



The All-Party Parliamentary **University Group**

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University APPG weekly update

A regular digest of House of Commons, House of Lords, and higher education sector business.

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Parliamentary Business

Higher Education (Freedom of Speech) Bill – Lords Second Reading:

On 28 June, the House of Lords debated the Higher Education (Freedom of Speech) Bill at its Second Reading Stage. Second Reading is a chance to debate the general principles of the Bill, with peers setting out their positions.

Earl Howe, Deputy Leader of the House of Lords, opened the debate claiming that free speech was the lifeblood of a university, and Britain's higher education institutions were "world class". He cited the growing proportion of students who believed universities were "becoming less tolerant of a wide range of viewpoints" as motivation for the Bill.

Baroness Thornton, Shadow Equalities Spokesperson, criticised the Bill for having no evidence base. She said there was an "understandable concern" that the Bill may undermine existing protections against discrimination and would introduce a new costly mechanism that could "allow hate-filled individuals" to sue a university if they feel that their opinion has not been adequately heard". Baroness Thornton also said that Labour would seek to table the same amendments it had in the Commons. This includes an independent appointments process for the new OfS director of free speech, a broadening of the definition of academic freedom, a sunset clause so the legislation expires after three years and a requirement for the OfS to consider competing freedoms when investigating free speech complaints. She outlined Labour's intention to bring back an amendment tabled by Jess Phillips MP (Lab) which sought to prohibit the use of non-disclosure agreements (NDAs) by universities in relation to sexual harassment.

Lord Wallace of Saltaire, Liberal Democrat Lords Spokesperson, said the Bill was "unnecessary and un-Conservative" and addressed a problem that was "far less severe than right-wing think tanks have claimed, and for which the government's White Paper admitted that there is very little supporting evidence."

Baroness D'Souza (CB) questioned whether a law could adequately define contentious speech and views separately from the context in which they took place, adding that "freedom of expression and its regulation depend on context". She said her inclination was towards "non-interference by the state," and that the Bill would need scrutiny to "avoid undue regulation of what is a fundamental right."

Lord Willetts, Conservative former Universities Minister, agreed with the minister on the importance of university as a place to learn and practice free speech. He asked the minister to explain why both regulatory route and legal protection route were applied in this legislation, and why both were necessary.

Baroness Deech, former Chair of the Office for the Independent Adjudicator for higher education (OIA), agreed there was a problem, but that this Bill was "not the right way to tackle it". She criticised the Bill for referring to freedom of speech within the law without giving a definition. She asked if freedom of speech would "trump the other values, not expressed in straightforward law, that universities promote".

Lord Jo Johnson (Con), another former Universities Minister, spoke to Clause 9, seeking to raise the £75K threshold for reporting foreign financial arrangements, suggesting it should even be raised to £1 million. He also welcomed exemptions for "friendly" states. However, he also suggested that the scope be extended to international recruitment as he said this was a clear gap and if there was to be transparency in overseas funding then it would require this.

The Bill will now move to its Lords Grand Committee Stage, where it will receive line-by-line scrutiny and Peers will be able to table amendments. The timing for Committee Stage has not yet been confirmed, but it normally takes place around 14 days after Second Reading.

You can watch the debate [here](#) and read the transcript [here](#).

Westminster Hall debate on NDAs

On Wednesday 29 June, Liberal Democrat MP Layla Moran opened a Westminster Hall debate on the use of non-disclosure agreements (NDAs) in alleged cases of sexual violence, bullying and harassment at universities.

Layla Moran MP cited a university student who had been asked to sign a no-contact agreement following an accusation of sexual assault they had made. The agreement had contained a gagging clause, inhibiting them from speaking publicly about the alleged assault. She added that this example was not unique but representative of many cases.

Layla Moran had written to all 39 Oxford colleges to ask them to sign a pledge against the use of NDAs in cases of sexual harassment, abuse, or misconduct. She added that signing the pledge should "be only the beginning", as some students had expressed concerns that colleges and universities would sign up to it and then sneak clauses into agreements and argue that it did not actually constitute an NDA.

She also said she had met with the Office for Students (OfS) who had recognised there was more it could do, and intended to do, on "bad behaviour by universities." However, she expressed concern that this work was too slow.

Layla Moran noted her intention to table a Private Member's Bill that would regulate the use of NDAs or gagging clauses by universities. She added that the government had the opportunity to insert the necessary language to tackle this issue into the upcoming Victims Bill.

The Minister for Higher and Further Education, Rt. Hon. Michelle Donelan, reiterated her view that the use of NDAs to silence victims in these cases, was simply wrong and noted the recent establishment of a pledge for universities in conjunction with the Can't Buy My Silence campaign. 67 institutions had signed the pledge so far, meaning over one million students were now studying on campuses covered by it, the minister added.

