

Skills and Post-16 Education Bill [HL]

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[For Third Marshalled List]

After Clause 25

BARONESS BERRIDGE

Insert the following new Clause—

“Relevant date for purposes of fee limit for certain higher education courses

In paragraph 3(3) of Schedule 2 to the Higher Education and Research Act 2017 (the fee limit where the provider has no access and participation plan), omit “before the calendar year”.

Member’s explanatory statement

Certain fee limits for academic years of higher education courses depend on whether the provider had a high level quality rating on a particular date. This new Clause changes that date to 1 January in the calendar year in which the academic year begins from 1 January in the previous calendar year.

Clause 15

BARONESS BERRIDGE

Page 18, line 17, leave out “In section 83(1) of”

Member’s explanatory statement

This is consequential on the Minister’s second amendment at page 18, line 17.

Page 18, line 17, after “2017” insert “is amended as follows.

- (2) In section 9 (mandatory transparency condition for certain providers), after subsection (3) insert—
 - “(3A) The OfS must not request information relating to modules by virtue of a transparency condition more frequently than it requests information relating to full courses by virtue of the condition.”
- (3) In section 11 (duty to publish a list regarding the fee limit condition)—
 - (a) in subsection (1)(b), after “course” insert “which is a full course”;

Clause 15 - continued

- (b) in subsection (2), after “qualifying course” insert “which is a full course”;
- (c) in the heading, after “condition” insert “in connection with full courses”.
- (4) In section 65 (duty to publish higher education information) –
 - (a) in subsection (3), after “information” insert “, where it relates to full courses,”;
 - (b) after subsection (3) insert –
 - “(3A) The information, where it relates to modules, must be published –
 - (a) at appropriate times, but
 - (b) no more frequently than once a year.”;
 - (c) in subsections (5), (6) and (7), after “(3)” insert “, (3A)”.
- (5) In section 83(1)”

Member’s explanatory statement

This amendment ensures that certain requirements for higher education providers, and the Office for Students or a designated body, about providing and publishing information are no greater in relation to modules than to full courses, and that the requirement for the Office for Students to publish fee limits applies only in relation to full courses.

Page 18, line 23, leave out from “course” to end of line 24 and insert “, where it is undertaken otherwise than as part of that course;”.

- (6) In section 85 (definitions) –
 - (a) in subsection (1), at the appropriate place insert –
 - ““full course” means a higher education course that is not a module of another higher education course;”;
 - (b) after subsection (1) insert –
 - “(1A) References in this Part to modules (except in relation to references to the full course of which the module forms part) are to modules which are –
 - (a) modules of full courses, but
 - (b) undertaken otherwise than as part of those courses.””

Member’s explanatory statement

This amendment clarifies that the two categories of higher education course for the purposes of Part 1 of the Higher Education and Research Act 2017 are full courses and modules of full courses where they are undertaken otherwise than as part of full courses, and defines references to modules accordingly.

Clause 26

BARONESS BERRIDGE

Page 31, line 12, after “15” insert “(5)”

Member's explanatory statement

The effect of this amendment and the Minister's amendment at page 31, line 20 is that the amendments of the Higher Education and Research Act 2017 made by Clause 15 have the same extent as the provision of that Act which they amend.

Page 31, line 20, after "15" insert "(5)"

Member's explanatory statement

See the explanatory statement for the Minister's amendment at page 31, line 12.

Clause 27

BARONESS BERRIDGE

Page 31, line 24, leave out "25" and insert "(Relevant date for purposes of fee limit for certain higher education courses)"

Member's explanatory statement

This amendment provides for the new Clause (Relevant date for purposes of fee limit for certain higher education courses) to come into force 2 months after the Act is passed.

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13 July 2021
