opposition do not want to be accused of stopping progress and innovation, that some of these new providers will be relatively small and may have relatively informal groupings. It is therefore not unimportant that the position of their staff and students is taken into account.

Amendment 148 is probably the most vital of the three proposed amendments to clause 5. If there are to be changes to an institution's registration conditions, its students and student body should be informed. Members of the Committee might think that is unnecessary, as the students and the student body are bound to be informed, but as I have said previously, we should legislate for the worst scenarios and the worst employers and not for the best. There are recent examples or allegations relating to major changes to London Metropolitan University's terms and conditions. I once sat on a Committee down the corridor that was talking about providers, and people from London Metropolitan were eloquent on this issue. It is essential that the OFS has a proper information process—the OFS needs to take responsibility for this—that ensures that students and their representatives are properly informed of changes to their institution's registration conditions. That is crucial.

Finally, clause 6 addresses the specific ongoing registration conditions. Subsection (6) currently states:

"The OfS must have regard to any representations made by the governing body of the institution…in deciding whether to take the step in question."

It is important that the OFS may also consider representations from other relevant stakeholders it considers appropriate. I hope the Minister will note that we are not advocating an absolute duty on the OFS to consult such people, but we would ask it to do so on a case-by-case basis. It is important to establish the principle in the Bill that stakeholders other than the governing body should be able to make representations to the OFS. Those other stakeholders are people who have invested two or three years of their time and money in studying. They are people whose livelihoods depend on the institutions in question. It is surely not too much to ask that the OFS should be prepared, where appropriate, to consider their representations, too.

Joseph Johnson: I thank the hon. Gentleman for his thoughtful suggestions.

To ensure a level playing field, the Bill will require the OFS to determine and make public the conditions that institutions must meet to gain entry to the register and to remain on it. The conditions of registration, both initial and ongoing, will form the formal basis of the regulatory requirements on higher education providers under the new system. Those conditions include provisions relating to quality assurance, widening participation and data and information requirements. It is clearly the case that students, as well as providers, need clarity on the tests that the OFS will have required providers to pass in order to gain entry to the register, and the ongoing conditions that are in place, so that they can be confident about what it means for a provider to remain on the register.

Amendments 146 and 147 seek to make it mandatory for the OFS to consult each and every time it revises the general, initial and ongoing registration conditions, and to widen the base of those it should consult before doing so from higher education providers to also include staff employed by those providers, and students.

3.30 pm

Amendment 148 seeks to place a duty on the OFS to notify students, as well as a provider's governing body, if the OFS decides that a general ongoing registration

condition should not be applicable to a provider. These amendments may constrain the OFS from acting effectively and in the interests of students and the taxpayer.

We envisage that over time the OFS will need to change both the initial and the ongoing registration conditions, and some of those changes are likely to be minor and technical. Others may be needed urgently in the event that loopholes appear and providers seek to exploit them. Requiring the OFS to consult each and every time it needs to make changes to initial and ongoing conditions would be unhelpful. I expect the OFS to consult when it first determines what the initial and ongoing conditions should be, and also to consult on significant subsequent changes. Such consultations will involve a wide range of interested parties representing the interests of students and providers, and will also consult directly with students themselves. This will include detail of the various conditions providers will have to meet.

Gordon Marsden: I entirely accept what the Minister says about not wanting to have major consultations on minor changes. I do not want to prolong the exchange, but can I take it that he is going to place that in the guidance to the OFS, or possibly illustrate—although I know that illustrations can never be exhaustive—what sort of circumstances would require that sort of consultation?

Joseph Johnson: Yes, we expect to provide guidance to the OFS to give exactly those sorts of examples of the kinds of occasions on which it would be expected to consult widely on the changes to conditions required. In addition, more generally, the OFS will strongly encourage providers themselves to engage and consult with key stakeholders, including students, as a matter of good practice. Whether or not a general registration condition applies to a provider will be made clear on the OFS's publicly available register.

Amendment 150 seeks to enable the OFS to take into account, when it thinks fit, representations from students and other stakeholders, as well as the provider itself, if the OFS decides to impose or vary a provider's specific registration condition. The OFS does not need a power in the Bill to do this. It will always be able to listen to representations on various matters from various quarters if it thinks that doing so would add value. The effect of this amendment in reality is likely to be to give representations made by other stakeholders and students an elevated status above representations made by any other party that may have a legitimate interest. That is because students and staff representations would be the only ones mentioned in the clause.

I am clear that, in certain circumstances, it will be in students' interests that they are informed of a particular change to a provider's registration conditions, and why that change has happened. The OFS already has the power, when it is appropriate, to compel a provider's governing body to make sure that students are promptly informed about changes to a provider's registration conditions. It is my clear expectation that the OFS will act in the interests of students, and will use its powers under clause 6 to make it a specific condition of registration that significant changes to a provider's registration conditions are communicated promptly and accurately to students. On this basis, while I understand the intentions here, and fully agree with the need to promote these important issues, I do not believe the amendments are necessary as the Bill already makes relevant provisions for them. I therefore ask hon. Members to consider withdrawing their amendments.

Gordon Marsden: I thank the Minister again for his constructive approach to outlining some of the circumstances in which access to broader areas would be made available. The truth of the matter is that the proof of the pudding will be in the eating. The OFS is not yet constituted. In its first few months and years, people will watch carefully as to how things proceed. If the general duty proves not to be working as it should—there are sometimes high-profile cases that illustrate faults in legislation that no one had thought of—the Government of the time may wish to return to it, and there are mechanisms for doing that. For the moment, on the basis of what the Minister has said and based on the fact that clear guidance will be given to the OFS, I am content to beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 5 ordered to stand part of the Bill.

Clause 6 ordered to stand part of the Bill.

Clause 7

Proportionate conditions

Gordon Marsden: I beg to move amendment 151, in clause 7, page 5, line 19, at end insert—

'(4) The OfS must ensure that the conditions applicable to an institution regarding registration requirements, costs and penalties are proportionate to the size, history, track-record and structure of that particular institution."

This amendment would ensure that the application of certain procedures (and consequent subscription charges) within the Bill are applied fairly and proportionally and accommodate smaller providers of higher education such as colleges.

The amendment is supported by the Association of Colleges, which the Minister was keen to pray in aid of his arguments this morning. I hope he will be equally ready to listen to what the association has to say on this matter. It is not only about the Association of Colleges, though; the amendment and the thoughts behind it strike at the heart of whether the Government are serious about using further and higher education as parts of their mechanism to develop the skills, possibilities and targets that were discussed this morning.

Clause 7 is on proportionate conditions. It stipulates that the OFS ensures that the conditions applicable to an institution regarding registration requirements, costs and penalties are proportionate to the size and structure of that particular institution. For the avoidance of doubt, I shall be talking specifically about further and higher education, but there are of course alternative providers that might also benefit from such a proportionate condition.

There are many references in the Bill to the penalties, conditions, requirements and costs with which an institution may have to comply. There is a need to ensure that the application of certain procedures and consequent subscription charges in the Bill are applied fairly and proportionately, and accommodate smaller higher education providers, such as colleges. The purpose of the amendment is to place a counterbalancing duty on the OFS to ensure that its activities are proportionate.

The clause provides an opportunity to ensure that the Government do not simply apply a proportional response on registration, conditions and compliance in relation to perceived regulatory risk. They should also take into account an institution's size, structure and experience—its track record, one might say—and apply those requirements in a fair and proportionate manner in relation to the institution.

There are many issues at stake as to how the charges and compliance conditions affect smaller providers, such as colleges. If there is no mechanism in the Bill to ensure that an institution's size and structure are taken into account under the various conditions, smaller providers, which have little experience of some of the compliance requirements and do not have the same financial means to pay the same rates as large universities, could be adversely affected by a one-size-fits-all approach.

If I may do so without departing from the structure of the amendment, Mr Hanson, I will give the Minister an analogy that I began to pursue with his colleague, the then Aviation Minister, when I was shadow Aviation Minister, in relation to the regulation of smaller airports. As some Members here might know, smaller airports, including my own airport in Blackpool, have had mixed fortunes in recent years. One point that has been made constantly is about the disproportionate effect when an airport serving 250,000 passengers and one that serves 3 million must both pay the same charges. In the same way, by analogy, there are concerns of the nature outlined by the AOC.

The OFS will have far-reaching powers to collect data and place conditions on institutions. It will have the power to charge licence fees to cover its costs, which, according to the technical paper produced by the Government, are expected to be around £30 million a year. The impact assessment forecasts that around 500 providers will pay a flat rate of £60,000 a year.

There are multiple references to the compliance requirements and costs throughout the Bill. I will not go into the various clauses and what they include, but clause 13 in particular refers to the payment of a fee as a registration requirement. I have a couple of specific questions for the Minister. Is it to be a charge or a subscription? Will the price vary to take into account smaller providers of HE such as colleges, or will it be a blanket cost? If his officials are currently discussing those issues, it would be useful to have some sense of the direction of travel.