The minister also said that there was more to do and that she believed the OfS had a key role to play in that. She noted that, in April 2021, the regulator had published a framework and statement of expectations on harassment and sexual misconduct. She said that one obvious way for providers to meet the expectations was to prohibit the use of NDAs in these cases. She welcomed the guidance published last year by Universities UK on sexual misconduct and added that the government had provided £4.7m of funding to the OfS for safeguarding projects between 2017 and 2020. She also highlighted the government strategy to tackle violence against women and girls (VAWG).

You can watch the debate [here](#) and read the transcript [here](#).

Forthcoming business

Education Oral Questions

On Monday 4 July at 2:30pm, the Secretary of State for Education, Rt. Hon. Nadhim Zahawi MP and his ministerial team will answer questions in the House of Commons.

Questions have been tabled on topics including student mental health and the quality of higher education courses.

You can find a list of tabled questions [here](#) and watch the session [here](#).

Levelling Up and Regeneration Bill at Commons Committee Stage

On Tuesday 5 July from 9:25am and Thursday 7 July from 11:30am the Levelling Up and Regeneration Bill will continue its line-by-line scrutiny by Public Bill Committee.

You can watch the Tuesday 5 July session [here](#) and the Thursday 7 July session [here](#). The latest list of amendments can be found [here](#).

National Security Bill at Commons Committee Stage

On Thursday 7 July from 11:30am, the National Security Bill will receive its first day of line-by-line scrutiny by Public Bill Committee.

You can watch the session [here](#) and find the latest list of amendments [here](#).

Written Questions

Educational Exchanges

Baroness Ritchie of Downpatrick: To ask Her Majesty's Government what steps they will take to reinstate the Erasmus scheme for developing international educational opportunities in all schools in England. [HL917]

Baroness Barran: While the government fully recognises the benefits of international educational opportunities, the government has decided that it was not in the UK's interests to seek continuing participation in the Erasmus+ programme.

Under the Withdrawal Agreement negotiated with the EU, the UK will continue to participate fully in the 2014-2020 Erasmus+ and European Solidarity Corps programmes. This means that the projects successfully bid for during the current programmes will continue to receive EU funding for the full duration of the project, where certain projects may continue up to 2024.

The UK has introduced the Turing Scheme, a new international mobility scheme that has a global reach. The Turing Scheme provides funding for UK education providers and organisations in the schools, higher education, further education, vocational education, and training sectors to offer international opportunities across the world for their pupils, students, and learners. Funding has been allocated for over 41,000 individual placements to over 150 destinations across the 2021/2022 academic year.

Adult Education: Publicity

Lord Taylor of Warwick: To ask Her Majesty's Government what plans they have to run a national campaign for adult education explaining (1) what opportunities are free to access, and (2) how to access courses. [HL968]

Baroness Barran: A large number of providers across the country, such as further education colleges and Independent Training Providers, are already delivering local adult education and skills provision. This ensures that adult learners have the opportunity to gain new qualifications and skills in their area.

The department is continuing to invest in education and skills training for adults through the adult education budget (AEB). This comprises £1.34 billion in the 2021/22 academic year. The AEB fully funds, or co-funds, skills provision for eligible adults aged 19 and above from pre-entry to level 3. This is to help them gain the skills they need for work, an apprenticeship, or further learning.

The department is also investing £1.6 billion through the National Skills Fund across the 2022 to 2025 financial years, on top of the £375 million already committed in the 2021/22 financial year. This includes investment of up to £550 million to significantly expand Skills Bootcamps, and investment to expand the eligibility for delivery of the Free Courses for Jobs offer, which is now open to more adults.

The National Careers Service provides free, up-to-date, and impartial information, advice, and guidance to help individuals consider the different programmes, learning and skills opportunities in their local areas. This helps them determine which route would be best for them. This includes community-based face-to-face service for priority groups of adults, such as those with low qualification levels or learning difficulties and disabilities.

The department launched the Skills for Life campaign in January 2022, focusing on adults in England. The campaign aims to raise awareness of the different education and training routes available for adults to get the skills they need to get the job they want, whatever their stage in life. This includes promotion of free opportunities for adults, such as Skills Bootcamps, Free Courses for Jobs, apprenticeships, Multiply and essential maths, English, and digital skills. The campaign signposts adults to Skills for Life and the National Careers Service to find out more and apply. The department plans to launch the second phase of the campaign later this year.

