



The Scottish Parliament  
Pàrlamaid na h-Alba

## EDUCATION AND SKILLS COMMITTEE

Lord Fowler  
Speaker of the House of Lords

T3.40  
The Scottish Parliament  
Edinburgh  
EH99 1SP  
Direct Tel: 0131 348 5222  
Fax: 0131 348 5600  
[es.committee@parliament.scot](mailto:es.committee@parliament.scot)

By email [lordspeaker@parliament.uk](mailto:lordspeaker@parliament.uk)

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Dear Lord Fowler

The Education and Skills Committee of the Scottish Parliament has been scrutinising the provisions of the Higher Education and Research Bill in order to assess their potential impact in Scotland, focusing on research architecture and funding streams and also on the Teaching Excellence Framework. Witnesses from Universities Scotland, Royal Society of Edinburgh, UCU Scotland, NUS Scotland and the Scottish Funding Council all gave written and oral evidence to the Committee. I attach links to the *Official Report*, associated written submissions and correspondence from the Scottish Government for your reference.

The Committee is aware of the continued representations from the Scottish Government to the UK Government in relation to the potential impact of this Bill in Scotland and the need to reflect and protect the specifics of what is a very valued Scottish system through amendments to the face of the Bill.

The Committee was struck in its evidence session how unified witnesses were in their views on how the Bill needs to be amended, and these views align with the Scottish Government's efforts.

We wish to add the weight of the Committee's support to these efforts, including highlighting particular amendments that should be made to reflect the Scottish perspective.

### ***Teaching Excellence Framework***

Witnesses suggested the TEF is a means, in England, for tuition fees to be increased and for influencing the number of overseas students. It was suggested in evidence, the TEF would provide less current or granular information than the much

valued Scottish quality assurance mechanism, which operates through partnership, puts students at the centre and is driven by peer review and improvement. It was also suggested the TEF could potentially lead to a diminution of the Scottish mechanism or a double burden of work on Scottish institutions.

Scottish universities operate in an extremely competitive environment at UK and international level meaning the TEF presents Scottish Universities with a dilemma on whether to opt-in to the system since being able to demonstrate having the highest levels of quality and student satisfaction is important to bringing in students from elsewhere. The likelihood, it was suggested, is that universities would feel a huge pressure to take part in order to protect their positions on the international stage.

As a result of concerns raised the Committee agreed not only to write to you but also to write to the Home Office seeking clarification as to whether it will link TEF gradings to university entitlements to recruit international students. Alastair Sim from Universities Scotland highlighted serious concerns from his organisation in this regard:

*There is also an underlying worry....what will happen if the Home Office—in our view, it is inevitable—decides to link TEF gradings to our entitlement to recruit international students. As far as I am concerned, every institution in Scotland is robustly quality assured and I do not think that there is any justification whatsoever for using TEF ratings to determine whether we are allowed to recruit international students. There would be a serious risk if the Home Office was to do that.*

Finally in relation to the TEF, witnesses highlighted the importance of ensuring the metrics within the TEF do not create a system that is unfairly stacked against Scottish institutions. The Committee wishes to add its support to ongoing work that seeks to ensure the matrix sufficiently reflects Scotland. The Committee would be very supportive of any progress made through your scrutiny of the Bill in this regard.

### **Research architecture and funding**

The panel highlighted the value of the current collaborative approach across the UK. Universities Scotland stated that “We believe the UK research endeavour is deeply collaborative between UK and devolved-level actors and that this is an asset to the excellence of research in universities and research institutes across the UK. We want to see this maintained in the new structures.”

In light of this the stakeholders all raised issues with the structure and governance of UKRI. RSE stated that “UKRI can only achieve [its] aims if it truly represents research communities across all parts of the UK, and, through the Research Councils, across all disciplines.”...“Explicit recognition of UKRI’s country-wide role is particularly crucial in light of the inclusion of Research England within the body. The RSE shares the concerns of Universities Scotland and others that this structure may significantly, if unintentionally, skew the focus of UKRI towards England, to the detriment of the devolved nations”

The RSE also raised specific issues in relation to the dual support mechanism whereby “two previously distinct strands of public funding for research merge within

one body...there is potential for negative impact for Scotland if funds for which it can currently compete through the Research Councils are moved to Research England, from which Scotland's institutions will be excluded.”

The Committee is very aware of the value of Research Council funding and in general the strong record of support for Scottish projects, based on the competitive excellence of Scottish universities. It also supports evidence heard on the need to ensure UKRI is reflective of Scottish interests and to ensure that the role of Research Councils is not downgraded.

Specifically, the Committee would support amending the bill to create a statutory firewall between the funding of research England and the funding of Innovate UK and UKRI generally. It would also support amending the bill to ensure Scottish representation on UKRI and the Research Councils. Universities Scotland highlighted a number of other potential amendments in evidence, all seeking to ensure Scottish interests are factored into decision making. The Committee draws this particular extract of the *Official Report* to your attention for consideration (cols 13 and 14).

Yours sincerely

**JAMES DORNAN MSP**  
**CONVENER**

## Official Report and Evidence Received

### Official Report

The Official Report of the Committee's evidence session on 16 November 2016:  
<http://www.parliament.scot/parliamentarybusiness/report.aspx?r=10635&mode=pdf>

### Submissions

The received the following submissions in relation to the LCM:

#### *First Tranche*

- [National Union of Students Scotland \(235KB pdf\)](#)
- [Scottish Funding Council \(260KB pdf\)](#)
- [The Royal Society of Edinburgh \(273KB pdf\)](#)
- [University and College Union Scotland \(109KB pdf\)](#)
- [Universities Scotland \(420KB pdf\)](#)

#### *Second Tranche:*

- [The Royal Society of Edinburgh \(2MB pdf\)](#)
- [Scottish Funding Council \(233KB pdf\)](#)
- [Universities Scotland \(212KB pdf\)](#)

### Correspondence

The Committee received a number of letters from the Scottish Government in relation to the LCM:

- [Letter to the Minister for Further Education, Higher Education and Science to update on Committee's consideration of the LCM \(26KB pdf\)](#)
- [Letter from the Minister for Further Education, Higher Education and Science in response to the Committee's request for perspective on submissions received - 11 November 2016 \(1.4MB pdf\)](#)
- [Letter from the Minister for Further Education, Higher Education and Science enclosing a letter from the UK Government - 15 November 2016 \(812KB pdf\)](#)