FE colleges that want to be HE providers believe at the moment that there are circumstances in which they are at a disadvantage compared with other providers. A university enrolling 10,000 students paying £9,000 a year, for example, will earn £90 million in teaching income, so a £60,000 licence fee would be less than 0.1% of its total teaching income. By comparison, a college that enrols 250 students paying £6,000 a year would earn only £500,000 in teaching income, and the £60,000 licence fee would be 4%, or one twenty-fifth, of its total teaching income. I do not intend to tax the Committee with lots of mathematical examples, but I want to give some sense of the level of concern.

Colleges are currently charged approximately 20% validation and awarding fees by partner HEIs, which leaves around £5,000 of the tuition fee for actual course delivery costs. The licence fee could leave them with tight margins, seriously hindering their ability to deliver a quality HE course and forcing many to increase their tuition fees against their access missions. In case the Minister is in any doubt about that direction of travel, I refer him to a piece that appeared last week in *The Times Educational Supplement* under the headline "Number of colleges with £9K tuition fees doubles":

> "The number of further education colleges charging the highest possible tuition fees for undergraduate degrees has doubled in a year…and more than a dozen institutions plan to raise their fees even higher next year."

Various arguments are put forward by the various bodies concerned, and I will not veer off the subject by talking about them. I merely wanted to illustrate that this is not a hypothetical argument. The margins on which FE colleges act as HE providers, and perhaps their ability to continue to do so or that of new FE colleges to take on HE provision, can be affected by such financial burdens.

There is another aspect that we need to think about. The issue goes beyond licence fees. If the OFS is not careful, it could end up—I am not saying that this would be its intention—applying a risk-based approach that involves a light touch for large, well-established universities but a heavy hand for smaller colleges. Of course, in some cases, where there are problems or poor quality—in my view, that would have to be applied as rigorously to new providers delivering HE provision as to existing institutions such as FE colleges—a heavy hand is necessary from time to time. But there is a genuine risk that a regulator not observing that proportionality could drive high-quality niche providers out of the sector. Small providers and colleges that are not dedicated higher education providers might be penalised for not having the same structures as universities, which are more accustomed to the current set-up requirements, both financially and structurally.

3.45 pm

If the Minister doubts that this is a significant issue, I would like to conclude with one or two examples. There are around 250 colleges offering HE, 20 of which, including my own Blackpool and the Fylde College, have more than 1,000 students doing HE, but there are also 186 with fewer than 500 students.

The vast majority of college HE courses are priced at under £6,000 although, as I have just illustrated, there has been an increase in those charging above that threshold. The majority of those charging above it often do so because they provide high-cost technical subjects, such as engineering and construction, and niche courses, such as marine engineering. Incidentally, the Fleetwood Nautical Campus at Blackpool and the Fylde College do amazing work in that area, including very productive work with overseas students as well as domestic ones. There is competition in certain geographic areas, where research by colleges has indicated that applicants are perceiving lower quality with lower cost.

There is a variety of reasons and I am not suggesting—pace the *TES* article—that all of those issues around the steady escalation of tuition fees at colleges are related to the particular issue that we are describing of proportionality of costs. However, I do think that is an issue on which the Government would do well to ponder. OFS in particular needs to have that at the forefront of its mind as it moves forward, so that FE colleges are taken into account. That is the basis on which I am proposing the amendment.

The Chair: Before I call the Minister, the hon. Member for Blackpool South mentioned clause 13. We will reach that clause in approximately six clauses' time, so I would be grateful if the Minister refrained from commenting on those issues, otherwise we will digress from amendment 151.

Joseph Johnson: I again thank the hon. Gentleman for his thoughtful amendment on which we will reflect. I will begin start by saying that risk-based proportionate regulation is at the heart of how the OFS will operate. As I have said, we need a single regulatory system appropriate for all providers, and we must stop treating institutions differently based on incumbency and corporate form. Instead, we should ensure that regulation is tailored to fit their individual needs and demands.

Clause 7 specifies:

"The OfS must ensure that the initial registration conditions…and its ongoing registration conditions are proportionate to the OfS's assessment of the regulatory risk posed by the institution."

The OFS will also have a duty to keep the initial and ongoing conditions of registration that it applies to institutions under review. That means that, where and when the OFS considers it appropriate, it will adjust the level of regulation to which a provider is subject to reflect the level of risk it presents at a given time.

Accordingly, where the OFS considers that a provider is particularly low risk, the effect of the clause should be that the OFS will make appropriate changes to its conditions to reflect that and ease the burden of regulation. Similarly, where the OFS considers that a provider, through its performance and behaviour, starts to present a greater degree of risk, the clause should ensure that the OFS will increase the extent of regulation.

That approach will enable and incentivise high-performing, stable and reliable providers to start and grow, increasing student choice in high-quality higher education. It will mean that institutions that pose little risk to students or to the public purse can spend more time focusing on what they do best. Equally, institutions that present a higher risk will undergo more scrutiny and be subject to more measures to protect students, the public purse and English higher education.

Amendment 151 would place a duty on the OFS to take into account a provider's size, structure, history and track record when determining registration conditions, costs and monetary penalties. It will certainly be the case that track record and perhaps size will be determining factors for the OFS to consider when it imposes registration conditions, but only insofar as those factors might help to determine the size of risk to the taxpayer and students.

The Bill is built on the principle of risk-based regulation in all its forms, and it is unhelpful to identify a list of factors that might substitute for risk in its wider sense. Over time, it is likely that the OFS will adapt and change its approach to identifying and controlling risk as the higher education market evolves. For example, the OFS may identify particular risks that relate to the delivery of particular qualifications and awarding bodies, or courses delivered in particular locations, as with the rapid expansion of higher national courses in business in 2013-14 from approximately 20 London-based providers, which caused real concern about quality and value for money. It is important not to constrain the OFS's ability to react by weighing some risk factors above others.

On the subject of cost, it is worth noting that in the White Paper we committed to consulting the sector on the detail of the planned registration fees and charges. We will do that this autumn. Regulations will be laid before Parliament setting out the matters that the OFS must take into account when exercising its power to impose a monetary penalty.

Gordon Marsden: I hear what the Minister says, but I will make my response at the end of the debate. In connection with provision on "consulting the sector", there is a sense, which might be entirely unreasonable, in the FE sector, in particular those supplying HE institutions, that they are often an afterthought in the consultation process, so I would welcome an assurance from the Minister that as a group they will be treated equally with the traditional university sector.

Joseph Johnson: I am happy to give that assurance. We value exceptionally highly the contribution that FE providers make to the HE sector, as we discussed in a previous sitting. There are 159,000 HE students in FE colleges, which do a terrific job.

The registration fees consultation will seek the views of the entire sector on what would be seen as a proportionate approach to the setting of fees. We want to hear from FE colleges as important institutions delivering HE. On that basis, while I understand the intentions in Committee and fully agree with the need to promote such important issues, I do not believe that the amendments are necessary, because what they propose is already covered by provisions in the Bill. I therefore urge the hon. Member for Blackpool South to consider withdrawing the amendment.

Gordon Marsden: I am grateful to the Minister, first, for all the detail and explanation of the consultation and, secondly, for his general mood music, if I may put it that way. We have had a tussle over some things, but to put something in the Bill does not automatically, even in law, mean that other factors will be excluded. However, as I said, I am content with the broad thrust of his assurances and, on that basis, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Question proposed, That the clause stand part of the Bill.

Dr Blackman-Woods: I have a few questions for the Minister and am seeking some reassurances from him. One possible reading of the clause is that it could lead to dumbing down of the higher education sector by allowing a lesser form of regulation for colleges of a particular type, whether a small FE college, a private provider or a small university.

Given what the Minister said earlier, I am sure that he wants to uphold the excellent reputation of the sector, so he will not want to put in place a regulatory system that could expose the sector to accusations of the quality not being uniform across all the players. I cannot see anything in the clause as drafted that will guarantee an equally rigorous approach across all the different types of institution, regardless of their track record. For example, a college might be good for a couple of years, but then have a poor principal or adverse market

conditions, resulting in it being not such a good provider. I am not exactly sure how, if we are going on a particular track record in a particular period of time in terms of the regulatory system, that is going to be captured. These are really a series of questions that I am posing to the Minister. Perhaps some of the detail in the regulations will help us to understand better what the clause will do in practice, but I have huge anxieties about it as drafted. I hope that the Minister is able to address those and help me to feel better.

Joseph Johnson: Let me try to explain clause 7 and provide some of the clarity that the hon. Lady seeks. As we have said, risk-based, proportionate regulation is at the heart of how the OFS will operate. The particular characteristics of the higher education sector mean that proportionate regulation is needed to protect the interests of students, employers and taxpayers. We need a single regulatory system that is appropriate for all providers, and to stop treating institutions differently based on incumbency—how long they have been around—and corporate form, and instead ensure that the regulation is tailored to fit their individual needs and demands.

