

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT  
GENERAL COMMITTEES

## Public Bill Committee

### HIGHER EDUCATION AND RESEARCH BILL

*Thirteenth Sitting*

*Tuesday 18 October 2016*

*(Morning)*

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CLAUSE 83 agreed to, with an amendment.

SCHEDULE 9 agreed to, with amendments.

CLAUSE 84 agreed to.

CLAUSE 85, as amended, under consideration when the Committee adjourned till this day at Two o'clock.

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**not later than**

**Saturday 22 October 2016**

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**The Committee consisted of the following Members:**

*Chairs:* MR CHRISTOPHER CHOPE, † SIR EDWARD LEIGH, SIR ALAN MEALE, MR DAVID HANSON

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

## Public Bill Committee

Tuesday 18 October 2016

(Morning)

[SIR EDWARD LEIGH *in the Chair*]

### Higher Education and Research Bill

#### Clause 83

UNITED KINGDOM RESEARCH AND INNOVATION

9.25 am

**The Minister for Universities, Science, Research and Innovation (Joseph Johnson):** I beg to move amendment 246, in clause 83, page 51, line 23, after “Innovation” insert

“or, in Welsh, Ymchwil ac Arloesedd y Deyrnas Unedig.”

*This amendment sets out the Welsh name for UKRI.*

**The Chair:** With this it will be convenient to discuss Government amendments 274 to 278.

**Joseph Johnson:** It is good to have you in the Chair for the last day of our Committee’s proceedings, Sir Edward, to see us safely through to the end.

Amendment 246 is a minor amendment that places the Welsh language name for UK Research and Innovation on the face of the Bill. Amendments 274 to 276 are consequential and update the English and Welsh language versions of the Welsh Language (Wales) Measure 2011 to acknowledge the establishment of UKRI.

*Amendment 246 agreed to.*

*Clause 83, as amended, ordered to stand part of the Bill.*

#### Schedule 9

UNITED KINGDOM RESEARCH AND INNOVATION

**Gordon Marsden (Blackpool South) (Lab):** I beg to move amendment 330, in schedule 9, page 92, line 11 after “members” insert—

“(e) at least one member of the OfS Board with at least observer status”.

*This amendment would ensure an interface between research and teaching.*

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

Amendment 334, in clause 103, page 59, line 11, leave out “may” and insert “must”.

*This amendment would ensure cooperation and information sharing between OfS and UKRI.*

Amendment 333, in clause 103, page 59, line 12, after “functions” insert—

“(1A) The OfS and UKRI must cooperate with one another on—

- (a) the health of disciplines,
- (b) awarding of research degrees,

- (c) post-graduate training,
- (d) shared facilities,
- (e) knowledge exchange and
- (f) skills development”.

*This amendment sets out where UKRI and the OfS must cooperate on issues at the interface between teaching and research.*

Amendment 335, in clause 103, page 59, line 13, leave out subsection (2).

*This amendment would ensure cooperation and information sharing between OfS and UKRI.*

**Gordon Marsden:** It is a pleasure to serve under your chairmanship on this last day, Sir Edward.

Because of the mysteries of grouping, these amendments are fairly far apart on the Order Paper, but fortunately they hang together. The amendments focus on co-operation and collaboration between research and teaching, specifically the relationship between the office for students and UKRI, which we have touched on previously. They spell out what the interface should be between teaching and research.

This question is probably as old as the hills. Ever since universities have been established, no doubt, people have been saying, “What on earth is he or she doing, doing all this teaching and no research?” and vice versa. The issue comes into particular focus after our lengthy discussions about the teaching excellence framework. In that process, reference is made to assessment of the research process. We are moving forward in general terms as well as in this Committee, and I think there is consensus across the Committee not only that research and teaching are of equal value, but that it is a mistake to put either into a silo. We would not previously have said that, even five or 10 years ago, but in general that is the position in the sector now.

The amendments draw on a wide series of comments that have been made about part 3 of the Bill by learned societies and the research and higher education communities. To be pedantic, we are considering the splitting not of the Higher Education Funding Council for England but of its responsibilities. As the Minister pointed out when we discussed this previously, HEFCE will be dissolved under the Bill. However, there is concern that the process of separating teaching and research—in this context, the Research England body—will mean that issues and activities at the interface of teaching and research, such as the health of disciplines, the awarding of research degrees, postgraduate training, the sharing of facilities, knowledge exchange and skills development, might not be effectively identified and supported.

There is no sense of a secret agenda; it is just a case of what can sometimes fall out if there are unintended consequences from perfectly reasonable regulation. I go back to what I and others have said about the weakness of the Bill, which was conceived entirely before the referendum and does not reflect changes since it took place. That is especially true in terms of the issues thrown up by Brexit. Of course one consequence of the referendum, as we all know very well, was a change of Government, a change of Prime Minister and, indeed, a change of Departments—the machinery of Government—that is almost but not quite as significant as the machinery of Government changes introduced in 2007 by Prime Minister Gordon Brown, when he split, largely on an age basis, responsibilities for apprenticeships and

other elements between the Department for Education and the Department for Business, Innovation and Skills. That produced a situation, which continues after the latest changes, in which Ministers and shadow Ministers sit in two separate departmental and Opposition teams. The Minister sits in two teams. I sit more in one team than the other, but have to have a strong connection with the Department for Business, Energy and Industrial Strategy because of the research issue.

The concerns about the lack of effective identification and support for the list of things that I have mentioned have been intensified by the machinery of Government changes, in particular the division of teaching and research responsibilities between the Department for Education and the new or expanded Department for Business, Energy and Industrial Strategy. We cannot have an industrial strategy without skills or without higher education, or further education for that matter, so there will have to be that element of co-operation between the two Departments. Our concern, which is reflected in the amendments, is how that will translate and transfer into a strong interface between research and teaching, although what we are talking about will primarily be the responsibility of the Department for Education. I imagine that the Minister will comment on that. In amendment 333, we make specific suggestions about how the process might be accomplished. We do not claim copyright; the Royal Society and many other learned bodies and institutions made suggestions, but they are ones that we are happy to share with the Committee today as they probably cover the most important functions.

We have talked about the OFS and UKRI co-operating with each other on the health of disciplines, the awarding of research degrees and postgraduate training. I am sure that my hon. Friend the Member for Sheffield Central agrees with me that postgraduate training and indeed, the whole position of postgraduates and their future in detailed terms, have received relatively short shrift in the Bill. I hope that that will not be the case in the advice and guidance that will come. Postgraduates too, of course, will be keenly affected by the interconnectedness of teaching and research, not least because many of them, in order to do research, end up having to do some teaching, although that is probably less prevalent here than in the United States. As someone who was doing postgraduate research and teaching at the same time, I do not think that is a bad thing. The ability to do both activities at the same time, provided they do not impinge on the postgraduate study, is very useful, not least in preserving some clarity of English when writing one's thesis—but that is another matter.

The amendment proposes a mechanism by which this collaboration could be achieved. The Royal Society, as I am sure the Minister will be aware, has suggested that a committee on teaching and research should be established. I am sure the Minister will say it is not for us to dictate to UKRI, but it would be helpful to probe whether the Government are minded to say to the new body, its new chairman, chief executive and board members that this is something that ought to be high up in their in-tray. We also seek assurance that the requirement for the OFS and UKRI to co-operate will be included in governance documents for both organisations. Again, I am not expecting the Minister to give chapter and verse on that today, but we have in mind things such as operating frameworks, strategic plans and other relevant

documents. No doubt that all sounds a little dry for breakfast on a Tuesday morning, but heavy fibre is good for us and that is why I am including it at this point in the proceedings.

The Wellcome Institute, which I am sure hon. Members are familiar with, has also offered thoughts in this area. Teaching and research are intrinsically linked, but that intrinsic link would be lost from higher education if the bond between them were broken. Clause 103 sets out the interactions between OFS and UKRI. Amendment 335 would ensure co-operation and information sharing between OFS and UKRI, strengthening the clause by replacing “may” with “must”—we are back to the old “may” and “must” scenario.

We see positive interactions between teaching and research responsibilities in many institutions, often most clearly in research-led undergraduate projects and modules, not least in the sciences. The Royal Society of Chemistry says:

“Bringing cutting edge research ideas into teaching helps ensure a dynamic and relevant curriculum. Close interactions with researchers can motivate students when considering their future in the chemical sciences. There is a risk that the separation of teaching and research in the new HE architecture will mean that the benefits of research informing teaching and learning practices could be lost. The current draft of the Bill allows for information sharing between the Ofs and UKRI. It does not, however, require their cooperation unless directed by the Secretary of State”.

Other learned bodies and societies have contacted me and probably other members of the Committee to make similar points.

