

# Skills and Post-16 Education Bill [HL]

---

[This provisional Marshalled List includes all amendments tabled for Day 3 onwards. A revised Marshalled List will be produced if necessary following the conclusion of proceedings on Day 3. Neither amendments nor members' names may be added between the two.]

PROVISIONAL FOURTH  
MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

*The amendments have been marshalled in accordance with the Instruction of 28th June 2021, as follows –*

Clauses 1 to 13	Clauses 26 to 28
Clauses 16 to 25	Title
Clauses 14 and 15	

*[Amendments marked ★ are new or have been altered]*

**Amendment  
No.**

**After Clause 21**

LORD CLARKE OF NOTTINGHAM  
LORD LAYARD  
LORD ROOKER

**76** Insert the following new Clause –

**“Provision of opportunities for education and skills development**

- (1) Any person of any age has the right to free education on an approved course up to Level 3 supplied by an approved provider of further or technical education, if he or she has not already studied at that level.
- (2) Any approved provider must receive automatic in-year funding for any student covered by subsection (1), and supported by the Adult Education Budget, at a tariff rate set by the Secretary of State.
- (3) Any employer receiving apprenticeship funding shall spend at least two thirds of that funding on people who begin apprenticeships at Levels 2 and 3 before the age of 25.”

**Clause 22**

LORD LUCAS

**76A** Page 26, line 25, at end insert “including academic qualifications, taking into account other provision accessible locally.”

**Member's explanatory statement**

*The purpose of this amendment is to make it clear that the role of an institution in the further education sector is to ensure that there are no gaps in local provision, and that the Secretary of State must take account of provision from other providers that can reasonably be accessed locally e.g. online.*

**After Clause 25**

BARONESS BERRIDGE

76B 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.*

LORD STOREY

BARONESS SHERLOCK

77 Insert the following new Clause—

**“Offence to provide or advertise cheating services**

- (1) A person commits an offence if the person provides, offers to provide or arranges for a third person to provide an academic cheating service to a student enrolled with a further, higher or post-16 education provider on—
  - (a) a course of study at such an education provider in the United Kingdom, or
  - (b) an overseas course of study provided at such an education provider in the United Kingdom, and
 the academic cheating service is for commercial purposes.
- (2) A person commits an offence if the person advertises or causes an advertisement to be published, either directly to a student enrolled with a further, higher or post-16 education provider, or through an intermediary.”

LORD STOREY

BARONESS GARDEN OF FROGNAL

78 Insert the following new Clause—

**“Further education colleges: careers advice**

- (1) In carrying out inspections of further education colleges, Ofsted has a duty to take into account the careers advice provided to students by colleges, including for the delivery of LSIPs.
- (2) Ofsted may only give a good or outstanding rating to a college if it considers that the careers advice provided by the college is of a good or outstanding standard.”

***Member's explanatory statement***

*This amendment aims to ensure that young people are supported in their career choices with good careers guidance by making poor careers provision a limiting factor for grading in inspections.*

LORD WATSON OF INVERGOWRIE

79 Insert the following new Clause –

**“Credit transfer arrangements**

- (1) The Secretary of State may by regulations make provision to facilitate credit transfer arrangements to allow students to move between education providers.
- (2) Regulations under this section are to be made by statutory instrument, and a statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

***Member's explanatory statement***

*This amendment allows the Secretary of State to facilitate credit transfer arrangements to allow students to move between education providers.*

LORD WATSON OF INVERGOWRIE  
BARONESS GARDEN OF FROGNAL

80 Insert the following new Clause –

**“Lifetime skills guarantee**

- (1) All persons aged 19 or older and under the state pension age have the right to study a fully-funded approved course for a qualification up to level 3 supplied by an approved provider of further, higher, or technical education if they –
  - (a) do not currently hold a level 3 qualification, or
  - (b) currently hold a level 3 qualification and the approved provider is satisfied that –
    - (i) the person would benefit from re-training, and
    - (ii) there is, or is likely to be, demand from employers in the occupations for employees who have obtained the particular qualification to be supplied.
- (2) The Secretary of State must prepare and publish a list of approved courses for the purposes of subsection (1).
- (3) The Secretary of State must consult on the list of approved courses to ensure that they are compatible with national levelling up and skills strategies.
- (4) The Secretary of State must review the list of approved courses at least every six months with a view to ensuring that they reflect the skills needed as the economy changes.”

***Member's explanatory statement***

*This amendment places the Government lifetime skills guarantee on a statutory footing, ensuring that all adults (aged 19 and over) without an A-Level or equivalent qualification or who hold such qualification but would benefit from re-skilling are able to study a fully-funded approved course. The Secretary of State is required to consult on and regularly review the list of approved courses to ensure that they are compatible with national skills strategies.*

BARONESS WHITAKER  
 BARONESS GREENGROSS  
 LORD BOURNE OF ABERYSTWYTH  
 THE LORD BISHOP OF DURHAM

81 Insert the following new Clause—

**“National plan for addressing the attainment gap**

The Secretary of State must issue a national plan for those who have not achieved grade 4 or above in GCSEs in—

- (a) English, or
- (b) mathematics,

for the purposes of supporting such people to achieve a level of attainment in those subjects through higher education, further education or technical education, as is necessary to advance their skills and education.”