Mark Pawsey (Rugby) (Con): The Minister is talking about risk-based regulation, but we heard in our evidence sessions—forgive me, I cannot remember where the point came from—that if we always look at the bad, and if regulators do not look at the good, we will not be familiar with what good looks like. Is the Minister satisfied that the risk-based regulation means that that will be identified?

Joseph Johnson: Yes—helping to spread best practice throughout the sector will be at the heart of the OFS. That is why this system of proportionate regulation will enable all institutions to see the advantages that come from being a high-quality provider and the diminished regulatory burden that high-quality providers live with, and see all the advantages of moving up and enhancing the quality of their provision.

This clause underpins clauses 5 and 6, ensuring that the OFS operates a fair and flexible regulatory system. It specifies that the OFS must ensure that the initial and ongoing conditions of registration are proportionate to the OFS's assessment of the regulatory risk posed by the provider. The OFS will also have a duty to keep under review the initial and ongoing conditions of registration that it applies to institutions. That means that where and when the OFS considers it appropriate, it will adjust the level of regulation to which a provider is subject, to reflect the level of risk it presents at a given point in time. Accordingly, where the OFS considers that a provider is of particularly low risk, the effect of the clause should be that the OFS will make appropriate changes to their conditions to reflect that and to ease the burden of regulation. Similarly, where the OFS considers that a provider, through its performance and behaviour, starts to present a greater degree of risk, the clause should ensure that the OFS will increase the extent of regulation.

This approach will enable and incentivise high-performing, stable and reliable providers to start and grow, increasing student choice of high-quality higher education. It will mean that institutions that pose little risk to students or the public purse can spend more time focusing on doing what they do best. Equally, institutions that present a higher risk will undergo more scrutiny and be subject to more measures to protect students, the public purse and English higher education. I move that this clause stand part of the Bill.

Dr Blackman-Woods: I am not sure that I am entirely reassured by the Minister, but I suspect that we will return to this particular issue.

Joseph Johnson: May I draw to the hon. Lady's attention, in case it has escaped her notice, the fact that I recently published a technical note that set out in some detail how quality will be built into the regulatory system at every stage, from the way we regulate new entrants to how we deal with poor-quality provision. It was quite a comprehensive note, to assist the Committee, and if she has not had a chance to read it I shall happily provide her with a copy later.

Dr Blackman-Woods: I think when we get to the detail of that technical matter it will be helpful. However, the issue is one that we will return to at a later stage in Committee and I will leave it there for the moment.

The Chair: I remind the hon. Lady that once we have agreed clause 7 we shall not return to it; now is the stage at which to discuss anything to do with clause 7, otherwise it will be gone.

Dr Blackman-Woods: For clarification, I did not mean that we would be dealing with the clause at a later stage of consideration in Committee; I meant that the issues raised in the clause come up again in other clauses, and that we might want to return to them.

Question put and agreed to.

Clause 7 accordingly ordered to stand part of the Bill.

Clause 8

MANDATORY ONGOING REGISTRATION CONDITIONS FOR ALL PROVIDERS

4 pm

Wes Streeting: I beg to move amendment 1, in clause 8, page 5, line 23, at end insert—

"() a condition that requires the governing body of a provider to develop, publish and adhere to a Code of Practice on Student Information that must include, but shall not be restricted to, information across different academic departments relating to—

(i) the number of hours of contact time that students should expect on a weekly basis,

(ii) the processes and practices regarding marking and assessments, and

(iii) the learning facilities that are available to all students.

() a condition that requires the governing body of a provider to monitor performance against the expectations set by the Code of Practice on Student Information and publish an annual report on its findings."

This amendment would place a duty on governing bodies of all registered providers to develop, publish and adhere to a Code of Practice on Student Information and monitor and report on progress against expectations set by that Code of Practice.

With this and subsequent amendments to the clause I shall return to the theme of trying to make the Bill into a bill of rights for students, so I hope that the Committee

[Wes Streeting]

will indulge me for a moment as I set out some of the general context. I will then deal with the specifics.

It has been my concern, as I said early in the Committee's sittings, that for the past decade or more the burden placed on individual students and graduates to pay for a large proportion of their own higher education has substantially increased. However, there have not been rights and protections to go with that. My amendments are intended to address that key imbalance.

There are a number of reasons for our having reached the point at which students get a relatively raw deal, in spite of their making a significant investment. One is that for students, student unions and the National Union of Students, there has always been a tension between on the one hand a system increasingly driven by markets and competition, which has the potential to change the relationship between students and institutions from one of co-producers to one of consumers, and on the other hand the desire for students to be afforded better rights and protections.

It will come as no surprise to members of the Committee that student representatives—this was so during my time in the NUS but I think it is also fair to say it today—have concerns about a direction of travel towards students being seen as consumers rather than co-producers, and about putting market forces at the heart of the higher education system. That has led over the years to students not being nearly demanding enough about the degree of rights and protections that they should be afforded, and about to what degree they should be able to exercise greater muscle, whether as consumers or co-producers.

That is what is happening with the debate about the Government's current higher education reforms. It is a terrible mistake that delegates at the NUS conference decided that the best response to the teaching excellence framework and, in particular, its relationship to the fees regime, would be not to engage with the process. The only outcome of that decision is that students' voices are not heard. The Minister will not change his mind because the NUS does not have a seat at the table. He is more likely to engage and listen, as is Parliament, if students make their voice heard.

Similarly, the decision to try to sabotage the national student survey has no effect other than further to diminish the voice of students in the higher education system. Whether students see themselves as consumers or as co-producers, they should have the same goal—making sure that their voices are heard, that they are afforded basic rights and protections, and that they get the experience they sign up for.

Many members of the Committee will know that one of the key architects of the higher education funding system that we have today is Professor Nick Barr. I have had many arguments with Nick over the years about higher education funding. I have not changed my mind, he has not changed his, but I agree with him about the essential role that robust quality assurance, information and rights and protections have to play if competition is at the heart of the system. That is where we increasingly find ourselves. On the one hand, we could have more robust and intensive quality assurance, more inspections and more detailed inspections, but that hits two buffers, really. The first is the cost of the intensity of such an inspections regime, and the second is the threat to institutional autonomy. The alternative, which is what my amendments look for, is making sure that we have well informed students, consumers or co-producers—it really does not matter which term we choose.

Information is crucial in ensuring that we have informed applicants matching themselves to the right course for their interests and ambitions. It is also important to make sure that students know, from the point of application, what they will get in return for their fee and for their time at university. Amendment 1 to clause 8 would place a duty on governing bodies of all registered providers

"to develop, publish and adhere to a Code of Practice"

on student information and to monitor and report on progress against expectations set out by that code of practice.

My amendment suggests a number of areas that the code of practice on student information would contain. The list is by no means exhaustive, because I tend to agree with the Minister that legislation should not be overly prescriptive, but I do not think it is unreasonable to expect that when a student applies to a course they should have some degree of understanding of what their contact time will be, of what they should expect every week, of the marking and assessment regime and of the kind of feedback they might expect from their assessment, as well as who might be in front of them—because universities can tend to put the star names in the prospectus and the PhD and masters students in the front of the lecture theatre. That would ensure that the students would understand the learning facilities that were available to all students, and would ensure that those expectations were not only well understood by students but well understood and adhered to by the institution.

I think that this could be a very powerful tool to make sure that students are not only well informed but can hold their institutions to account. That is the primary intention of the amendment and it is a theme I will refer to later. I hope that if the Minister cannot agree to the specific wording of this amendment he will at least agree with the principle, as well as to my assessment that there is much further to travel to ensure that students are well informed when they apply and when they are on their courses, and that they are better able to hold their institution to account, which will surely help to drive up standards for everyone across the system.

Joseph Johnson: I thank the hon. Gentleman for giving me the opportunity to set out the Government's vision for student information. I agree that the information set out in his amendment is important to students. The Government are committed to improving information and making it freely available to enable students to make informed choices on the best study option for them and their future employment opportunities. This will help students to fulfil their potential, regardless of their background. It is central to our aim to give students more informed choice and help ensure that their experience meets the expectations set out by their higher education institution. This was a strong theme in our White Paper and it runs throughout our reforms, which have received the support of important consumer bodies, such as Which?

I bring to the hon. Gentleman's attention a comment on our reforms from Alex Neill, director of policy and campaigns at Which?, who said:

"Our research has shown that students struggle to obtain the information they need to make informed decisions about university choices. We welcome measures to give students more insight into student experience, teaching standards and value for money. These proposals could not only drive up standards but could also empower students ahead of one of the biggest financial decision of their lives".

The need for such reforms was also made clear by Emran Mian, director of the Social Market Foundation and another expert commentator on the sector, who observed:

"Higher education is too much like a club where the rules are made for the benefit of universities. These reforms will begin to change that. Students will have access to more information when they're making application choices; and universities will be under more pressure to improve the quality of teaching."