This issue is made more pressing because of the new machinery of Government structure and the shared responsibilities across the two Departments. That is why we suggest that the Bill be amended to provide that the OFS and UKRI must co-operate without being required to do so by the Secretary of State. Apart from anything else, the Secretary of State is going to have a hell of a lot in her in-tray—I am thinking of some of the other ground-breaking Government initiatives such as grammar schools and other measures that, by depute, would then fall to the Minister. I am sure the Minister would like to feel that this sort of thing can go ahead freely without him having to sign things off every other week. That is the principle, in a nutshell—a rather large nutshell—of our amendments to schedule 9.

**Joseph Johnson:** I thank the hon. Gentleman for giving me the opportunity to explain further how the OFS and UKRI will work together on a range of issues relating to their respective remits. I appreciate the considered tone of his comments and observations. We understand that these matters are important and we have taken considerable care to try to address them when crafting the reforms and the Bill. I am happy to try to give some further clarification now as to how we see those two bodies working.

I assure the Committee that the Government are committed to the continued integration of teaching and research within the HE system. We believe the Bill reflects that and proposes safeguards to ensure joint working, co-operation and the sharing of information between the OFS and UKRI. Both organisations also have a statutory duty to use their resources in an efficient and effective way, meaning they will look for all opportunities to collaborate and share information.

[Joseph Johnson]

On the specific points made by the hon. Gentleman, I will start with those relating to changes to the machinery of Government in July. We understand his concern about the potential impact of those changes, with the Department for Education now having responsibility for higher education but research policy remaining the responsibility of the Department for Business, Energy and Industrial Strategy. For my part, I am committed to my role across the two Departments and will be working closely with the two Secretaries of State and the heads of the two new organisations coming into existence through the Bill, UKRI and the OFS, to ensure a coherent approach and to maintain the continuity of day-to-day business.

As the Committee has seen, the Bill is supported by me, a shared Minister across the two Departments, and as the hon. Gentleman will see on the back page of the Bill, it also has important support from senior members of the Government. That provides significant continuity across the two Administrations we have seen since the general election, including the current Prime Minister, who supported the Bill in her former capacity as Home Secretary, and the current Secretary of State for Business, Energy and Industrial Strategy in his former capacity as Secretary of State for Communities and Local Government, and so on and so forth. There is significant continuity.

**Gordon Marsden:** We entirely welcome not only that instrumental move across, but the move across of the individual concerned. I have always found the right hon. Member for Tunbridge Wells (Greg Clark) to be very forward thinking, and I think he will bring strength and hopefully some strategic vision to the Department for Business, Energy and Industrial Strategy.

**Joseph Johnson:** I will not comment on any absence of strategic vision prior to my right hon. Friend's arrival, which I would not deem to be a fair comment, but he will take the Department to further great heights.

The hon. Gentleman asked about postgraduates and postgraduate study and why there is not more on that in the Bill. The OFS and UKRI will work closely together to ensure there are no gaps between their respective roles. In a way, that is no different to the current situation in which an institution receives funding from a research council but is still subject to HEFCE's regulatory oversight of the sector. Individual students will have little if any exposure to either body, as interactions primarily take place at an institutional level.

Turning to the hon. Gentleman's questions around teaching and research and the so-called split, we see the research excellence framework, administered by Research England within UKRI, and the teaching excellence framework, overseen by the office for students, as mutually reinforcing quality processes. We will ask institutions to consider how they promote research-led teaching in their TEF submissions. Lord Stern's recent review of the REF recommended that academics be rewarded for the impact of excellent research on teaching. We will ensure that deadlines and timescales have the flexibility to enable institutions to plan and schedule the demands of the two systems.

9.45 am

We see the TEF and the REF as providing a set of data that the Government, the OFS and UKRI can use to understand the sector better, ensure its sustainability and drive strategic decisions. The hon. Gentleman also asked about the governance of UKRI. I want to bring to his attention the letter I wrote to the Committee dated 10 October, addressed to the hon. Member for City of Durham, in which I gave further details about the governance of UKRI. I will not read it out now, but it is available to Committee members should they wish to look at it further. As I outlined in that letter, as these new organisations are created we will develop appropriate governance arrangements which embed joint working principles and practice in the framework documents for both organisations and, by way of a formal agreement between them, in a memorandum of understanding. The agreement will set out working arrangements between the two bodies, which are highly likely to include regular senior-level meetings that could be akin to a Committee.

Amendment 330 calls for a member of the OFS board to sit on the board of UKRI, with observer status at least. The suggestion of a shared board member with observer status is an interesting one, for which we are grateful. I would like to reflect further on that. I believe that the Bill as drafted provides a sufficiently strong basis for close working and collaboration between the two bodies. Critically, that will be at all levels of operation. It is not our view that a shared board member would be essential to bring about cohesion, or that responsibility for that should rest with a single board member. Through the provisions in the Bill there will be many ways in which the OFS, and UKRI members and wider staff will be able to collaborate and attend relevant discussions without needing to link formally the governance structures at board level. I can assure hon. Members that the Bill and, once written, the framework documents for both organisations will provide for good co-ordination. That will be at all levels, and will be relevant for all those processes where joint working will deliver on the duty for each to act in the most efficient, effective and economic way.

Amendments 334 and 335 would require joint working on any function of both organisations. As I have said, there are many areas where the OFS and UKRI will need to work closely together. However, I believe that it is unnecessary to be prescriptive in the Bill. The primary legislation must remain sufficiently flexible for the Government and the organisations to respond to the circumstances at the time.

**Gordon Marsden:** I am listening carefully to what the hon. Gentleman has to say, because this is a complex issue for both him and me. Obviously, I will want to reflect on this when I see the *Hansard* report. The hon. Gentleman has been positive in thinking about having an observer on the two boards, but I wonder why even at this stage the Government appear to be relatively timid about the joint committee. A whole range of organisations have said similar things. MillionPlus stated in its evidence to the Committee that a committee and an annual report which referenced the areas and activities outlined in the amendment would help to achieve that symbiosis and provide greater public oversight and parliamentary scrutiny. I am a little surprised that at

this stage the Minister is not considering a mechanism which might make some of these things easier and more automatic.

**Joseph Johnson:** I am glad that the hon. Gentleman is pressing this point, because it gives me a further opportunity to say that I am reflecting carefully on his amendments and thinking of ways in which we can address the points he has raised. I reiterate our willingness to think very carefully about what he has said. In the event that the OFS and UKRI were not working together, the Bill provides an important safeguard. It gives a power to the Secretary of State to require the two bodies to work together. Of course, that does not mean that they cannot work together without his explicitly asking them to do so. They can do so, and that is what clause 103 makes clear.

Amendment 333 proposes a specific list of activities on which both organisations would be required to work together. I believe that it is undesirable and unnecessary to be prescriptive in the Bill. I wholeheartedly agree that it will be important for the OFS and UKRI to work together on those areas, but we would not want to restrict the areas on which they should work together by providing a list of that sort. Although it details many important areas for joint working that have been raised by the community, the list is not comprehensive, and it is not likely to be so in future. An example would be ensuring efficient interaction between the teaching excellence and research excellence frameworks. On that basis I ask the hon. Gentleman to withdraw his amendment.

**Gordon Marsden:** I thank the Minister for his positive and proactive response to the amendments which, as he knows, are probing amendments. I am encouraged by his recognition of the importance of getting such things right at the beginning. No list, in any Bill, whether drawn up by a university body or by Opposition Members, could possibly compete with the perfect list for ever and a day, for the next 20 years. However, if I may use a term that I often use, such lists are points of entry to provoke further discussion. I am encouraged by the Minister's focus on the issues. There will be other opportunities in other places to discuss the matter further, and on that basis I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

**Paul Blomfield** (Sheffield Central) (Lab): I beg to move amendment 304, page 92, line 16, after "chair" insert "and the House of Commons Select Committees".

*This amendment would ensure that the relevant House of Commons Select Committees are consulted before any appointments are made.*

It is a pleasure to serve under your chairmanship, Sir Edward. My hon. Friend the Member for City of Durham took the initiative in drafting the amendment, but she cannot be here today because she is leading for the Front Bench in another Bill Committee. *[Interruption.]* We multitask.

The amendment goes with the flow of the Government's intention in other areas. It is intended to ensure that before appointing the chief executive, chief finance officer and other members of UKRI the Secretary of State should consult not only its chair but the relevant House of Commons Select Committees. That would be consistent with the approach suggested by the Minister to OFS appointments.

In the Committee's oral evidence sessions, the vice-chancellor of the University of Cambridge and former chief executive of the Medical Research Council, Professor Borysiewicz, told us that

"the choice of members of that committee will be absolutely vital."—*[Official Report, Higher Education and Research Public Bill Committee, 6 September 2016; c. 26, Q40.]*

It is therefore important that the Secretary of State should consult with others to make sure that the membership is the best possible.

