

PARLIAMENTARY BRIEFING

Higher Education and Research Bill: Consideration of Lords Amendments

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HIGHER EDUCATION AND RESEARCH BILL

The Higher Education and Research Bill is attempting to change some of the fundamental elements of the higher education sector in the UK. As such, it has required and received an extremely high level of scrutiny. Throughout the passage of this Bill we have worked with the government and Parliamentarians to improve the Bill on behalf of universities and students.

MillionPlus has welcomed the government's efforts to improve upon the architecture of parts of the sector. However, it was our firm belief that much of the original Bill would have been harmful to one of the UK's most successful and world-leading sectors, and we have been forceful in our attempts to ensure that the Bill that passes is as robust and fair as possible.

We are pleased that the government has listened to many of our concerns, and that the Bill, as it stands after Report Stage in the House of Lords, is a much better piece of legislation as a consequence. To that end, there are some key elements that have been inserted into the Bill by the House of Lords that **must stay** in the legislation if this Bill is to help the UK's universities. Any substantial alterations on the key issues outlined below would be damaging for this sector, and would have wide-ranging consequences for communities across the country. We hope, therefore, that MPs of all parties will support the inclusion of these amendments into the Bill, and will vote to support our world-leading universities.

International Students

Amendment 156: Students and academic staff at higher education providers

This new clause was supported on a cross-party basis in the House of Lords and is an extremely welcome addition to the legislation, at a crucial time. If passed, it will support our universities in recruiting international students, which will help to re-establish the UK's strong position as a destination of choice for talent from across the world.

Currently, international student figures are merged with long-term migrant data. This confuses and conflates two very separate and distinct policy areas. Indeed, less than a quarter of the public even view overseas students as migrants at all. As a consequence of the current policies the operation of the visa regulations that are applied to international students can be used to reduce overall migrant numbers. While there is no formal limit on the number of international students who can be recruited, this current approach has undermined the UK as a destination of choice for international students, and more and more hurdles have been placed in their path. This direction of travel has not gone unnoticed around the world, and it has the potential to harm the UK's reputation globally.

Over recent years the UK has been losing market share to our HE competitors, particularly in respect of markets such as India – where the UK has seen a reduction of over 50% in students coming to the UK since 2010¹.

International students are a huge benefit to the UK, and to the regions they study in. Non-UK students contributed £13.8bn to UK GDP in 2014-15, and they supported over 200,000 jobs. This is not just a benefit to the higher education sector, as £5.4bn was spent off-campus in communities across the UK, with £1.2bn going towards the UK's transport industry and a further £750m to the retail sector².

They also bring incalculable academic and cultural benefits, and add value to the 'soft power' and strategic partnerships of the UK, as well as ensuring that many courses at universities across the country are viable and successful. With the UK leaving the European Union, it has never been more important that UK universities are supported to recruit international students, and removing students from long-term migration statistics in public policy terms will be an enormous benefit to our universities, and to the UK economy.

This issue is one that has enormous support amongst students, universities, and Parliamentarians, and keeping this clause in the Bill is imperative.

Market Entry Criteria

Amendment 71: Grant, variation or revocation of authorization: advice on quality etc.

The amendments to this Clause will help to ensure that the current high bar for entry into the sector is maintained. They will not in any way prevent new providers from entering the market.

Degree awarding powers and university title should come with an obligation to ensure that the highest standards and practices are maintained. The UK's higher education sector is the envy of the world, and its reputation for excellence must, therefore, be protected and enhanced. This amendment will ensure that any new providers have at least four years' experience of validation arrangements and will help safeguard both the student interest and confidence that new providers will be viable and meet the rigorous criteria expected of all universities.

The higher education sector is highly competitive, and competition leads to greater innovation. We support new providers entering the market, however they must do so at the same standards as those already in it, otherwise this is not truly competition, it is simply lowering the quality bar. We would therefore ask you to support keeping these criteria within the Bill, and maintaining the rigour and high standards of the sector.

¹ <http://www.hindustantimes.com/world-news/more-indian-students-stay-away-from-britain/story-9wQN1CinOu8rZviqgR4IRL.html>

² <http://www.universitiesuk.ac.uk/policy-and-analysis/reports/Documents/2017/briefing-economic-impact-international-students.pdf>

The Teaching Excellence Framework

Amendment 12: Regulated course fees etc: use in relation to section 25

Amendment 23: Scheme to provide information about the quality of higher education and higher education teaching

The House of Lords made two significant changes in respect of the proposed Teaching Excellence Framework (TEF) which we strongly urge Members to support. MillionPlus supports any moves by the government to improve teaching excellence, however, the proposals that the government originally put forward will not do that, and could potentially do great harm the sector.

The use of proxy metrics to judge teaching excellence does not get to the heart of the issue, and will not measure the quality of teaching in any meaningful sense. When the outcomes of the TEF are linked to the ability to raise fees the problem is exacerbated, and universities will be ranked according to metrics that do not tell us about what they claim to be measuring. The original plans have been criticized not just by the House of Lords, but also by the Business, Innovation and Skills Committee (as was), Universities UK, the National Union of Students, and the University and College Union³.

Furthermore, the labelling of institutions as 'gold, silver or bronze' under the current proposals, derived from these proxy metrics, has the potential to do real damage to not just a given university's reputation, but also the entire sector more broadly – both at home and abroad. The higher education sector is something the UK is rightly proud of, and its reputation is second to none, and moves to threaten this would be extremely unwelcome. This point was one championed strongly in the House of Lords.

We believe the amendments put forward through the House of Lords will increase the ability of the TEF to truly act as a measure of teaching excellence, with results that will genuinely help universities improve their teaching instead of being simplistically ranked and differentiated.

We all want to see the very best quality teaching in all of our universities, and by supporting the inclusion of these Lords amendments MPs will benefit the universities in their regions, as well as helping to secure the wider prestige and reputation of the sector nationwide.

Conclusion

This Bill, if passed into law, will make profound changes to the higher education sector. Although we have not always supported each element of it, we are confident that, through the changes that have been made by Parliament, we now have a much better Bill today.

However, if the amendments above are removed from the Bill the UK will have lost a golden opportunity to improve this legislation still further. Universities across the country have never been more important in their communities, nor have their international ties been as needed as they are today. It is therefore vital that our universities, and their students, are supported by the government and by all Parliamentarians, and that these excellent additions to the Bill remain in place.

For more information please contact Adam Haxell, Senior Parliamentary Officer, at adamhaxell@millionplus.ac.uk or call 02077171687

³ <http://www.nusconnect.org.uk/resources/nus-briefing-higher-education-and-research-bill-commons-ping-pong>