Health Professions: Migrants

Rachael Maskell: To ask the Secretary of State for Health and Social Care if he will make representations to the higher education sector to encourage them to facilitate fast-track courses for health and social care professionals coming to the UK from overseas. [23336]

Edward Argar: The Department has no plans to make such representations. Healthcare regulators retain the autonomy to set, maintain and assess international qualifications against United Kingdom standards

UK Research and Innovation: Finance

Julian Knight: To ask the Secretary of State for Business, Energy and Industrial Strategy, what steps his Department is taking to increase funding to (a) UK Research and Innovation and (b) mathematical sciences. [21215]

George Freeman: UKRI's council level allocations were published on 30 May. The total UKRI allocation is £25.1 billion for 2022-25 and will reach its highest ever level in 2024-25 (over £8.8 billion).

This multi-year settlement provides UKRI and its constituent research councils with stability and certainty to deliver world class research and innovation across their portfolio, including in mathematical sciences.

Universities: Admissions

Lord Taylor of Warwick: To ask Her Majesty's Government what plans they have to require the Office for Students to (1) monitor trends in international student recruitment, and (2) impose regulatory conditions on universities that have low diversity rates among their student body. [HL1017]

Baroness Barran: The department monitors international student recruitment trends and has set out in the International Education Strategy (IES) that diversification and sustainable recruitment of international students remains a key strategic priority.

The IES sets an ambition to host at least 600,000 international higher education students in the UK, per year, by 2030. This ambition was met for the first time in the 2020/21 academic year, with over 605,000 international students studying in the UK.

The government does not plan to require the Office for Students (OfS) to undertake additional monitoring of trends in international student recruitment.

Regarding measures to improve diversity at specific providers, under OfS registration condition A1, all approved (fee cap) providers charging higher fees must have an approved access and participation plan in place. These must present a credible, ambitious strategy by the provider for closing identified gaps in access, continuation, and progression for disadvantaged and under-represented groups within their student body. Providers are held accountable on their targets via an annual monitoring return to the OfS. 171 providers had an OfS approved access and participation plan in the 2020/21 academic year, in accordance with the regulatory framework and powers under the Higher Education and Research Act 2017.

It is important that providers focus on supporting students to see good outcomes, not just getting more disadvantaged students through the door, this is what will ensure that Higher Education (HE) remains an engine of true social mobility. The department expects providers to do more to support high prior attainment for all, and to help students to identify and access the pathways that are right for them. That is why we have tasked the OfS through guidance issued in November 2021 with a reboot of access and participation in English HE.

John Blake, as Director for Fair Access and Participation at the OfS, is responsible for driving these changes forward. John is working closely with the sector to encourage stronger partnerships between HE providers and schools, and the expansion of the range of courses that are both offered and promoted to prospective students.

Skilled Workers: Vacancies

Baroness Uddin: To ask Her Majesty's Government what assessment they have made of the extent to which there is a skills shortage in the technology sector; in particular, in respect of emerging technologies. [HL1067]

Baroness Barran: The recently published Digital Strategy (June 2022) identifies the supply of digitally and tech-enabled workers, at all levels, as crucial for the UK's long-term economic prosperity. It estimates that the digital skills gap costs the UK economy £63 billion per year in lost potential gross domestic product. This gap cuts across all areas of the economy and is expected to widen. The department's Employer Skills Survey (2019) identifies that two-fifths of skills gaps (38%) involved a deficiency in digital skills, which includes both basic computer literacy and IT skills, as well as more advanced or specialist IT skills.

Building on the vision of the Skills for Jobs White Paper (January 2021), the department is working closely with the industry to tailor training offers to meet their needs and strengthen progression routes into the tech sector. We are growing the prestigious apprenticeships programme, rolling out T Levels and Higher Technical Qualifications, and investing in Institutes of Technology. We have overhauled the outdated ICT curriculum and replaced it with computing and invested £84 million to improve the quality of computing teaching in England and to inspire the next generation of computer scientists. The newly formed Digital Skills Council will provide a crucial forum for developing these interventions, ensuring they are relevant and responsive to emerging technologies.

In addition, the department has established a new Unit for Future Skills to improve the quality of jobs and skills data and to make these available and more accessible to policymakers, stakeholders, and the public. Last month the Unit for Future Skills published new data products on the routes that learners take through education and into employment in different industry sectors (including the IT sector), which can be found here: <https://bit.ly/3bCQRvM>.

Veterans: Northern Ireland

Lord Empey: To ask Her Majesty's Government what support is available for ex-service personnel in Northern Ireland who do not qualify for enhanced learning credits to fund (1) further, or (2) higher, educational courses. [HL1028]

Lord Caine: We remain committed to ensuring that our veterans can access gold standard services irrespective of where they live in the UK - including in Northern Ireland where circumstances mean a slightly different approach is necessary.