Such broad consultation would enhance the scrutiny of the choices that were made, and therefore improve the likelihood of the best person being appointed, because it would require the Secretary of State to make a clear, strong case for choosing particular candidates. We saw the importance of that during the evidence sessions, because a number of witnesses made forceful points about who should be on the board of UKRI. Alastair Sim, director of Universities Scotland, suggested that membership should be

"expertise-based but it should also be based on geographic balance so as to have people with experience from across the UK sitting on UKRI and on the councils within it."—*[Official Report, Higher Education and Research Public Bill Committee, 6 September 2016; c. 68, Q106.]*

Professor Borysiewicz suggested that UKRI should be made up of

"individuals who are broadly respected across the devolved Administrations, the different elements of research across industry and the different players".—*[Official Report, Higher Education and Research Public Bill Committee, 6 September 2016; c. 26, Q40.]*

It is important to take into account those and other perspectives on appointments. We would all have confidence and agree across the House that consultation with Select Committees would make it more likely that a full and diverse range of opinions is taken into account before appointments are made.

In relation to appointments with the OFS, the Minister assured us that

"we fully intend to actively involve the Select Committee or Select Committees, as appropriate, in the appointment process".—*[Official Report, Higher Education and Research Public Bill Committee, 8 September 2016; c. 75.]*

If that is good for the OFS, given the critical importance of UKRI, I assume it would be good in that case too and I am confident the Minister will be able to reassure me of that.

**Joseph Johnson:** I thank the hon. Member for Sheffield Central for the amendment and the chance to discuss the involvement of Select Committees in UKRI appointments. The establishment of UKRI involves a number of particularly important public appointments. For all of these, subject to parliamentary approval in the passage of this Bill, we will run an open and competitive process in line with the guidance of the Office of the Commissioner for Public Appointments. This will apply to the permanent chair, CEO, CFO, other independent UKRI board members and the executive chairs of each council. I am happy to confirm that a pre-appointment hearing will be held in the House of Commons by the Select Committee on Science and Technology for the permanent chair of UKRI. That is in line with Cabinet Office guidance and, in keeping with this practice, the current interim chair, Sir John Kingman, has just appeared before the Committee.

[Joseph Johnson]

Given the scale and importance of UKRI, I assure the Committee that I agree that it is appropriate to offer a pre-appointment hearing by the Science and Technology Committee with the chief executive officer. For other key positions, we intend to continue the current approach, which I believe works well.

Although it is not a statutory requirement for prospective research council chairs to appear before a Select Committee, it is common practice. I assure the Committee that we expect this practice to continue with any new executive chairs of the UKRI councils. This will ensure that the appropriate Select Committees are engaged in the appointment process for key leadership positions in UKRI. I hope that I have provided the hon. Gentleman with the assurances he is looking for and I urge him to withdraw the amendment.

**Paul Blomfield:** I thank the Minister for his assurances, which go some way towards meeting the points made in the amendment. I ask him to reflect on the opportunities to cast the net slightly wider to other Select Committees as appropriate in the way that it suggests. With the hope that he will reflect on that, and reassured by his comments, I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

**Roger Mullin** (Kirkcaldy and Cowdenbeath) (SNP): I beg to move amendment 186, page 92, line 18, after “experience” insert “in the higher education sector in England, Scotland, Wales and Northern Ireland”.

*This amendment would ensure that the new research body, UKRI, would include appropriate membership from the devolved nations.*

**The Chair:** With this it will be convenient to discuss amendment 187, page 92, line 38, at end insert—

“(6) UKRI must, in appointing members of each Council, have regard to the desirability of the members (between them) having experience of research in the higher education sector in England, Scotland, Wales and Northern Ireland.”

*This amendment would ensure that the membership and strategy of the new research body, the UKRI, takes proper account of the policies and priorities of the devolved nations.*

**Roger Mullin:** I declare that I have an interest as I remain an honorary professor at the University of Stirling.

During the earlier stages of debate on the Bill, I remained remarkably quiet for someone with my background. I have been saving myself for today because it is a vital one if there is to be proper and respectful consideration for the university sectors in Scotland, Wales and Northern Ireland. When I first read the Bill, I thought Scotland must already be independent because there was absolutely no recognition of the sector’s importance—so too, perhaps, in Wales and Northern Ireland.

The Bill was clearly not written in the spirit of the Nurse report, which stated:

“There is a need to solicit and respond to distinct research priorities and evidence requirements identified by the devolved administrations...it is essential that the Research Councils should

play a strong role in...shaping research priorities and promoting the distinctive requirements of UK research, including in association with the devolved administrations.”

It is clear that when drafting the Bill the Government ignored to a great extent such an injunction. As it stands, UKRI is accountable only to the UK Government with principally English interests.

10 am

I speak not merely as an interested MP, but in an attempt to be a voice for the Scottish, Welsh and Northern Irish jurisdictions. The amendments would ensure that UKRI includes appropriate membership from the devolved nations and that its membership and strategy take proper account of the devolved nations’ policies and practices. I will give one example from Scotland of the way in which things are different now and could be increasingly different in future, post-Brexit. Just as the Scottish Government are exploring options to enable us to remain within the single market, so too have they started exploring how Scottish universities may continue to have serious engagement with EU research programmes. Both moves could create significantly different economic and policy contexts, making separate representation even more vital.

In constructing the amendments, we sought out a wide range of opinions. It is important to note that these amendments and subsequent ones I shall introduce today are supported by a wide range of bodies. If the Minister is interested, I can supply further comment from all the bodies that I will mention. They include Universities Wales, Universities Scotland, Queen’s University Belfast, the Scottish Council for Development and Industry, the National Union of Students Scotland, the University and College Union Scotland and the Royal Society of Edinburgh. I will also mention a wide range of academics, including Professor Anton Muscatelli, principal of the University of Glasgow; Professor Patrick Johnston, vice-chancellor of Queen’s University; Professor Dame Jocelyn Bell Burnell and many others.

The amendments are not partisan, but come from a whole sector of university opinion throughout Scotland, Wales and Northern Ireland. They also have the full support of the Scottish Government. I look forward to hearing a positive response from the Minister to this wide body seeking appropriate representation. As a parting gift to him, let me quote from Professor Anton Muscatelli, principal of the University of Glasgow, who recently wrote to me, stating:

“The creation of the new UKRI body provides a real opportunity to harness strategic co-operation across the devolved nations at a critically important time for economic progress in all the countries and regions of the UK. Having an active voice from the devolved nations as part of the new research body would assist that process of co-operation in both research and innovation at a time of major uncertainty in our external economic environment.”

I appeal to the Minister to think very seriously about the amendments.

**Gordon Marsden:** I rise to make some observations on the amendments tabled by SNP Members. I have mentioned Hamlet without the prince once, so I will not do it again, but I entirely share the puzzlement of the hon. Member for Kirkcaldy and Cowdenbeath that the Bill, and indeed the White Paper, have been drafted with scant recognition of the knock-on effect and

implications of what may be extremely valuable new structures on the devolved Administrations. At the risk of being tediously repetitive, I will simply remark that this is yet another example of why the Bill should have been looked at again after 23 June.

I add in passing, since we are talking about traditions in universities, that Scottish universities have historical traditions and strengths that could match many, if not all, of those in England. I am surprised that the Minister, being cut from that cloth, should not think that the legacy of the Scottish enlightenment—Adam Smith and other entrepreneurial characters who have flitted through Conservative party pamphlets—worth consideration in this process.

The hon. Member for Kirkcaldy and Cowdenbeath has done the Committee a service. Looking around, I can see no Members from Wales, and obviously none from Northern Ireland. Yet in both Wales and Northern Ireland, universities and higher education institutions will be significantly affected by this process. They will also be affected if the process with the new bodies is not universally seen to be fair in sharing out its attentions at an important time for our university system. I speak as a Unionist; the Labour party believes in the Union. Not to consider including such provisions in the Bill is a great mistake. The Minister and I will probably agree that one should not put people on committees and bodies simply on a symbolic basis, on which so many matters are often discussed and organised. Surely we should consider those interests in the context of a new research body.

What I have to say is highly relevant to the future of those research bodies. As I have said previously, the Government's White Paper has overlooked a vital factor. There is little sense of the knock-on effects on what I describe as the brand of UK plc. I am not the only one to make that observation; other commentators and academics have also done so.

HE providers across England and the devolved nations are internationally competitive because of a trusted UK brand. If we are to have a trusted UK brand, it is important that all the integral parts of the UK feel that they have a say at the table. If they do not feel that and there is dissension and disgruntlement, then at a time that the UK Government need to be doing everything they can in the Brexit negotiations to safeguard that UK brand, there will be a weak link.

There needs to be a proper UK-wide strategy to safeguard the position of our researchers. We will talk about that in later clauses. For now, the amendments tabled by the SNP, whatever one's views on the future of Scotland, are doing a valuable service to the Government by waking them up to some of the implications and pitfalls of having a body, though not what they wished, that might appear too Anglocentric. On that basis, we support the amendments.