Information has been a consistent theme in the Government's policy for several years. We introduced the key information set in September 2012 to ensure that students have information about the courses available, satisfaction ratings, and salary and employment outcomes, which students consistently tell us are the most important factors to them when choosing a course.

However, we are not complacent, and through the Bill and other measures we will put more comparable information in students' hands than ever before—information not just on institutions and courses but on teaching quality—through the teaching excellence framework, which the hon. Gentleman mentioned. Information on application, offer and acceptance rates, broken down by gender, ethnicity and disadvantage as a result of the transparency duty, will play an important part in that, as will robust information on employment and earnings from Her Majesty's Revenue and Customs as a result of the Government's wider reforms. Through those measures, together with the national student survey information on student satisfaction and information on institutions and their courses as well as improvements to the detailed course delivery information held on institutions' websites, we are putting more information in students' hands than ever before.

However, we do not think that a multitude of codes of practice is the best way to achieve that aim. We expect the office for students to develop guidance setting out the information that students should receive. That will incorporate existing Competition and Markets Authority guidance, so will help institutions to comply with consumer law. The Bill gives the OFS overall responsibility for determining what information needs to be published, when—it will be published at least annually—and in what form. The Bill asks the OFS to consider what information would be most helpful for prospective and current students and higher education providers, and consult periodically with interested parties—students, higher education providers and graduate employers—to ensure that the approach to information still meets their needs.

The hon. Gentleman and the Government essentially want the same thing: better information for students. The Bill already contains a duty to publish and consult on the information that students need. The OFS may issue guidance on that to institutions to ensure consistency of data collection, and consistent and comparable publication, among institutions. That guidance will likely follow advice from the CMA on what information should be made available to students, including on course delivery and assessment and facilities. That will help institutions to comply with their obligations under consumer law.

The amendment would require each and every higher education institution to develop and deliver its own code of practice on student information. That would create disparate and unequal information for students—exactly what we are trying to avoid. It would mean that students would find that levels of information differed from one institution to another, making it harder to compare courses and institutions, and areas of information could be closed down if an institution's code deemed that to be appropriate. The amendment would also increase the burden on institutions to monitor and report on such codes.

We therefore do not think that it is necessary for each higher education institution to develop and run its own code of practice. The OFS will be better placed to consider and consult on the information that HE providers must provide for the benefit of students. That will ensure consistency and reduce the burden on HEIs. I therefore respectfully ask the hon. Gentleman to withdraw his amendment.

Wes Streeting: I am grateful to the Minister for his considered reply to the issues teased out by amendment 1. I will say a couple of things in response. First, he is right that the availability and transparency of information for applicants has been improving, and the Government are clearly determined to ensure that that information continues to improve and remains relevant to the key factors that will determine applicants' choices. I welcome that policy direction.

Secondly, I welcome what the Minister said about guidance from the Competition and Markets Authority, but I think there is further to go in ensuring that once students are signed up to a course, they have the power and muscle through different means effectively to hold institutions to account to ensure that they deliver against the expectations set out on application.

There are various means and routes for students to follow when things go wrong, such as course representation systems, students' unions and the office of the independent adjudicator for higher education, whose remit is relatively narrowly defined. However, I do not think that the representative structures are necessarily as good as they could be to give students a powerful voice. In that context, I hope that the Minister will reflect on our earlier discussions about representation and the OFS, where I think the composition will be crucial. With great respect to board members of HEFCE, which has played a great role over many years, if the new office for students is just the great and the good of the higher education sector and a range of vice-chancellors sat around the table, I do not think it will achieve the objectives he has set out. The composition, the consumer voice, consumer rights champions and the student voice will be really important to achieving that.

The Minister also needs to think about representation in the sector and in institutions, which we will address shortly in other amendments. Finally, he is right to point out the shortcomings of the amendment's wording and challenges that that might throw up. It was a probing amendment. I am glad to see the Minister is

[Wes Streeting]

considering the issues and hope we will be able to make further progress, so I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

4.15 pm

Wes Streeting: I beg to move amendment 5, in clause 8, page 5, line 23, at end insert—

"() a condition that requires the governing body of the provider to appoint as additional members to that body at least two student representatives who—

(i) are persons enrolled on a higher education course at the institution, and

(ii) are considered by the governing body to be able to represent, or promote the interests of, a broad range of students, where "course" means any graduate or postgraduate course."

This amendment would require the governing body of any registered provider to include at least two student representatives.

The Chair: With this it will be convenient to discuss new clause 1—*Consultation*—

'(1) In exercising its functions the governing body of a registered higher education provider must have regard to any guidance given from time to time by the OfS about consultation with—

(a) persons who are enrolled on a course at the institution,

(b) persons who are likely to enrol on a course at the institution, or

(c) employees of the institution,

in connection with the taking of any decisions affecting them.

(2) The governing body consults in accordance with subsection (1) if it consults a number of persons within a prescribed group that, taken together, appear to the governing body to represent, or promote the interests of, a broad and diverse range of persons within that group.

(3) Any guidance under this section about consultation with persons falling within paragraphs (1)(a) or (1)(b) must provide for the views of such a person to be considered in light of his or her age and understanding.

(4) For the purposes of subsection (1), "course" includes any graduate or postgraduate course.'

This new clause would place a duty on governing bodies of registered higher education providers to consult students, prospective students and employees in connection with the taking of any decisions that affect them.

Wes Streeting: Picking up the theme of student representation that I just alluded to, the amendment would require the governing body of any registered provider to include at least two student representatives on the board of its governing body. That is important. The Minister has talked about protecting the student interest, which he seeks to do primarily through the office for students. However, I am sure he would hope that all institutions are engaged in that through their governing bodies' decisions. I would like to challenge him on the difference between protecting the student interest and ensuring that students have a voice.

The problem with the Bill as it stands is that it sets up many people around different tables to act as ventriloquists for students, to consider what they believe to be in students' best interests. There is no substitute for complementing those members of a university governing body, who I hope will always have a concern for students' interests, with students and their representatives.

There are countless examples from across the higher education sector where students on governing bodies have made a really important contribution not just to the development of institutional policy in relation to students, but often to higher education policy more generally. Indeed, many of the policy teams of higher education institutions and sector bodies are populated with people who were, once upon a time, student representatives. I think I speak for many of that pedigree of former student representatives when I say that higher education is an incredibly interesting area of policy, where expertise is developed. There is therefore a mutual benefit. In the evidence session it was striking that many of the university representatives and leaders welcomed and embraced student representation. That should be in the Bill.

I am keen that the amendment should find its way into the Bill for two reasons. First, student representation on the boards of governing bodies has previously been part of the code of practice issued by the Committee of University Chairs, but I think that code has been retired. It would be helpful to see that principle maintained through legislation. Secondly, with the prevalence of new providers, any provider, whether the most established ancient university or the newest private provider, should place the student voice at the heart of their governing bodies.

Finally, the Minister may wonder why I have been so prescriptive in the amendment as to include "at least two" student representatives. There are sometimes challenges in placing students—rather than students union officers on sabbatical—on a governing body where they are surrounded by people who often have a great deal more expertise in different areas and experience of sitting on governing bodies. Having more than one representative might mean that there is a better sense of support, and that people feel more confident to contribute and play an active role. I should flag up to the Minister the fact that although the amendment has been phrased very specifically, if he is not happy with the wording, there is nothing to prevent the Government from tabling their own amendment to ensure the same principle: that every institution should have students on its governing body.

Finally, new clause 1 sets out the principle of a duty to consult. The idea is not new in deliberations in this place. When he was the Higher Education Minister, Bill Rammell introduced a similar clause, which placed a duty on governing bodies in the further education sector to actively listen to and consult students. That is a good principle. I was sorry to see that legislation disappear under the previous Government, but there is no reason why we should not bring it back for the higher education sector. It would set the right direction and be a positive duty that institutions would surely want to embrace.

Joseph Johnson: The amendment and new clause both seek to establish a world in which the governing bodies of registered suppliers are required to involve and engage students. As I have said, students are at the heart of our reforms, and for the first time student interests are being represented through statute, but student representation in decision making and on boards is not the only way to ensure that students' voices are heard. Many providers have excellent student engagement practices that involve engaging with more than one or two specified

individuals. Were we to legislate for precisely how providers operate their student engagement strategies, that would risk reducing their flexibility to engage students in a range of ways.

On amendment 5, the governing bodies of HE providers will also have criteria for recruiting members with the most appropriate range of relevant skills and breadth of experience to help them deliver and make decisions. We should not prescribe how they achieve that; otherwise, we risk limiting the opportunity to bring in a wide scope of relevant experience that will benefit students, employers and providers.

On new clause 1, I see the OFS taking a leading role in highlighting and promoting innovative ways in which students and institutions work together. I trust that providers will want to continue and improve their student engagement. That is a more effective way of embedding the student voice in the sector's structures and practices.

