

Higher Education and Research Bill

Overview

We support the Government's commitment to maintain and build on the world-class research and innovation taking place at our leading universities. However the Government should be careful about making any substantial changes to a successful system that allows us to punch above our weight internationally.

Russell Group universities deliver outstanding research hand in hand with excellent teaching – and this is central to the student experience they provide. We welcome the Government's willingness to consider and propose amendments to the Higher Education and Research Bill that will strengthen the UK's world-class higher education system.

Autonomy

- Maintaining academic freedom and institutional autonomy are paramount to the ongoing success of our universities. Research shows that higher education systems built on institutional autonomy and academic freedom are more productive and competitive.
- Successive governments have recognised university autonomy as a fundamental strength and expressed their commitment to protect it. We welcome the current Minister's reaffirmation of this:

"We need a simpler, less bureaucratic and less expensive system of regulation... One that protects institutional autonomy and academic freedom and maintains the highest quality of higher education, safeguarding the strong international reputation of English universities." Jo Johnson MP, 9/9/15

- The Government has shown positive movement on this issue but we would welcome stronger language which would require the Secretary of State to have a duty to protect academic freedom, rather than simply to have a regard to it.

Part 1 – The Office for Students		
Clause(s)	Issue	Amendment
2, 35, 68	General duties of the OfS	The SoS should have a 'duty' to protect academic freedom, which should also include providers' governance arrangements
13, 23	Standards	Amend Clause 13, paragraph 2 to refer to threshold standards. Amend Clause 23, paragraphs 1 and 2 so that the OfS only has a role in considering the processes higher education providers use for determining standards
13, 14	Public interest governance	Amend Clause 14, paragraphs 7 and 8 to ensure universities retain the freedom to appoint their own governors and governing bodies and that the OfS must consult HE providers when determining or revising principles
40	Authorisation to grant degrees	Amend paragraph 1 and add a new paragraph 2 to require that the OfS and UKRI must cooperate on the authorisation of new research degree awarding powers
43, 53, 56 and 15	Various powers of the OfS	Ensure appropriate safeguards are introduced for established HE providers and that there is appropriate Parliamentary scrutiny of OfS' enforcement powers and how they are used, especially in relation to degree awarding powers and revocation of university title

Research

- Legislative protection for the dual support system of research funding is welcome; the combination of stable core funding and competitively awarded grants ensures the diversity and breadth of research in the UK.
- How the principle of ‘reasonable balance’ in funding for the Research Councils and Research England will be determined is critical.
- UK Research and Innovation (UKRI) and its constituent Councils must be strong and effective bodies in their own right to ensure research and innovation continue to be a key strength within universities and for the UK as a whole.
- The Minister has helpfully reiterated his commitment to the Haldane Principle, however the legislation should be strengthened to ensure all Councils of UKRI have equal and appropriate autonomy.

Part 3 – Research		
<i>Clause(s)</i>	<i>Issue</i>	<i>Amendment</i>
91	Functions of Research England	Amend paragraph 2 to include knowledge exchange and innovation
95, 96	Grants to UKRI and powers of SoS to give directions to UKRI	Amend Clause 95, paragraph 2 and Clause 96, paragraph 2 to ensure all Councils under UKRI have the same protections as Research England

Schedules		
<i>Schedule</i>	<i>Issue</i>	<i>Amendment</i>
9.3	Membership of UKRI’s Councils	Amend wording so as not to limit the number of ordinary Council members. Delete paragraph 3 and amend paragraph 4 to protect the autonomy of UKRI and its Councils.

Maintaining links between teaching, research and innovation

- Excellent teaching and research are fundamentally linked within universities: the best teaching is research-led and the best research is informed by close links with teaching.
- The mechanisms and legislation which will underpin how the OfS and UKRI work together must be considered carefully to prevent a split between teaching and research.

Part 4 – General		
<i>Clause(s)</i>	<i>Issue</i>	<i>Amendment</i>
106	Cooperation between OfS and UKRI	Amend paragraph 1 so that OfS and UKRI must cooperate on the authorisation of research degree awarding powers, on knowledge exchange funding and activities, and on oversight of financial sustainability of HE providers