**Joseph Johnson:** I thank the hon. Member for Kirkcaldy and Cowdenbeath for his amendments and the opportunity to discuss the important role that UKRI will play in representing science and research across all of the United Kingdom.

I agree with him that Scottish institutions are a vital part of our vibrant research base. I am sure he will be aware that they gain more than a proportionate share of

competitive funding from the research councils due to the excellence of their research under the current arrangements. The research councils and Innovate UK serve, and will continue to serve, the research and innovation communities across the UK.

Our reforms have been deliberately developed with the needs of all the devolved Administrations in mind, going all the way back to the Green Paper in November. The White Paper is clear that it is our policy intent to ensure that Research England, as part of UKRI, can work jointly with devolved funders. We have tabled a Government amendment to the Bill that supports this policy intent, which the hon. Gentleman will have seen. This will mirror HEFCE's current effective working relationship with the devolved Administrations' funding bodies, for example, with respect to the research excellence framework.

Research councils and Innovate UK as part of UKRI will continue to operate throughout the UK. We will work closely with the devolved nations as UKRI is established to ensure the UK's research and innovation base remains one of the most productive in the world. The hon. Gentleman will have seen that we have tabled a series of amendments in recent days to ensure UKRI can work effectively across all four nations. We have been working closely with the Scottish Government in developing these clauses.

To deliver our integrated and strategic ambitions for UKRI, the body must have a proper understanding of the systems operating in all parts of the UK. It will need a detailed insight into not just the research environment but innovation strengths and business needs across the UK. That should include regional differences across England as well as the devolved Administrations.

In relation to the UKRI board and the composition of the councils, we have two primary objectives: first, that we attract and appoint the best people wherever they come from; and, secondly, that the board and councils are of a size that allows them to function effectively. As Professor Sir Leszek Borysiewicz said when he appeared before this Committee a few weeks ago,

"the choice of members of that committee will be absolutely vital. These will have to be individuals who are broadly respected across the devolved Administrations."—[*Official Report, Higher Education and Research Bill Public Bill Committee*, 6 September 2016; c. 26, Q40.].

I agree with him completely on both counts. We must seek the highest quality individuals with a broad range of experience, not necessarily limited to the UK research community or UK higher education institutions. We need to learn from and bring in the best individuals nationally and internationally. They will be recognised for their experience and expertise spanning research and business-led innovation and their ability to represent the full range of interests of the UK's research and innovation system.

We are very fortunate in the UK in the quality and extent of our research base. It is common for members of the research community to move around the UK or, indeed, abroad over the course of their careers. It is also common for researchers to collaborate extensively within the UK and abroad. As it is likely the members appointed on merit will have worked and will have extensive links across the UK research community, I ask the hon. Gentleman to withdraw his amendment.

**Roger Mullin:** I thank the Minister for his response, although I am slightly disappointed he has not gone further in saying that he would take the recommendation more seriously. We will have to return to this matter on Report.

I say to the Minister that the way in which he describes the role the devolved Administrations might be able to play in this regard sounds slightly complacent. If it were as precise and clear as he suggested, I wonder why he thinks Universities Scotland, the University of Wales, the Royal Society of Edinburgh and many others I have cited support the amendments and do not support the Bill as it stands. With the intent of bringing this matter back on Report, I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

**Joseph Johnson:** I beg to move amendment 247, in schedule 9, page 92, line 21, leave out “and new ideas” and insert

“, new ideas and advancements in humanities”.

*This amendment provides that the Secretary of State must, in appointing members of UKRI, have regard to the desirability of them having between them experience of the development and exploitation of advancements in humanities (including the arts), as well as the development and exploitation of science, technology and new ideas. A similar amendment is made to clause 85(1)(c) in amendment 256.*

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

Amendment 315, in clause 85, page 52, line 8, after “out” insert “basic, applied and strategic”.

*See amendment 316*

Amendment 317, in clause 85, page 52, line 8, after “humanities” insert “social sciences, arts”.

*This amendment would ensure that UKRI’s functions extend across the full breadth of research.*

Amendment 316, in clause 85, page 52, line 9, after “support” insert “basic, applied and strategic”.

*This amendment and amendment 315 would ensure a commitment to supporting basic, strategic and applied research.*

Amendment 318, in clause 85, page 52, line 10, after “humanities” insert “social sciences, arts”.

*This amendment would ensure that UKRI’s functions extend across the full breadth of research.*

Amendment 319, in clause 85, page 52, line 12, after “technology” insert “humanities, social sciences, arts”.

*This amendment would ensure that UKRI’s functions extend across the full breadth of research.*

Amendment 336, in clause 85, page 52, line 12, after “technology” insert

“arts, social sciences and humanities.”.

*This amendment explicitly names the arts, social sciences and humanities as being part of the remit of the UKRI.*

Government amendment 256.

Amendment 320, in clause 85, page 52, line 14, after “humanities” insert “social sciences, arts”.

*This amendment would ensure that UKRI’s functions extend across the full breadth of research.*

Amendment 321, in clause 85, page 52, line 16, after “humanities” insert “social sciences, arts”.

*This amendment would ensure that UKRI’s functions extend across the full breadth of research.*

Amendment 322, in clause 87, page 53, line 34, after “life” insert

“and social and cultural wellbeing”.

*This amendment would ensure the Bill includes the full breadth of research and innovation and their benefits for humanity.*

10.15 am

**Joseph Johnson:** Clause 85 sets out the functions of UKRI in broad terms. Among its key functions, UKRI will be responsible for facilitating, encouraging and supporting

“the development and exploitation of research and technology.”

It is intended that UKRI may also support the exploitation of advancements in the humanities, including the arts. However, this is not currently explicit in the provision made in clause 85(1)(c). Amendment 247 is a technical Government amendment that addresses that. For the avoidance of doubt, I should clarify that for drafting purposes, references to humanities in this Bill are defined as including the arts and references to sciences include social sciences. These definitions are given in clause 102.

In addition, amendment 256 seeks to amend paragraph 2 of schedule 9 which sets out the areas of experience that the Secretary of State should have regard to in appointing the board of UKRI. The consideration of the development and exploitation of advancements in humanities should form part of this consideration; the amendment enables this. As Professor Sir Leszek Borysiewicz, from whom we have already heard today, said:

“There is a lot of sense in having a body that will scrutinise and ensure that we can take a wider purview of the UK R and D effort.”—[*Official Report, Higher Education and Research Public Bill Committee*, 6 September 2016; c. 22, Q30.]

**Gordon Marsden:** If I can find them in this bagatelle list which sends one diving across the paper, I rise to speak in support of our amendments, which are amendment 315, 317, 316, 318, 319, 320, 321 and 322.

Let me start by welcoming the technical amendments tabled by the Minister. As someone who has taught humanities, I was interested in his clarification that the arts were included in the humanities. I do not propose to have an etymological discussion about it, but I was also interested that social sciences—if I understand the Minister rightly—are included under the definition of sciences. I pause to think for a moment about the Minister’s first degree. Perhaps he might like to comment on whether he thought at the time that he was doing a science degree or a humanities degree. That is a little *jeu d’esprit* but nevertheless, it illustrates that this is a hazy area. Without being too pedantic, it is of merit to try to get some of the clarifications right so I welcome what the Minister has said.

Our amendments 317 and 318 would insert “social sciences” and “the arts” after “humanities”. I appreciate that there might be some overlap between what we have tabled and what the Government have tabled but obviously we did not necessarily consult them. The principle is straightforward: first, to ensure that UKRI’s functions extend across the whole breadth of research; and, secondly and not unimportantly given that this is a major change—this comes back to what I have said previously—to give reassurance to those in those areas that their interests are being properly and carefully catered for.

Amendment 319 is part and parcel of the same process although this time, after “technology”, we are inserting the words “humanities”, “social sciences” and “arts”. The amendments we tabled to clause 85, which include the words “basic”, “applied” and “strategic”, are intended also to reflect concerns expressed by both the Royal Society of Chemistry and the Royal Society of Edinburgh and probably other bodies too that basic science is essential for a good research system—often laying the ground for future applications — and that its funding should be a core function for UKRI. The royal charters of the research councils protected such fundamental research by requiring that basic strategic and applied research were all funded, hence their use in our amendments, but there is no commitment as such in the Bill, hence the suggestion that these amendments should be moved to include a commitment to supporting those issues.

Amendments 320 to 322 follow the same argument, inserting the words “social sciences” and “arts” after “the humanities”. Likewise, amendments to clause 87 insert a reference to social and cultural wellbeing after the word “life”, ensuring that the Bill includes a focus on the full breadth of research and innovation and their benefits for humanity. Without starting a philosophical discussion, I wish to be clear that we understand that much research and innovation does not always have an immediate practical application. Indeed that is not required, and that should not be the case. That is one of the elements of tension in this Bill between the effects of various changes, which we will be discussing later in terms of their structure and architecture.