The hon. Gentleman and the Government are not at odds. Engaging students and listening to what matters to them is absolutely important to us. Holding providers' governing bodies to account, which is clause 2's intention, can be achieved administratively without such prescription. I therefore respectfully ask the hon. Gentleman to consider withdrawing the amendment.

Wes Streeting: I am grateful to the Minister for his reply, but I am still struggling to understand his reluctance to enshrine student representation in legislation and to guarantee students or their representatives a voice at the table. As he goes around speaking to institutions throughout the sector, as I know he does, he really should spend more time popping in to see the students union and talking to the elected officers and the professional staff. He should also talk to higher education sector leaders about their experience of student representation and the difference it can make.

I was a member of the governing body of the University of Cambridge. I was elected to that governing council separately from my role as president of the students union. During the year when I was a member, I would say that there were three key areas in which, as a student representative, I made a demonstrable impact, to the benefit both of students and of the institution more broadly. First, I helped with the design of the university's bursary scheme following the passage of the Higher Education Act 2004. We were able to target student support in the most effective way and, as part of that, think about some of the students who were being left behind by the national Government-funded student support system. That was an obvious area of student interest.

Secondly, there was an area of tension with the institution. Primarily for financial reasons and because of a fall in the research assessment exercise, the university proposed to close the architecture department which, although it had taken a knock in the RAE, happened to be, and remains today, one of the world's leading departments for the teaching of architecture. Thanks to the student voice on the governing council and the academic board and a very active student campaign—world renowned architects writing to *The Guardian* also helped—the university had second thoughts. Years later when I sat in my office in NUS, I received a bumper book from the university marketing and alumni department promoting its fantastic architecture department, outlining how wonderfully it was doing in its research and teaching. The department is still there today and that would not be the case without the active engagement of students.

In another example, the university had a very thorny debate about intellectual property in which one of the world's leading security experts argued that the university's intellectual property policy would be to the detriment of academics such as him. On that occasion student representatives were able to act as honest brokers, again making a demonstrable impact on the policy. Ultimately, they sided with the university's leadership over academics who perhaps had legitimate, or ill-founded, depending on your perspective, concerns. Student representatives can make a positive impact and I do not understand the Minister's reluctance to accept the principle.

I will not press these amendments to a vote. They may well appear at a later stage of the Bill's passage, but I implore the Minister to consider the tangible difference that student representation is making in institutions today and ask himself why that experience at the majority of institutions should not be enjoyed by students at all institutions. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Wes Streeting: I beg to move amendment 9, in clause 8, page 5, line 23, at end insert—

"() a condition that requires the governing body of the provider to have regard to the Quality Code set out in section 24."

See Explanatory Statement for amendment 7.

The Chair: With this it will be convenient to discuss the following:

Amendment 7, in clause 24, page 14, line 35, at end insert—

'( ) The Quality Assessment Committee must develop, publish and maintain a Quality Code for all registered higher education providers.

( ) The Quality Code must set out the expectations that all registered higher education providers are required to meet.

( ) The Quality Code shall include, but shall not be restricted to, expectations to ensure—

(a) that academic standards are set and maintained,

(b) that appropriate and effective teaching, support, assessment and learning resources are provided for students,

(c) the learning opportunities provided are monitored and that the provider considers how to improve such opportunities, and

(d) that valid, reliable, useful and accessible information about the provider's provision is made available."

Taken with amendments 8 and 9, this amendment would place a duty on the Quality Assessment Committee to develop, publish and maintain a Quality Code, to which all registered higher education providers must have regard.

Amendment 8, in clause 24, page 14, line 36, at end insert—

"() the function of keeping under review and promoting the Quality Code,"

See Explanatory Statement for amendment 7.

Wes Streeting: I thought I would have a break for a moment—

The Chair: Here for the rest of the wicket.

Wes Streeting: I will therefore come back on the quality code. At the moment there is a national quality code that the Quality Assurance Agency for Higher Education holds. That code serves a very important function well, but I have a concern, and this is really a probing amendment to get the Minister's thoughts and ascertain whether he sees the potential problem that I foresee. As it stands, the Quality Assurance Agency continues to be the designated quality provider and serves that function, but that will not necessarily always be the case. Were the Quality Assurance Agency to lose its contract as the designated quality provider, who would own the quality code? Would it be the Quality Assurance Agency, which would have every reason to pick up its bat and ball and its quality code and go somewhere else saying, to put it crudely, "Okay, fine. You do not want our business, so good luck developing a new quality code." Or is there a broader ownership of the sector? The amendments would provide ownership outwith the Quality Assurance Agency so that there is a principle that, whoever the designated quality provider is, there is a nationally agreed quality code that applies across the United Kingdom.

It is a shame that our colleagues from the Scottish National party are not here this afternoon because there are cross-border issues in relation to higher education, not just in England and Wales but in Scotland. It is disappointing that the voice of Scotland is not heard here this afternoon. I hope that the Minister can address that concern and provide some reassurance. If not, I hope he might think about how we can, in the Bill, mitigate the risks that I have described.

Joseph Johnson: Again, I thank the hon. Gentleman for tabling the amendments. I completely understand why he wants to recognise and ensure the importance of quality in higher education. Our HE system is internationally renowned, as Members have commented today. Underpinning this reputation is our internationally recognised system of quality assurance and assessment, which we are updating to meet future needs in an increasingly diverse HE system.

4.30 pm

The UK quality code is central to this quality system and has been for many years. I can reassure the Committee that the office for students will be able to continue using the expectations of the code as a key feature of its risk-based regulatory framework, as I set out in the technical note on market entry and quality that I published last week and which I mentioned a few minutes ago.

There is no need to legislate for this. The quality code, which has operated successfully for many years, is sector-owned and supported and managed by the Quality Assurance Agency. I believe that the hon. Gentleman is keen for this type of co-regulatory approach to continue, as are the Government.

Ownership of this code is also shared across the UK, as the hon. Gentleman mentioned, and the importance of this was highlighted in a cross-section of responses to the recent HEFCE quality consultation, with responses underlining that any fragmentation would affect the international reputation of UK higher education. The Quality Assessment Committee, which the hon. Gentleman proposed should take responsibility for the quality code, is an OFS committee that extends only to England. It does not have the cross-UK focus that is such an important part of the current arrangements. That is why we envisage the OFS and the designated quality body working with sector and student representative bodies, as well as with the devolved Administrations, to convene a UK-wide standing committee that will be responsible for the future updating of the quality code to ensure it remains fit for purpose.

Let me reassure the Committee: both the sector and the Government want the quality code to continue as it has done successfully to date. I therefore feel that it is not necessary to legislate for this. Indeed, as with other amendments, any prescription could create unhelpful limitations. It is important that we maintain the flexibility to develop a sector-agreed set of expectations that reflect the changing quality needs of the UK higher education sector and do not undermine academic freedoms. Such a co-regulatory approach, a principle that the Select Committee on Business, Innovation and Skills endorsed and that I strongly support, is the right way to oversee and maintain the quality code. As such, while I understand the good intentions of the hon. Gentleman, I hope I have reassured him that his amendment is unnecessary and that he can consider withdrawing it.

Wes Streeting: I am reassured by the Minister. He is right that I favour the co-regulatory approach he has set out and I am reassured by the mechanisms. Though it would be great fun to insert these amendments, which would have a detrimental impact on Scotland, and then inform the people of Scotland that that happened because their representatives were not here, I am not sure that that is necessarily the best use of our time and so I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Gordon Marsden: I beg to move amendment 166, in clause 8, page 5, line 34, at end insert

"and

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

This amendment would make access and participation plans mandatory for all higher education providers.

The Chair: With this it will be convenient to discuss amendment 167, in clause 12, page 7, leave out lines 23 to 33.

This amendment is consequential on amendment 166.

Gordon Marsden: I rise to discuss what I think is an important issue of principle. The Minister mentioned equal treatment of different institutions, whether they are new providers or long-established institutions.

Before I do so, I want to put this in the context of clause 8, which touches on the issues of mandatory ongoing registration conditions. The University and College Union has drawn attention to the fact that the Bill seeks to "subsume" the Office for Fair Access into the OFS. I hope that that will not be the process. The Office for Fair Access should play an equal part in widening participation access and social mobility. We have discussed that already and I have no doubt we will return to it in some shape or form later.

The reality is that

"The current access agreements will be replaced by access and participation plans as a condition of registration for providers wishing to charge tuition fees higher than the basic cap."

The Government are consulting on accelerated courses and enabling switching between different courses and

degrees. My hon. Friend the Member for City of Durham has tabled amendment 177 on that matter, although we may not reach it today.

In principle—and it is in principle—this is a straightforward proposal. If the sector is to expand significantly, whether via existing institutions—I have talked a lot about FE colleges and HE this afternoon—or via new providers, in principle, all those providers should produce an access and participation plan condition, as defined in clause 12.