Whilst skills is a devolved matter in Northern Ireland, with further and higher education the responsibility of the Northern Ireland Department for the Economy, the Government has shown time and time again that it is committed to supporting Northern Ireland, levelling up across the UK and strengthening our Union.

We have invested £15m from the New Deal for Northern Ireland to enable the Department for the Economy to deliver the 'Skill Up' initiative, which will fully fund further education colleges and universities to provide approximately 15,000 training places to support key growth sectors.

Sector News

Universities Minister letter on Race Equality Scheme

In a letter sent to institutions published on Monday 27 June, the Minister for Further and Higher Education, Rt. Hon. Michelle Donelan suggested that diversity schemes were causing a “chilling effect” on university campuses, undermining an environment of free speech. One of the areas that is claimed to be in tension with free speech are university’s membership and participation in external assurance and benchmarking diversity schemes (such as the Race Equality Charter, operated by Advance HE).

While noting that universities and other HE providers are autonomous institutions, the minister called for a careful reflection as to whether continued membership of such schemes is conducive to establishing such an environment of free speech. The letter also noted concerns that these schemes created new, highly paid, management roles and encouraged consideration as to whether these represented good value for money.

You can read the letter [here](#). You can read the response from Advance HE [here](#).

Prime Minister’s Office announces programme for Ukrainian researchers

On Tuesday 28 June, the Prime Minister announced a series of measures to support Ukraine's Science and Technology and research sectors, as part of the UK's wider efforts to bolster Ukraine's economy and security in the face of “Russia's brutality”. These measures include:

- Quadrupling of funding to 'Researchers at Risk' scheme which aims to help Ukrainian scientists and other researchers to continue their work in the UK.
- UK universities and institutions have come forward to support their Ukrainian counterparts, backed by UK Government initiatives and funding.
- Science and technology sector will be a crucial component of helping sustain and rebuild the Ukrainian economy while increasing partnerships which also create jobs in the UK.

You can read the announcement [here](#).

Signing ceremony confirms 71 “twinning” partnerships now in place between UK and Ukrainian universities

On Tuesday 28 June, it was announced that 71 partnerships between UK and Ukrainian universities were now in place with eight more nearing formal agreement. The partnerships aim to facilitate the

sharing of resources and support in a collective gesture of solidarity and reciprocity to help Ukrainian institutions, staff, and students.

The scheme has generated huge support since its recent launch by the Cormack Consultancy Group (CCG) and Universities UK International (UUKi) with UK universities partnering directly with their Ukrainian counterparts for a minimum of five years.

The signing ceremony – on Ukrainian Constitution Day – came as the UK government also announced £190,000 of financial assistance to establish and support the twinning initiative.

You can read the full update [here](#) including a list of the twinned institutions.

OfS report on financial sustainability of higher education providers in England

On Thursday 20 June, the Office for Students (OfS) published an update for 2022 on the financial sustainability of higher education providers in England. Despite a positive picture across the sector, the regulator warned that an overreliance on income from overseas students represents one of several financial risks to individual universities.

The report shows that, across the sector as a whole, universities and other higher education providers project:

- Total income to grow from £37.31 billion recorded in 2020-21 to a forecast £45.72 billion in 2024-25.
- A reduction in borrowing, both in cash terms and as a percentage of total income. Providers forecast £13.78 billion of external borrowing in 2024-25 (compared to £14.10 billion in 2020-21).
- A reduction in the aggregate surplus in the sector (adjusted to exclude pension provision adjustments) in the coming years. A surplus of £1.74 billion (4.7% of total income) was recorded in 2020-21. This is forecast to fall to £896 million (2.2% of total income) in 2021-22 before recovering to £1.67 billion (3.7% of total income) in 2024-25.
- Cash flow from operating activities to decline in the short term before picking up to approximately pre-coronavirus levels over the longer term.
- Expenditure to increase at an overall higher rate than income during the period, with a warning that inflationary pressures are likely to be more significant than universities have forecast.

You can read the full 2022 update from the OfS [here](#).

DfE guidance for transparency in advertising for higher education providers

The Department of Education (DfE) have published new non-statutory guidance aimed to help higher education providers in England improve the transparency and consistency of advertising.

The guidance states that advertising should include drop-out and employment rates to prevent students ending up “stuck on dead-end” courses.

DfE are asking providers to act on this guidance voluntarily in all new advertising. Take-up will be monitored, and feedback will be sought on providers’ experience of implementation. The guidance will be reviewed before February 2023.

Read the full guidance [here](#).