At a time when people are bombarded—not least in the popular media—by sometimes highly contentious claims for research, it is important that we place in the Bill a recognition that research and innovation significantly benefits the man and woman in the street, either by the words suggested here or by other appropriate mechanisms. At a time of continued austerity and continued arguments over funding, which no doubt will tighten up during the Brexit process, it is important that that is made clear in the corridors of Government, not just to the general public.

**Paul Blomfield:** I will speak to amendment 336, recognising and welcoming the fact that Government amendment 256 covers a significant part of what we were trying to achieve with this amendment. I wanted to probe a little further on going beyond reference to the humanities, and looking at arts and social sciences. That is covered in the footnote, but I would like further clarification on the Government’s view of their inclusion more generally. The Minister will recognise the value of the creative industries and social sciences to the economy and to our culture, and this amendment seeks to recognise arts and social sciences within the legislation.

A number of organisations submitting evidence to us, including MillionPlus and Goldsmiths College—part of the University of London—have raised concerns about the Bill’s lack of provision for the arts, emphasising that the legislation must work for all subjects. In their written evidence, Goldsmiths College made the point that,

“we also believe excluding the words ‘arts’ from the description of the UKRI remit could jeopardise future funding for arts research. We believe this also to be the case for the social sciences, which could be overlooked in favour of more traditional science subjects.

As well as signalling a commitment to these important disciplines, this would also fully reflect the objectives of the research council’s reporting into the UKRI.”

The point on which I am seeking reassurance is that the Government do regard the arts and social sciences as being of important academic worth.

**Joseph Johnson:** I welcome the amendments supported by the hon. Members for Blackpool South and for Ashton-under-Lyne, who are sitting in the absence of the hon. Member for City of Durham, which seek the same ends as the Government’s amendments. As hon. Members have said, it is absolutely right that UKRI should be able to take full advantage of the advancements that the UK research sector makes in the humanities, including the arts. In response to the point made by the hon. Member for Sheffield Central, I repeat that clause 102 makes it clear that “‘humanities’ includes the arts” and “‘science’ includes social science.”

I turn to the other tabled amendments to clause 85, which seek to spell out explicitly that the research UKRI may carry out should include “basic, applied and strategic” research. I welcome the opportunity to assure hon. Members that it is absolutely the Government’s intention that UKRI will support all forms of research, including “basic, applied and strategic” research, as hon. Members have put it. However, it is not necessary to be prescriptive in that way. The reference to research in clause 85(1) is drafted to be broad enough to include those types of research, and it is right that research experts, not politicians, decide what specific projects are supported.

I welcome the intention behind amendment 322 to clause 87(4). It seeks to require the councils to have regard to improving “social and cultural wellbeing”, in addition to the currently drafted “improving quality of life”, when exercising their functions. While I agree that the potential human benefits of research are wide-ranging, I am certain the current duty on councils to consider the desirability of improving quality of life is sufficient to cover those. I therefore ask hon. Members to withdraw their amendments.

*Amendment 247 agreed to.*

**Joseph Johnson:** I beg to move amendment 248, in schedule 9, page 92, line 37, leave out “A Council may include” and insert

“A majority of the ordinary Council members of a Council must be”.

*This amendment replaces the provision which made it clear that a Council of UKRI could include persons who were neither a member of UKRI nor one of its employees and provides instead that a majority of the ordinary members of a Council must fall into that category.*

The Nurse review highlighted the importance of maintaining the distinct identities and integrity of councils within UKRI. Sir Paul Nurse recommended that the councils should comprise an independent membership drawn from their respective research communities. Professor Sir John Bell recognised the sense of that, saying:

“This would appear to be a sensible implementation of the Nurse Review, and will provide opportunities for better collaborations between scientific disciplines in the context of the new Board. It will hopefully provide the leaders of research councils to be able to devote more time to strategy and less time to administrative functions.”

In addition, the Government said in our White Paper: “In addition to the Executive Chair, each Council will be made up of...experienced independent members drawn from the relevant community.”

[Joseph Johnson]

The amendment means that membership of each council must comprise a majority of ordinary members who are neither members nor employees of UKRI. It replaces the current provision in paragraph 3, which only allowed for the possibility of councils' including members who fell into that category. The amendment will ensure that the integrity and autonomy of the individual councils will be maintained through their having an independent membership.

*Amendment 248 agreed to.*

**Joseph Johnson:** I beg to move amendment 249, in schedule 9, page 93, line 34, leave out "The Secretary of State" and insert "UKRI".

*This amendment and amendments 251 and 252 provide that it is UKRI rather than the Secretary of State who pays members of UKRI and Council members their remuneration, allowances, expenses, pension and compensation. The amounts paid are, however, still to be determined by the Secretary of State.*

**The Chair:** With this it will be convenient to discuss Government amendments 250 to 255 and 312.

**Joseph Johnson:** This group of amendments relates to provisions in paragraphs 7 and 8 of schedule 9, which provide for powers for UKRI to make payments to UKRI members and its employees. Turning to amendments 249 to 252, paragraph 7 of schedule 9 is intended to place a duty on UKRI to pay salaries, pensions and allowances, compensation and expenses to the UKRI members as determined by the Secretary of State. The amendments make it clear that it is UKRI, rather than the Secretary of State, that pays members and council members of UKRI.

Amendments 253, 254 and 255 provide further powers for UKRI to pay expenses and allowances to existing and former members of UKRI staff and to provide pensions to these people.

*Amendment 249 agreed to.*

*Amendments made:* 250, in schedule 9, page 93, line 35, leave out ", allowances and expenses".

*This amendment removes an unnecessary reference in paragraph 7(1) of Schedule 9 to allowances and expenses for members of UKRI or Council members as they are covered in paragraph 7(2).*

Amendment 251, in schedule 9, page 93, line 37 leave out "The Secretary of State" and insert "UKRI".

*See the explanatory statement for amendment 249.*

Amendment 252, in schedule 9, page 93, line 43 leave out "the Secretary of State" and insert "UKRI".

*See the explanatory statement for amendment 249.*

Amendment 253, in schedule 9, page 94, line 8, leave out ", allowances and expenses".

*This amendment is consequential on amendment 254.*

Amendment 254, in schedule 9, page 94, line 9, at end insert—

"( ) UKRI must pay, or make provision for paying, to or in respect of a person who is an employee of UKRI, such sums as UKRI may determine with the approval of the Secretary of State in respect of allowances or expenses."

*This amendment makes the duty to pay allowances and expenses to UKRI employees consistent with the power to pay such allowances or expenses to former employees inserted by amendment 255.*

Amendment 255, in schedule 9, page 94, line 9, at end insert—

"( ) UKRI may pay, or make provision for paying—

- (a) to or in respect of a person who is or has been an employee of UKRI, such sums as UKRI may determine with the approval of the Secretary of State in respect of pensions or gratuities, and
- (b) to or in respect of a person who has been an employee of UKRI, such sums as UKRI may determine with the approval of the Secretary of State in respect of allowances or expenses."—(Joseph Johnson.)

*This amendment makes clear that UKRI has power, subject to approval by the Secretary of State, to make pension provision for its employees and former employees other than under the Superannuation Act 1972 (as provided for in paragraph 8(4) of Schedule 9), to pay them gratuities and to pay former employees allowances or expenses.*

10.30 am

**Gordon Marsden:** I beg to move amendment 331, in schedule 9, page 95, line 26, leave out "any" and insert "some".

*This amendment seeks to clarify which functions UKRI intends to delegate to its Councils.*

This amendment relates to paragraph 12 of the schedule, "The delegation of functions by UKRI". This probing amendment raised a metaphorical eyebrow when we—and, I think, others—were looking through the Bill. Paragraph 12(1) of the schedule states:

"UKRI may delegate any of its functions to—

- (a) a member of UKRI,
- (b) an employee authorised for that purpose,
- (c) a Council or a Council sub-committee, or
- (d) a general committee."

I am fairly confident that this is not designed to confer—to borrow a phrase from another context—Henry VIII-type powers—on UKRI to delegate. And I am fairly confident that when the Minister responds he will probably say that it replicates—I do not want to be so unkind as to use the word "boilerplate"—things that normally appear in Bills at this point in the proceedings. However, I think it is worth probing because in this instance it is not simply that the Government are setting up a new body in UKRI, but that the relationship between that body and its research councils, for example, is one that has inevitably provoked a lot of comment and some concern as to how that process will be taken forward.

This probing amendment seeks to clarify the division of responsibilities between UKRI and its councils and, at least, to elicit from the Minister some sense—I appreciate this is an evolving conversation—of whether that particular subparagraph of the schedule is intended to be a passe-partout, if I may put it that way, for this process.