We cannot have it both ways. On the one hand, we want to have two sorts of institutions, one being the long-established institutions, which are nice and big and crusty, if I can put it that way, and obviously have to be stimulated to activate their access and participation plans—that may be a distortion of that sector, but nevertheless that is the view that is sometimes expressed by bold free marketeers. On the other hand, as the Minister has been saying, we want everybody to operate on a relatively level playing field. I and I think most rational people, if we stopped them on the street and managed to engage them in some of the complexities of the issue, would say that everyone should be treated the same. Therefore, it is important to include in the Bill the principle that an access and participation plan will be mandatory for all higher education providers. If we do not do that, we will be providing discriminatory conditions for different providers. We will be offering a free hit to a minority—I stress that it might be a minority—of would-be new providers that thought that they could enter the system without having to deal with issues such as access and participation plans. Of course, that would undermine much of the Government's thrust in the Bill.

The Government have lots of angles on the Bill, but two that are continually repeated are about competition and consumer rights. Competition has to go hand in hand with consumer rights. If a competitive market is going to be set up, with different groups jostling for HE status, they should all be judged by the same mechanism. I am anxious to increase the pool of new providers, but I am also anxious to ensure that, as we do so, providers bring to the table a proper sense of the responsibilities that they will have to meet. It is important that that is at the heart of the mission of the OFS.

There is the possibility of expansion and of acquiring degree status at different parts of the process. We will have some interesting conversations during later scrutiny of the Bill about the protections—or otherwise—that the Government have built into the new provider process in terms of degree awarding powers, so I am not going to touch on that now, but if the Government really want new providers to have some fairly radical abilities to operate in a quasi-university set-up from day one, it is important that they take on board some of the responsibilities in respect of access and participation.

This is not a non-binary option, to use a fashionable phrase. Providers need to accept responsibilities along with the new challenges and opportunities. That is why we are strongly proposing this amendment, which would ensure that all higher education providers have to engage with access and participation plans.

Joseph Johnson: Amendments 166 and 167 seek to require all providers on the register to have an access and participation plan, as the hon. Gentleman has said. It may be helpful if I set out our thinking and policy in this area. Our clear intention is that fee-capped providers on the OFS register that are able to charge above the basic level of fees should be required to agree an access and participation plan with the director for fair access and participation, as he will be in the new world. That must be in place before they can charge fees at the higher level. It is consistent with the current approach to access plans, which has worked well since 2004.

In 2017-18, through access plans, universities expect to spend £833.5 million on measures to improve access and success for students from disadvantaged backgrounds. That is up significantly from £404 million in 2009. It is an increase of more than 10% in cash terms, compared with 2016-17 access agreements.

The amendments seek to require all providers, whether or not their students are accessing student support funding or they are charging fees at the higher level, to produce access and participation plans. That does not seem appropriate. We are introducing a regulatory framework that will ask providers to meet certain requirements based on how they participate in the HE system. It is right that the burden we place on providers should be proportionate. This would go too far, given that not all these providers want—or would be able—to charge fees at the higher level. We expect providers to devote a proportion of the higher-level fees towards access and participation in their plans.

Gordon Marsden: As always, the Minister is giving an accurate description of the situation. The point is that we are supposed to be entering a new era. We are supposed to be entering a settlement that is going to last 20 to 25 years, I would think. That is how long it is since the last major HE Bill. It is useful to explore the fundamental underlying principles. Does he assume that, simply because an organisation is small—there was some discussion of this with the new providers that came before the Committee and I am not sure we took the same view of their answers—a small provider should be able to duck out of access and participation?

Joseph Johnson: Let me develop our thinking a bit further. I have not quite reached the end of the explanation of how the system will work with respect to all providers. As I was saying, we expect providers to devote a proportion of the higher-level fees towards access and participation in their plans. It is worth noting that currently designated alternative providers whose students qualify for student support funding but that do not themselves receive HEFCE grant funding, on the whole have a good record in attracting students from disadvantaged backgrounds.

On the hon. Gentleman's point that this is not a binary situation, we intend to go further than the current arrangements in our reforms. For the first time, we are proposing that those providers that want their students to be able to access tuition fee loans up to the basic level of £6,000 should have to set out how they intend to promote widening access and participation in a public statement.

Our plans stop short of there being a requirement for these providers to agree a plan with the director for fair access and participation. That is entirely sensible in my view. We think there should be light-touch arrangements for these providers. Their students will only be eligible for student support at the basic fee limit.

Gordon Marsden: It is important to get some clarification. Essentially, the Minister is proposing—forgive me if I have missed this, but this is news to me today—a compromise between the status quo and the full-fat version that we suggest in our amendment. He mentioned that the director of OFFA would not be involved in that. Has there been consultation with the director and what is his view on that?

Joseph Johnson: This should not be news to the hon. Gentleman; it featured prominently in our White Paper and has been a central feature of our approach to widening participation in the system. We have discussed the entirety of our widening participation and access reforms with the director of fair access, Leslie Ebdon.

4.45 pm

Paul Blomfield: The Minister will recognise that the director of fair access said in his evidence to us that his ability to sign off loans was a critical transformative element. Given our welcome of the impact he has had, is it not inconsistent of us to not give him the same power in relation to providers, who will, through the student support mechanism, be able to access substantial public funds?

Joseph Johnson: No, the intention is that these are statements that the providers accessing the basic amount of fee loans support for their students put up on their own initiative. They will be required to have them, but they will not be signed off by the director for fair access and participation. We do not think that that would be a proportionate requirement.

Through our planned transparency duty, we intend that these providers will, through these statements, be required to publish data on student application, offer and drop-out rates. These statements are to be broken down by the ethnicity, gender and socio-economic background of the student bodies. The publication of more data will help the sector to support everybody in fulfilling their potential, regardless of their background. It is our intention that the OFS will look at requiring this access and participation statement as part of the conditions of registration.

I expect the OFS to consult when it determines for the first time what the initial and ongoing conditions should be, and a wide range of interested parties representing the interests of students and providers is to have the opportunity to feed in their views through this consultation. This would include details of the various conditions that providers would have to meet, including on access and participation. Widening access and participation are central to our reforms, and I believe that the requirements we are laying on providers in that respect, including the innovation of access and participation statements, are balanced and fair. I ask the hon. Member for Blackpool South to consider withdrawing amendment 166.

Gordon Marsden: I have listened carefully and some of what the Minister said is very welcome, but it still does not address the fundamental question that I put at the beginning. We are entering a new era, and signalling that some people do not have the same responsibilities as others is not a satisfactory outcome. For those reasons, I will press the amendment to a vote.

Question put, that the amendment be made.

The Committee divided: Ayes 5, Noes 10.

Division No. 4]

AYES

Blackman-Woods, Dr Roberta	Smith, Jeff
Blomfield, Paul	
Marsden, Gordon	Streeting, Wes

NOES

Argar, Edward	Johnson, Joseph
Chalk, Alex	Kennedy, Seema
Churchill, Jo	Milling, Amanda
Evennett, rh David	Morton, Wendy
Howlett, Ben	Pawsey, Mark

Question accordingly negatived.

Wes Streeting: I beg to move amendment 19, in clause 8, page 5, line 34, at end insert—

‘( ) A condition that requires the governing body of a registered higher education provider to publish on the institution’s website and in its prospectus its policy in relation to contextual admissions, including but not restricted to—

(a) school performance data,

(b) socio-economic markers, and

(c) care background.”

This amendment would require the governing body of a registered higher education provider to publish its policy in relation to contextual admissions on its website and in its prospectus.

The Chair: With this it will be convenient to discuss the following:

Amendment 21, in clause 9, page 5, line 39, leave out “of a prescribed description”

This amendment would require all registered higher education providers to have a transparency condition as an ongoing registration condition.

Amendment 22, in clause 9, page 5, line 40, at end insert—

‘( ) A provider fulfils a transparency condition if it satisfies conditions A and B.”

This amendment is consequential to amendment 24.

Amendment 23, in clause 9, page 6, line 1, leave out

“A transparency condition is a condition that”

and insert “Condition A”

This amendment is consequential to amendment 24.

Amendment 153, in clause 9, page 6, line 9, after “background”, insert

“by area and family income”

This amendment would clarify that the socio-economic data published by HE institutions includes both family background and area.

Amendment 155, in clause 9, page 6, line 9, at end insert—

(iv) age band,

(ii) people with disabilities, and

(iii) care leavers.”

This amendment would include the people with disabilities and care leavers, as well as the age of applicants, in the published number of applications.

Amendment 154, in clause 9, page 6, line 11, after “applications”, insert

“disaggregated by the criteria mentioned in sub-paragraph (2)(b)”

This amendment would ensure that data related to the number of offers is broken down by gender, ethnicity and both socio-economic indicators.

Amendment 24, in clause 9, page 6, line 14, at end insert—

'( ) Condition B requires the governing body of a registered higher education provider to publish at an appropriate time each academic year information for each academic department in relation to—

(a) retention rate,

(b) the standards attained by students completing a higher education course, where "standards" has the same meaning as in section 13, and

(c) graduate destinations."

This amendment would extend the transparency condition to include retention rates, standards obtained and graduate destinations and require that the information be published for each academic department.

Amendment 152, in clause 9, page 6, line 14, at end insert—

'( ) If the OfS receives information under subsection (2), the OfS must notify Parliament of such information and send it to the relevant Select Committees."

This amendment requires transparency information on HE admissions to be published to Parliament.

Amendment 176, in clause 9, page 6, line 14, at end insert—

"(f) the number of students who accepted those offers who did not begin their course with the provider;

(g) the number of students who accepted those offers who did not complete their course with the provider;

(h) the number of students who accepted those offers and completed their courses for each different level of attainment;

'( ) For the purposes of paragraph (h), "different level of attainment" means the relevant different classifications of attainment for the different qualifications awarded by a higher education provider.

( ) All information specified under subsection (2) shall be provided according to the course being applied to or undertaken."

Requires institutions to provide the OfS with, and to publish, a number of additional figures relating to the participation of students and their attainment.

Amendment 164, in clause 9, page 6, line 16, at end insert—

'(4) Information provided to the OfS and published in accordance with the transparency condition shall be passed to UCAS for publication."

This amendment would enable data being published by universities to be collated and available in one place.

Wes Streeting: Mindful of time, I will introduce the amendments by simply pointing out that they reinforce one of the goals of the Bill by bringing some welcome transparency in a number of key areas.

First, there is the proposed requirement for the governing body of a registered higher education provider to publish its policy in relation to contextual admissions, including school performance data, socio-economic markers and care background, on its website and in its prospectus, so that applicants can be aware of how they will be judged and the measures that any institution is taking to ensure that it is giving appropriate regard to ensuring fair access to students from all backgrounds on the basis of talent, and recognising the particular hurdles that talented students may have had to overcome to reach the point of accessing higher education.

The amendments would also extend the transparency condition to include retention rates, standards obtained and graduate destinations, and require that the information is published for each academic department. One of my key frustrations is that some universities that have further to go in ensuring fair access to higher education are sometimes reluctant to go the extra mile to ensure that their doors are truly open on the basis of merit. Another group of institutions is equally frustrating: those which claim to be widening participation success stories because, to put it crudely, they get bums on seats from under-represented backgrounds, but which, when their retention and graduate destination data are examined, fall significantly short of what students, families and those who care about them would expect when they enter a higher education course.

Institutions cannot keep on claiming to be adding value if all they are doing is adding debt to students from under-represented, often indebted and impoverished backgrounds, leaving them with only a partial experience of higher education or work in a job that they would not have imagined when embarking and choosing to get themselves into tens of thousands of pounds of debt. We need greater transparency of information for students and applicants and greater accountability for institutions. I hope these amendments will help to serve that purpose.

Gordon Marsden: I support the amendment. I will also speak to amendments 153, 155, 154 and 152, which stand in my name. These amendments are supported and promoted by the National Education Opportunities Network, whose research in this area, published jointly with UCU under the aegis of their highly effective chief executive Graeme Atherton, I referred to earlier. What they say on this area is important and mirrors what my hon. Friend has just said.

The transparency duty is to be welcomed but there is a serious oversight in restricting the categories that HEIs have to publish information on participation to the ones in subsection (2)(b)(i) to (iii). There is no valid reason why data on students with disabilities and the age profile of students should not also be included. That is reflected specifically in amendment 155, where we ask for the insertion of data on students with disabilities, the age profile and care leavers. The issue of care leavers has recently come up in other aspects of Government policy. Ministers in the Department for Education have been strong on supporting care leavers and we think that category would be an important addition to the list, even though it is a relatively small and modest group.

If the transparency duty is to have any impact, it needs to include as many different dimensions of participation by social background as possible. The Sutton Trust, too, believes that the Bill does not go far enough in that area. It says that transparency is fundamental, but continues:

"evidence suggests many universities are favouring more privileged candidates even when levels of attainment are taken into account... The Bill should be amended to require universities to publish their contextual admission policies clearly on their websites to encourage applications from students from disadvantaged backgrounds."

It is in that context that we tabled amendment 155. We urge the Minister not just to consider the addition of those categories, but also the arguments that NEON,

[Gordon Marsden]

the Sutton Trust and others have put forward for greater disclosure and greater requirement to disclose from HE providers.

Dr Blackman-Woods: I support the amendments in the name of my hon. Friends and my own amendment 164. This is a straightforward amendment to clause 9 which, in the first instance, seeks clarity from the Minister. I am not sure whether under subsection (2) the OFS will have to publish the information provided to it by higher education providers, or whether it is simply the institutions themselves that will have to do so. If it is the institutions themselves, it would be helpful if all the information was collated in one place. UCAS seems to be the obvious place to do that, if it is not the OFS. The point of the amendment is to ensure that somewhere, either through the OFS or UCAS, all the information is provided in one place. That would be much easier for the sector at large and for prospective students, rather than people having to trawl through every higher education provider's publication.

Paul Blomfield: Amendment 176, which stands in my name, seeks granular information to assist the Government's own ambitions in relation to the achievement of both applicants and those who are at different stages of the process through higher education. In the past, so much of our debate has been focused simply on getting people to university. The Government are right, in their ambitions for widening participation, to be looking not only at that but at how people achieve and are supported through their time at university. In that context we are looking for a requirement to publish further information, not just on those who have accepted offers, but those who accepted an offer and then did not begin their course; accepted an offer but did not complete their course; or accepted an offer and completed their course but with different levels of attainment. I expect the Minister agrees that that sort of information will be help the pursuit of our shared objectives in relation to widening participation, so I hope he feels able to accept the amendment.

Joseph Johnson: This Government are serious about social mobility and improving the life chances of the most disadvantaged. We want a country that works for everyone. Following our decision to remove student number caps, we have seen entry rates for BME students at record levels, with participation rates up across all groups, including those from disadvantaged backgrounds.

Universities are already playing their part and they are expected to spend £833 million on access agreements in the 2017-18 academic year, as I have mentioned, but we recognise that there is more to do, which is why we have a transparency duty in the Bill. We believe that transparency is one of the best tools we have at our disposal. Institutions will be expected to publish application, offer and drop-out rates for students broken down by ethnicity, gender and socio-economic background. The duty will allow us to shine a spotlight on institutions that need to go further.

Amendment 19 would require the publication of contextual data. It is not easy to set out what weight is attached to that sort of information against a personal statement or an interview, in what are typically holistic assessments of an individual's application. Amendment 21 relates to the transparency condition applying to all registered providers. Throughout the Bill we have tried to take a proportionate approach. We think that the condition should apply only to providers whose students benefit from access to public funds. We know that diversity in admissions is largely an issue at the most selective institutions. The requirement is already captured by the condition in the Bill that applies to providers whose students can claim tuition fees.

5 pm

Amendment 22, 23 and 24 are about reporting on retention, standards and graduate destinations at departmental level. I agree that making that type of information available is incredibly important. Many of the data are either already available in the public domain or will be made available in the future through our planned reforms. Subsection (2)(e), for example, requires providers to report on retention rates. Providers already send the Higher Education Statistics Agency information on the level of student achievement, and that is published annually. Information on graduate destinations and retention is already included in HEFCE's Unistats' key information sets, through the destination of leavers from higher education survey—the DLHE as it is known—which provides information at subject level on the rates of employment of students six months after graduation.

More generally, the teaching excellence framework—TEF—will make clear to prospective students the quality of teaching they are likely to receive and their potential career prospects. We have incorporated retention and the DLHE as core metrics in the teaching excellence framework. Discipline-level assessments in year 3 will provide more relevant information on faculties and departments. We are working with HEFCE to decide how the TEF data can be collected and published. That will ensure that the TEF framework encourages higher education providers to focus on helping their students into employment and on meeting their employment, as well as their education-related, goals.

Turning to amendments 153, 154, 155 and 176, individually there are good cases for various additional categories, but we must ensure that the data are available and robust and that the information, when presented to prospective students, is digestible. The transparency condition requires each provider to publish, at a minimum, application, offer and completion rates broken down by gender, ethnicity and socioeconomic background. That is not an exhaustive list; providers can choose to publish information on additional categories if they wish. It is also important to remember that some applicants might choose not to disclose their disability or care leaver status or their family income, for example. Those are personal matters and the data, being self-declared, might not be wholly reliable. Let us not lose sight of the fact that these are minimum requirements; universities may go further. There will be flexibility to do more in the future, and I will reflect on the comments made by members of the Committee.

Moving on to amendment 152, it is right that Parliament should have access to the information, and it will. For example, the information will be made publicly available via institutions' own websites. On amendment 164, UCAS can choose to publish transparency information once the OFS and the institutions have done so. However,

the Government cannot rely on UCAS fulfilling that important function, which is why we are requiring institutions to make the information available themselves.

For all those reasons I ask that the amendment be withdrawn.