I also say that because we had the interim chairman, Sir John Kingdom, before us in our somewhat attenuated evidence session. He has also very recently appeared before the Science and Technology Committee. I confess that I have only scanned the minutes of that meeting; I presume the Minister has read them from cover to cover. It seemed to me that in the best traditions of the civil service, from which he emanates, Sir John had skipped rather lightly on some of those questions to the Committee thus far; but that is for members of the Science and Technology Committee to judge.

It is important that we try to get some greater clarification before the Bill goes to the other place, not least because the Government will undoubtedly be peppered with questions and observations by Members of the House of Lords. I am actually trying to give the Minister a little assistance.

To be fair, the factsheet published by the Government, “Higher Education and Research Bill: UKRI Vision, Principles & Governance”, makes the point that there is much detail still to come. It states:

“The government is working with Sir John, our existing Partner Organisations and key stakeholders to explore detailed organisation design options... This will inform the final design which will be refined and agreed in partnership with the UKRI Chief Executive and Board once appointed.”

I appreciate that that will not necessarily happen anytime soon. The factsheet then says:

“Further detail will be set out in guidance including the framework document between BEIS and UKRI, which will be published once agreed.”

I have already referred to, and the Minister has commented on, the evolving implications of the machinery-of-Government division of research in that fashion. Therefore, as well as moving the amendment, which, as I have said, is a probing amendment designed to reflect the concerns, may I ask the Minister—I will do so in a constructive way—how he sees that framework document developing and at what stage he thinks it might be available to be considered? Does he think that it will be available before the Bill leaves this House, or when it goes to the other place?

**Joseph Johnson:** I thank hon. Members for the opportunity to explain in more detail what functions UKRI intends to delegate to the councils within it. As we have set out in the White Paper and the factsheet that we published on 12 October, our intention is that UKRI will delegate decisions on scientific, research and innovation matters to the nine councils. That will include, but is not limited to, the leadership of their area of expertise, including prioritisation of budgets and the development of delivery plans; ensuring the future of skilled researchers and other specialists essential to the sustainability of the UK’s research and innovation capacity; engaging with their community to develop ideas, raise awareness and disseminate strategic outputs; and appointing and setting terms and conditions of academic, specialist and research staff in the relevant council and any associated institutes.

As Sir Alan Langlands, vice-chancellor of the University of Leeds, told the Bill Committee, in his view the new overarching research funding body, UKRI,

“has the potential to retain the best of the current individual research councils, while bringing greater strategic oversight and direction.”

Of course, some functions will be retained at the centre of UKRI. Those include a lean but highly effective strategic brain, which will facilitate development of the overall direction, ensuring that we invest every pound wisely; the management of funds with cross-disciplinary impact; and responsibility for administrative and back-office functions across the organisation, such as procurement, human resources and grant administration. The Bill does not seek to set out the detail of all that, as that would be—

**Gordon Marsden:** I do not want to interrupt the Minister’s flow unduly. I am still slightly struggling to digest, at this time of the morning, the concept of a “lean” brain, as opposed to possibly a fatty one or another type of one. The serious point that I want to make is this. How lean is this brain—to continue the analogy—likely to be? I ask that because throughout the Bill, not the elephant in the room but certainly the discussion in the antechamber is about what resources Government can bring to the administration of this area. It would therefore be helpful if the Minister, even if not today, gave some indication of that. Are we talking about dozens of people, hundreds of people or what?

**Joseph Johnson:** I thank the hon. Gentleman for his question and draw his attention back to the impact assessment that we made at the start of the Bill Committee process, which gives a feel for the resources to be allocated to UKRI and the savings likely to be generated from the back-office efficiencies that will be enabled through its creation. It will be no bigger than is necessary to undertake its core functions, which, as I have described, are to provide a strategic vision for the sector, to ensure it can operate a cross-disciplinary fund in a way that the current research councils cannot and so on. The Bill does not seek to set out the details of all this, because we will put out a framework document in due course. The hon. Gentleman asked when that will be published. I assure him that it will be published before the formal launch of UKRI.

**Gordon Marsden:** Again, I am not trying to tie the Minister down unduly, but can he give any indication of whether the document will be available when discussion of this matter goes to the House of Lords?

**Joseph Johnson:** We have provided, as I said a few minutes ago, quite a detailed factsheet that outlines our policy thinking with respect to the creation of UKRI and the general principles that will guide its approach to its functions. That goes into some detail about the broad approach that UKRI will take—for example, its recognition of the fundamental importance of Haldane with respect to how it will operate funding for science and its fundamental support for the dual support system and balanced funding.

The factsheet also goes into considerable detail about the governance arrangements that will apply to the work of the chair, executive chair and councils within UKRI, as well as the way the board and senior management team will relate to each other and the leadership and autonomy of the nine councils. I believe that hon. Members in the other place have a considerable body of material to consider as they deliberate on our proposals to create UKRI.

This approach allows UKRI or another council to carry out certain functions normally exercised by a particular council. That will enable existing collaborative working across councils to continue and for UKRI to deliver one of its key aims: improving the UK’s support for inter and multidisciplinary research. Details of which UKRI functions will be delegated to the councils will be captured in guidance included in the framework document

[Joseph Johnson]

between the Department for Business, Energy and Industrial Strategy and UKRI. That will be published in due course, once agreed with UKRI's future leadership.

I agree with hon. Members that it is important to have clarity on the functions of UKRI that will be delegated to the councils. However, it is not necessary to put that on the face of the Bill. I therefore ask the hon. Gentleman to withdraw his amendment.

**Gordon Marsden:** The Minister's observations and the detailed examples he has given are a helpful move along this road. There will be further discussion in other forums, and on that basis, I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

**Gordon Marsden:** I beg to move amendment 332, in schedule 9, page 97, line 1, leave out

"except with the consent of the Secretary of State".

*This amendment seeks to understand how UKRI will work with the private sector.*

This is, again, a probing amendment. We are genuinely trying, along with people in the scientific community and associated areas, to understand the extent to which UKRI will work with the private sector. The Minister is keen on the private sector. We are keen on the private sector and believe it has a very important role to play. The way in which research councils can currently enter into contracts to conduct spin-out activity and form companies—MRC Technology is one example that has been cited—is extremely valuable to research and innovation.

10.45 am

At the risk of being repetitive, money will be tight in the next five years. I am sure that the Minister will fight his corner very vigorously, but however generous the Government are in going beyond the assurances they have already given about Horizon 2020, money will be tight. Therefore the ability to generate that activity and form companies will be important. It is also important for maintaining the entrepreneurial profile of UK plc. The current position—though the Minister may wish to clarify it further—is that this is what research councils can do. It would be useful to know what he envisages their being able to do in the future. In the 2015 spending review it was announced that Innovate UK would convert £165 million of its grant into new financial products. It would be helpful to clarify the extent to which the Secretary of State's consent would be needed to operate those new financial products and any future products that Innovate UK might develop, such as equity investment. We touched on these issues in the evidence session with the chief executive of Innovate UK, but it would be helpful if the Minister could go further when he comments on the mechanism we have chosen to raise these issues.

I appreciate that there may be changes, or goodies, coming down the line in the autumn statement. No doubt we will find that out in due course.

**Joseph Johnson:** I welcome the opportunity to set out how we expect UKRI to work with the private sector. Paragraph 16 of schedule 9 provides flexibility in how

UKRI performs its functions, balanced by controls that safeguard public funding and guard against large, high-risk commitments being made against future public spending. The research councils currently possess significant flexibilities, and it is our intention that UKRI should retain those freedoms. We have, however, balanced that with the need to safeguard public funding.

To ensure appropriate use of public money, a number of activities have been made conditional on approval from the Secretary of State. Those include entering into joint ventures and borrowing money—namely, areas that could build up commitments and risks against future public spending. This mirrors current practice, where research councils are already required to seek approvals for such activities. That is in line with the principles of managing public money, by which all public bodies need to abide.

The amendment would inadvertently make it impossible for UKRI to do any of those things. We are saying that it can do these activities, subject to approval by the Secretary of State, in the same way as before. In practice, the details of those approvals will be set out in guidance from the Department to UKRI. That may, for example, include a de minimis level for an activity below which the Secretary of State grants approval without further process. That is in line with current arrangements for the research councils.

The amendment would unduly restrict the scope of UKRI and limit its flexibilities, putting at risk its capacity to fulfil the ambitious remit we have set for it and make best use of its resources. Specific details of how UKRI will work with the private sector will be developed by UKRI and the councils themselves, in consultation with the Government. However, we expect UKRI to build on the relationships that the legacy bodies currently enjoy with the private sector, and I ask the hon. Gentleman to withdraw the amendment.

**Gordon Marsden:** I thank the Minister for that additional information and helpful explanation. As I said at the start, the amendment was a probing one, simply designed to facilitate further discussion. We have had that discussion and the Minister has given us more useful information, so I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

*Schedule 9, as amended, agreed to.*

## Clause 84

### THE COUNCILS OF UKRI

**Gordon Marsden:** I beg to move amendment 314, in clause 84, page 51, line 39, after "Secretary of State" insert "following consultation".

*This amendment would ensure there will be a process of consultation before any changes are made to the Councils of UKRI.*

**The Chair:** With this it will be convenient to discuss amendment 323, in clause 87, page 53, line 36, after "State" insert "following consultation".

*This amendment would ensure there was a process of consultation before any changes are made to the Councils of UKRI.*

**Gordon Marsden:** We now move on to some of the meat of an area which has developed quite a head of steam: the relationship between UKRI and the councils. We have previously talked today about some of the ways in which UKRI might devolve its powers, and the Minister has been helpful regarding the councils, but the devil is always in the detail of parliamentary scrutiny.

There is considerable disquiet about some of the blanket powers that the new body UKRI may have and, indeed, that the Secretary of State may give him or herself. This is not a comment on any particular Secretary of State, or any particular universities Minister. If we are to make good legislation, we need to work to the potential scenarios that are most difficult rather than to the simplest ones. If everything went simply in government we probably would not need to think about this, but of course things do not always go simply.

I come back to the reputational issue, which I touched upon earlier when commenting on the amendments tabled by the hon. Member for Kirkcaldy and Cowdenbeath. We are at a critical period in our higher education history because of the big question marks over Brexit, and the lesser—although still significant—question marks over the machinery of Government changes. We should be doing everything we can to reassure the academic community and indeed the broader business community. We should not propose changes, potential changes or potential shutdowns that will cause problems. It is all very well for Ministers to say, “Well, this would never happen,” or, “It would be dealt with in guidance,” or whatever, but I am sure that we can all think of examples over the years where changes in legislation have set off great concern and scepticism, and in some cases had very bad financial and economic consequences involving overseas investors and overseas academic institutions.

We are debating this Bill at a time when our researchers, our research institutions and research bodies in our universities are being put under severe pressure and are concerned about their future relationship with organisations within the EU. It is highly relevant to changes that might be made to the councils of UKRI that changes in the EU or changes in our relationship with our EU partners do not necessarily have an adverse effect only on relationships with the EU, of course. They have, or can have, an adverse effect on relationships with other international institutions. At a Royal Society fringe meeting at our party conference last month at which I was present, comments were made by Professor Hemingway to the effect that when we think about these sorts of things, we also need to think about the implications for research in francophone Africa or lusophone Latin America, for instance, in terms of what we need to do to maintain our relationships there.

All these things are connected and related. That is why apparently arcane issues around the Secretary of State being allowed to change the name or responsibility of the council by issuing a statutory instrument subject to the affirmative procedure are important. Behind that dry statement lie some of the issues that I have described. As far as I can see, the Bill does not require the Secretary of State to undertake any public consultation before changing the name or responsibilities of a council. We have already had some discussion about the merits or otherwise of automatically deleting references to the Privy Council from the structures and architecture of

the Bill, and the OFS in particular. The Government declined to think creatively about ways in which the Privy Council might be a backstop.

The Royal Society is particularly concerned about this, as are most of the major research-intensive university groups. It is worth the Committee reflecting on the Royal Society’s position statement.

“The landscape of Research Councils has changed over time. The Bill giving the Secretary of State the authority to change their number, name, and fields of activity through a statutory instrument is a pragmatic reflection of this. While this change is reasonable, both Parliament and the research community should be able to inform and scrutinise properly any major proposed changes to Research Councils’ form and function. The Society believes the Bill should include a duty for the Secretary of State to consult with the research community on any proposal for major Research Council reform.”

It says it should include a duty, not a possibility. I emphasise those words because I do not want the Minister to come back with the boilerplate response that if the Secretary of State had to consult on all these matters, he or she would not get anything done. We are not suggesting that and nor is the Royal Society. It is saying there should be a duty to consult on a proposal for any major research council reform.

The issue has also been taken up by MillionPlus and the Russell Group. The Russell Group specifically sought clarification that the affirmative procedure must be used to change the councils. That is not a point we have included in any amendments but it is certainly a concern that the Minister should strongly focus on.

We have tabled these amendments to emphasise the vital role of consultation, not simply because it is the right thing to do, but because if it is not done there will be negative effects on our economy, the wider world’s perception of us, the status of our research councils and the flourishing of UKRI, which we all want to develop strongly in its formative years.

**Joseph Johnson:** Again, I thank the hon. Gentleman for giving me the opportunity to reassure the Committee and to explain in more detail how the powers would be exercised. They would allow the Government to react to the evolving needs of the research landscape and to keep the UK at the forefront of global research and innovation, while ensuring that the science and humanities councils cannot be altered without legislative scrutiny and the agreement of Parliament.

The hon. Gentleman mentioned the 23 June referendum. That is an event and process that has encouraged the science and research community to understand that UKRI can add value to the community in bringing coherence and strength to the voice of science and research in this country in the months and years ahead. I would like to highlight the evidence that Dame Julia Slingo, the chief scientist at the Met Office, gave to the House of Lords Select Committee on Science and Technology in September. She said:

“So the creation of UKRI is a real opportunity at this moment when we are thinking about where we are going on Brexit.”

Her views reflect an emerging, indeed strengthening, consensus across the learned societies and science community in general that UKRI is something that they want to get behind.

**Gordon Marsden:** I thank the Minister for introducing that reflection. I agree with him. We are not saying that UKRI is likely to be an impediment to that process. For what it is worth, I entirely agree with the points the Minister has made; my concern—shared by the Royal Society and others—is that the Bill will need both to stand the test of time and to work well in its first years because of the post-Brexit complications and because there is a need for UKRI to be established as a strong, independent and credible force. With due respect, I do not see that the point that the Minister has made deflects or undercuts the points made by others, including the Royal Society.

11 am

**Joseph Johnson:** I thank the hon. Gentleman for giving me the opportunity to elaborate on how I believe we are putting in place provisions to deal with his concerns. I welcome his support for UKRI and his recognition of the contribution it can make once it is up and running.

The powers reflect similar existing powers that have been used several times in the past to merge or create new discipline councils as priorities change and evolve, as happened with the creation of the Arts and Humanities Research Council in 2005. I assure hon. Members that future changes of that sort would not be undertaken lightly. The Government would seek the views of the research community through proper consultation before putting forward any proposals. I am sure that hon. Members would not hesitate to challenge any change of that kind that did not have prior consultation, but it is not necessary to place a formal duty on the Secretary of State to do that. Under clause 107, a statutory instrument must be laid before and approved by both Houses of Parliament via the affirmative procedure. That follows the current process to change the structure and remit of the research councils under the Science and Technology Act 1965.

In any future use of the powers I am sure that hon. Members would not hesitate to challenge changes on which there had not been proper consultation with the sector. I agree with hon. Members that consultation would be essential before the exercise of the powers in question, but it is not necessary to put that on the face of the Bill. I therefore ask that the amendment be withdrawn.

**Gordon Marsden:** I thank the Minister for his response and for the opportunity to have a broader discussion of the circumstances in which UKRI would develop. I think I made it clear that on looking at the drafting of the provision we thought there was already a requirement for an affirmative resolution, but I am grateful to the Minister for confirming that, with reference to clause 107. At the end of the day, the list of people whom the Minister must satisfy includes not just the Opposition but the whole academic and scientific community. I am glad that he recognises that, and beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

*Clause 84 ordered to stand part of the Bill.*

## Clause 85

### UK RESEARCH AND INNOVATION FUNCTIONS

*Amendment made:* 256, in clause 85, page 52, line 12, leave out “and new ideas” and insert

“, new ideas and advancements in humanities”.—(*Joseph Johnson.*)

*This amendment provides that UKRI may facilitate, encourage and support the development and exploitation of advancements in humanities (including the arts), as well as the development and exploitation of science, technology and new ideas.*

**Paul Blomfield:** I beg to move amendment 289, in clause 85, page 52, line 18, at end insert—

“(h) provide postgraduate training and skills development, working together with the OfS.”

*This amendment would ensure UKRI reflects the current activities of the Research Councils as set out in their Royal Charters in respect of the learning experience of postgraduate research students, and would require joint working on this with the OfS.*

I welcome the remarks made by my hon. Friend the Member for Blackpool South in his opening comments and I am pleased to be able to give the Minister an opportunity to clarify an area that our discussions have not so far touched on much, but which I think we will all agree is of some importance. The proposal for the office for students is at the heart of the Bill, and it deals primarily with the learning experience of undergraduates. It goes on to talk about the learning experience for postgraduate taught students, but fails to address a third, important category: postgraduate research students. Clearly they have a very different learning experience; nevertheless it is crucial for them because they are not only learners but teachers.