Dr Blackman-Woods: Why can the Minister not ask institutions to forward the data to UCAS, which would make it much easier for it to then collate and publish them?

Joseph Johnson: We can certainly consider that, but as things stand we could not rely on UCAS publishing the information, which is why we are requiring universities to do so.

Wes Streeting: I am grateful for the Minister's response and the assurance that he will consider the issues raised more fully, both in the context of the Bill and of broader Government policy. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 8 ordered to stand part of the Bill.

Clause 9

Mandatory transparency condition for certain providers

Wes Streeting: I beg to move amendment 6, in clause 9, page 6, line 14, at end insert—

'( ) The OfS must ensure that the ongoing registration conditions of each private registered higher education provider include a condition that a student's union be established, where "student's union" has the same meaning as in section 20 of the Education Act 1994."

This amendment would extend the provisions of the 1994 Education Act to require private providers to have a student's union as an ongoing condition of registration.

Amendment 6 would extend to private providers the provision of the Education Act 1994 that requires institutions to have a students union. Since their inception, students unions have played a powerful role in providing real value to the student experience in various ways. They have a representative function, which we have alluded to in discussions about student representation in other parts of the Bill. They also offer broader welfare provision and support for individual students. They run campaigns on a variety of issues, whether physical health, mental health, academic wellbeing or study skills. A huge amount of volunteering takes place in students unions. All those things enrich the institution and individual students unions.

Alex Chalk (Cheltenham) (Con): The hon. Gentleman is making a powerful case on the role of students unions, which do valuable work, but should it not be a matter for students to decide whether they wish to constitute themselves, rather than that being imposed by diktat?

Wes Streeting: That is an interesting thought. Perhaps the Government might consider arrangements that would make it easy to set up a students union. My understanding is that the definition of a students union in the 1994 Act is so broad that it favours students. Simply coming together and having some degree of representative function or, indeed, an institution setting up a representative function might constitute a students union as defined by the Act. It is not clear, however, whether that provision would extend to private providers.

For example, if a new university of Ilford North were set up—it would have to pick the right bit of Ilford North, so that it did not find itself in a different constituency—and I enrolled as a student, I might want to join a students union and find that there was not one. I then approach the institution to set one up, but the answer is fairly negative. Perhaps the new provider does not want to provide a block grant for a students union or the time and space in the governing body agenda to constitute a students union. There could be myriad reasons why providers might object.

I think that students unions are part and parcel of the higher education student experience. That is not just the stereotypical student experience of full-time undergraduate students of a certain age; there are many examples of student representative bodies that have constituted themselves and played an effective role through a range of modes of delivery. The Open University Students Association, for example, is not a traditional students union in the sense of a campus, because the Open University is not a traditional university in that sense, but it has an active and effective students union that is able to represent and advocate for its members. Other part-time institutions, such as Birkbeck, are in the same position.

I would like to ensure that students unions, which are a central part of the student experience, are a central part of every student experience at every institution. They benefit not only individual students, but institutions. We should celebrate the role of students unions and enshrine them in the private part of the higher education sector through the mechanism of this amendment.

Joseph Johnson: Amendment 6 would mean that private higher education providers must have a students union to remain on the OFS register. There is nothing in the Bill or current legislation to prevent an HE provider, private or otherwise, from having a students union, and no higher education provider is currently required to have a students union.

As the hon. Gentleman made clear, students unions provide valuable welfare services to their members, but a students union, as defined in the Education Act 1994, is not the only way in which students can be supported by their higher education institution or be engaged in decision making. Alex Proudfoot of Independent Higher Education, formerly Study UK, told the Committee during the evidence sessions:

"Students at alternative providers tend not to engage in formal students unions; they tend often to be professionals or mature students or to have responsibilities outside their studies. For that reason, it is difficult to require representation, but it should be encouraged."—[*Official Report, Higher Education and Research Public Bill Committee,* 6 September 2016; c. 7, Q2.]

Paul Blomfield: Does the Minister agree that Mr Proudfoot's description of the sort of students who are likely to be attracted to alternative providers describes exactly students at the Open University? Does he agree that the Open University Students Association enriches the experience of its students and the work of the Open University?

Joseph Johnson: Students at the Open University have, over time, made the choice to form a students union that represents their interests, but it is horses for courses. We want the current system, which is liberal and permissive, to continue because it is working well. Where students unions can organise themselves and demonstrate that they are adding value to student body, by all means they should come into existence. The current legal framework allows them easily to do so.

Gordon Marsden: I do not think that all Opposition members of the Committee would accept the Minister's claim that it is usually working well. There are lots of smaller institutions where students feel very excluded from the policies and practices of the providers.

Joseph Johnson: For that reason, where there are issues, students will welcome the provisions in the Bill which put their interests at the heart of the system and make sure that their voices are better represented in all the system's structures.

Although these representative structures often do not mean or necessarily entail a formally constituted union, they reflect the different culture and constituents in different student bodies. For example, it may be a group of representatives from across different classes and courses led or chaired by a student president.

The "Higher Education Review (Alternative Providers)" is the QAA's principal review method for alternative providers. As part of the higher education review, an independent provider must provide evidence of how it is meeting the QAA's expectations on student engagement. The UK quality code focuses specifically on student engagement, so the provider must evidence how it is meeting the QAA's expectations in that respect. The code states that through the "Higher Education Review (Alternative Providers)" process, higher education providers must demonstrate how they

"take deliberate steps to engage all students, individually and collectively, as partners in the assurance and enhancement of their educational experience."

Providers must also work with students to produce an action plan on how to respond to HER recommendations. QAA-reviewed independent providers will have student representatives on their various committees, including some, but not all, at board level.

The amendment would impose a mandatory condition on private providers. The Bill does not impose a similar mandatory registration condition on institutions receiving public funding. The amendment would not only impose a new regulatory burden on alternative providers but would run contrary to our aim of levelling the playing field between traditional institutions and alternative providers.

Wes Streeting: If the Minister's objection is that the amendment is too prescriptive, would he be inclined to support a more permissive amendment that simply extends the definitions and provisions of the Education Act 1994 to private providers, namely that students organise themselves as defined under the 1994 Act and that a students union would need to be constituted?

Joseph Johnson: As I said earlier, there is nothing in this Bill or current legislation to prevent a higher education provider, private or otherwise, from having a students union. We want this to be voluntary, not mandated by diktat, as my hon. Friend the Member for Cheltenham said.

I welcome the eagerness of the hon. Member for Ilford North to ensure that all students unions are covered by the governance and transparency arrangements set out in the Education Act 1994. I welcome the positive, important role that students unions can play, but I reassure him that the power already exists in the 1994 Act to extend the provisions to students unions in private providers and I therefore urge him to consider withdrawing his amendment.

Wes Streeting: I have listened to what the Minister has said but I am not minded to withdraw the amendment. I think that this is an important principle and while I have some sympathy with his point about prescription, the Education Act 1994 gives any student the ability to opt out of a students union, so it would not be compulsory for individual students to be members of a students union. I think he underestimates the difficulty facing any group of students in establishing a students union from scratch in circumstances where the institution is not minded to host a students union. I think the prejudices of private providers were demonstrated by Mr Proudfoot's evidence to the Committee and the assumption that because people have jobs, because they are mature students or because they have caring responsibilities, they would therefore not be interested in being involved in a students union, but if we look at institutions such as Birkbeck and the Open University that has not been the case.

Students with a full-time job who are studying around their work or who have caring responsibilities are often among the most demanding, or most in need of higher education institutions delivering what they say they do, and would benefit from effective student representation. I am not minded to withdraw the amendment and I think that the Government should think about introducing a more permissive amendment to make it easy to extend to private providers the principles and the practice of students unions, and the responsibilities on students unions that come with the Education Act 1994.

Question put, That the amendment be made.

The Committee divided: Ayes 5, Noes 10.

Division No. 5]

AYES

Blackman-Woods, Dr Roberta	Smith, Jeff
Blomfield, Paul	
Marsden, Gordon	Streeting, Wes

NOES

Argar, Edward	Johnson, Joseph
Chalk, Alex	Kennedy, Seema
Churchill, Jo	Milling, Amanda
Evennett, rh David	Morton, Wendy
Howlett, Ben	Pawsey, Mark

Question accordingly negatived.

Clause 9 ordered to stand part of the Bill.

Ordered, That further consideration be now adjourned. —(*David Evennett.*)

5.18 pm

Adjourned till Thursday 15 September at half-past Eleven o'clock.

Written evidence reported to the House

HERB 32 The British Academy for the humanities and social sciences

HERB 33 University and College Union

HERB 34 UNISON

HERB 35 University English and the English Association

HERB 36 Sean Wallis, University College London, and Dr Lee Jones, Queen Mary University of London

HERB 37 Wellcome Trust

HERB 38 Warwick Students' Union

HERB 39 defenddigitalme

HERB 40 Shirley-Anne Somerville MSP, Minister for Further Education, Higher Education and Science, Scottish Government