I am sure the Minister will agree that there is a number of issues relating to postgraduate research students, and although there is good practice across the sector, there are also areas where such students are occasionally let down. A crucial relationship for them is with their supervisor. Although there is much excellent supervision, there are also areas, such as feedback, where supervisors can get things wrong. Feedback and assessment are crucial to every student’s learning experience, but get them wrong and, given the particular intimacy of the relationship between a supervisor and a postgraduate research student, that can be quite destructive.

I recently saw comments that an early academic had written in *The Guardian* based on their own experience, making the point that feedback

“can take the form of constructive feedback for improvement, or demoralising sarcasm. I have experienced the full range, and it has had a direct impact on my research.”

Unfortunately there are examples of supervision being interrupted by:

“Unannounced departures for conferences, holidays and research projects.”

Those of us with experience of the sector will know about problems with the sudden retirement of supervisors. That could be halfway through a programme of work for a postgraduate research student, but I have known cases where people accepted a place based on a particular supervisor’s expertise, but found on arriving at university that that person was no longer in place. There is a whole range of issues there.

There is also the relationship between research and teaching. Two or three years ago the National Union of Students published a very useful report highlighting the challenges for postgraduate research students in taking on teaching responsibilities, the difficulty that there often is in getting the balance right between the two, and the pressure that is sometimes put on them to undertake teaching work, which can be to the detriment of their research and own learning experience.

The third area, which will be close to the Minister's heart—I know the other two will be as well—is the issue of access and widening participation, because we need to be clear that those opportunities exist at every level of our higher education system. The initial focus was on undergraduate access and the Government have taken some welcome steps to address issues relating to postgraduate taught programmes, but we also need to have a focus on postgraduate research opportunities.

The amendment gives UKRI a clear responsibility for postgraduate training and skills development—it is phrased in a way entirely consistent with the royal charters of the current research councils—in conjunction with the office for students. As the Minister will remember, I raised this point with some of the expert witnesses at our oral evidence session. Professor Philip Nelson, the chair of Research Councils UK, agreed that this was an “important issue”. He went on to say that

“we in the research councils have three main ways of supporting PhD students across the sector. We do interact with HEFCE on that currently. I think it will be very important—the point has already been made in evidence to this Committee—that the OFS and the UKRI connection is carefully made.”

Professor Ottoline Leyser from the University of Cambridge agreed that that was an important point and went on to say that

“one of the opportunities generated by UKRI would be the possibility to have more integrated research into teaching and research training...we could develop better understanding of the most effective ways to do research training and teaching. That is one opportunity that is more difficult within a single research council.”—[*Official Report, Higher Education and Research Public Bill Committee*, 8 September 2016; c. 87, Q137.]

There are issues with how to address the learning experience of postgraduate research students. We are supported in the sector; there are problems that we are all aware of. Can the Minister reassure me on how he sees the roles of the two bodies? Will the OFS's role in relation to postgraduate students include the regulation and assurance of quality, information needs for PGR students and their access to and participation in student protections? How does he see UKRI exercising its responsibility for the learning experience of PGR students, in conjunction with the OFS?

**Joseph Johnson:** I welcome the opportunity to set out the importance of postgraduate training and skills development to the future of our economy, and in particular to the strength of our research and innovation sectors. That is reflected in the provisions of the Bill that ensure that UKRI is able to support postgraduate training and work with the OFS on postgraduate and wider skills issues. The OFS and UKRI have been designed to work closely together, but let me offer some thoughts on the division of responsibilities between them and on how they might work together.

The OFS will be the regulator for all students, including postgraduate students, and will monitor the management and governance of HE providers, as well as their overall financial sustainability. The research councils within UKRI will continue to provide research grants for projects. Research England will deliver HEFCE's current research funding powers, such as the quality-related research funding block grant. The Bill proposes safeguards to protect joint working and

“cooperation and information sharing between OfS and UKRI”, which reflects the integration of teaching and research that we discussed earlier.

Research England, within UKRI, will lead on quality-related funding, the allocation for which currently includes an element that recognises research degree supervision. UKRI will fund postgraduate research, as research councils do now. HEFCE currently provides some funding from the teaching grant to support masters-level PGT; all teaching grant responsibilities and associated responsibilities will transfer to the office for students.

UKRI and the OFS will work together on monitoring and evidence gathering on the pipeline of talent from undergraduate study to postgraduate study, early career research and beyond. That underscores our intention for the OFS and UKRI to work closely together to ensure that there are no gaps between their respective roles. We want there to be no difference from the current situation in which an institution may receive funding from a research council but is still subject to HEFCE's oversight of the sector. In practice, individual students will have little, if any, exposure to either body, since their interactions normally take place at an institutional level.

The Bill is a legal framework for these reforms, with the functions of UKRI broadly defined, as are the current functions of the existing bodies. They are drafted to be inclusive and permissive, and to ensure that the functions currently performed by the existing nine funding bodies can continue.

**Paul Blomfield:** A number of the Minister's comments are reassuring. In describing the architecture and exercise of functions, he is talking largely in the context of continuity. The Bill has, at its heart, a drive to improve teaching excellence. Does he also see it as an opportunity to improve the learning experience of postgraduate research students? Should that be as much at the heart of what we are trying to do with the bodies we are creating as it is for the TEF?

**Joseph Johnson:** We see the research quality assurance process, through the REF, and the teaching excellence framework—the teaching quality assurance process that we are introducing—as being mutually reinforcing, as I have previously indicated. We want institutions to consider how they promote research-led teaching in their submissions, and Lord Stern's review of the REF recommended that academics be rewarded for the impact on teaching of the excellence of their research. We will ensure that the two processes are co-ordinated and that timescales and deadlines have flexibility so that institutions can plan for the demands of the two systems.

11.15 am

**Jo Churchill (Bury St Edmunds) (Con):** I listened to what the hon. Member for Sheffield Central said, and I contend that it is purely by having a flexible, open

[*Jo Churchill*]

system that the things he asks for are actually possible. The problems within the system that he articulated are often due to the inadequacies of the departments involved. I know that because I have been closely affected by it. Allowing institutions to work with these overarching bodies but driving quality from the institutions themselves is what is wanted. Furthermore, an individual benefits from being asked to teach. It is not always detrimental for a researcher to expand their skills in that way.

**Joseph Johnson:** In answer to the question from the hon. Member for Sheffield Central on the teaching excellence framework and postgrad research, in the first instance, no, it will not deal with the postgrad experience; it focuses on undergrad and part-time. The Bill sets out clear responsibilities for UKRI and the OFS, with the OFS being the regulator for all students, including at postgraduate level.

There are a number of areas that will require close co-operation between UKRI and the OFS, including on postgraduates, and it is vital that they are empowered to work together. The Bill does that through clause 103, which enables and ensures joint working, co-operation and the sharing of information. An emphasis on working together will run through the leadership and management of both organisations, supported by a legal framework that will be sufficiently flexible to deal effectively with areas of shared interest.

**Paul Blomfield:** I thank the Minister for taking an intervention before he concludes, because I want to push a little further on the point I made earlier. The Bill seeks to improve the learning experience of taught students. Does he see that this is also an opportunity to improve the learning experience of postgraduate research students? Does he hope that the OFS and UKRI will work together to do that?

**Joseph Johnson:** Yes. We obviously recognise that our intention to drive up opportunities for informed choice and for students to receive a higher-quality experience

in HE applies to all levels of study and all modes of provision. We certainly want to see postgraduate research included in that.

In the initial phase of the teaching excellence framework, as it develops and as it is trialled, we are focusing on undergraduate provision in the first instance, but we hope that in time it will be able to capture aspects of postgraduate provision, including postgraduate teaching. That is not something that we anticipate happening in the first three years of the new teaching excellence framework, but it could be something that we put into practice in the years that follow.

I conclude by reassuring hon. Members that I recognise the importance of postgraduate training and skills development in ensuring the continued strength of research and innovation in the UK, which is reflected in the Bill. I therefore ask that the amendment be withdrawn.

**Paul Blomfield:** I thank the Minister for his reassurance. I say in passing to the hon. Member for Bury St Edmunds that I was not suggesting that teaching is to the detriment of research. Teaching is vital to the learning experience of many PGR students, but it is sometimes a question of getting the balance right, as it is when dealing with some of the other issues and challenges that postgraduate research students face.

On the basis of the reassurance the Minister has given that he sees the OFS and UKRI as having a role in ensuring we enhance the learning experience of PGR students, I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

**The Chair:** We are coming to the end of our allotted time. It might be convenient to draw stumps before we start consideration of the next amendment. I apologise that I will not be here this afternoon for the last sitting. Appropriate words will be said at the end, but I thank Mr Marsden for his dogged perseverance in holding the Government to account and the Minister for defending the Government.

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

11.20 am

*Adjourned till this day at Two o'clock.*