*Member’s explanatory statement*

*The purpose of this amendment is to ensure that everyone is supported to attain the level of English and/or maths skills they need by ensuring there is a requirement for the Department for Education to have a plan to close the attainment gap.*

LORD BAKER OF DORKING  
 LORD ADONIS  
 BARONESS MORRIS OF YARDLEY  
 LORD STOREY

82 Insert the following new Clause—

**“Information about technical education: access to English schools**

- (1) The Education Act 1997 is amended as follows.
- (2) After section 42A insert—

**“42AB Information about technical education: access to English schools**

- (1) The proprietor of a school in England within subsection (3) must ensure that there is an opportunity for a range of education and training providers to access all registered pupils during Years 8 and 9, Year 11 and Year 13 for the purpose of informing them about approved technical education qualifications or apprenticeships.
- (2) The opportunity under subsection (1) must take place between 1 September and 28 February in each academic year.
- (3) A school is within this subsection if it provides secondary education and is one of the following—
  - (a) an Academy;
  - (b) an alternative provision Academy;
  - (c) a community, foundation or voluntary school;
  - (d) a community or foundation special school (other than one established in a hospital);
  - (e) a pupil referral unit.
- (4) The proprietor of a school in England within subsection (3) must prepare a policy statement setting out the circumstances in which education and training providers will be given access to all registered pupils for the purpose of informing them about approved technical education qualifications or apprenticeships.

**After Clause 25 - continued**

- (5) The proprietor must ensure that the policy statement is followed.
- (6) The policy statement must include –
  - (a) any procedural requirements in relation to requests for access;
  - (b) grounds for granting and refusing requests for access;
  - (c) details of premises or facilities to be provided to a person who is given access.
- (7) The proprietor may revise the policy statement from time to time.
- (8) The proprietor must publish the policy statement and any revised statement.
- (9) In this section “approved technical education qualification” means a qualification approved under section A2DA of the Apprenticeships, Skills, Children and Learning Act 2009.”

***Member’s explanatory statement***

*This amendment will make it a duty for secondary schools to allow access for alternative education providers to meet all students aged 13-14, 15-16, and 18 annually between 1 September and 28 February as school enrolment lists close in March. At present this duty does not exist.*

LORD PATEL  
LORD ABERDARE

83

Insert the following new Clause –

**“Duty to publish and update a careers strategy for England**

- (1) The Secretary of State must publish a strategy for the purposes of improving careers education for persons receiving education or training –
  - (a) in the course of further education;
  - (b) in the course of an approved apprenticeship;
  - (c) for the purposes of an approved technical education qualification; or
  - (d) for the purposes of approved steps towards occupational competence;
 in England.
- (2) The strategy must be laid before each House of Parliament.
- (3) The strategy must be updated every three years.
- (4) With each review of the strategy the Secretary of State must also review the funding available to further education providers to meet the requirements laid out in the strategy.”

***Member’s explanatory statement***

*This amendment looks to ensure that there is always an up-to-date careers strategy in England.*

84 Insert the following new Clause—

**“Careers hubs in England**

The Secretary of State must ensure that all further education providers in England have access to support, training, guidance and specialist advice via a careers hub, as defined by the Careers & Enterprise Company, in their local area.”

*Member’s explanatory statement*

*This new Clause is looking to ensure that all further education providers in England will be able to access the support, training and guidance that careers hubs can offer.*

LORD LUCAS  
BARONESS HAYMAN  
BARONESS BLACKSTONE  
BARONESS SHEEHAN

85 Insert the following new Clause—

**“National Strategic Skills Audit**

- (1) The Secretary of State may by regulations make provision to convene a national strategic skills panel to conduct a National Strategic Skills Audit in relation to assessing medium and long term national skills needs in order to achieve the United Kingdom’s climate change and biodiversity targets.
- (2) When conducting an audit under subsection (1) the national strategic skills panel must consult widely including with the recognised supervisory bodies in England that are concerned with enterprise and skills.
- (3) The National Strategic Skills Audit must be reviewed, and if appropriate, modified within each period of 3 years beginning with the day on which the most recent review was completed under this section.”

*Member’s explanatory statement*

*This amendment introduces a requirement on the Secretary of State to establish a panel to carry out a national skills audit which would include consideration of net zero future jobs and skills and which would require a review every 3 years.*

LORD TOUHIG

86 Insert the following new Clause—

**“16 to 19 Academies: designation**

- (1) The Secretary of State may make an order under section 69(3) of the School Standards and Framework Act 1998 (relating to the designation of foundation or voluntary schools as having a religious character) by virtue of section 124B(1) of that Act in respect of a 16 to 19 Academy as if it were an independent school.
- (2) Any 16 to 19 Academy so designated is a school.
- (3) In section 4(1B) of the Education Act 1996, after “16 to 19 Academy” insert “, other than a 16 to 19 Academy designated by an order made under section 69(3) of the School Standards and Framework Act 1998.””

**Member's explanatory statement**

*This amendment aims to allow sixth form college corporations with a religious character to convert to Academies without losing their religious character.*

LORD STOREY  
LORD SHIPLEY

87 Insert the following new Clause –

**“Review of Kickstart scheme**

- (1) The Secretary of State must review the operation of the Kickstart scheme.
- (2) The review under subsection (1) must consider –
  - (a) extending the lifetime of the current scheme; and
  - (b) extending the criteria of those eligible to benefit from the scheme beyond those receiving universal credit.”

LORD WILLETTS

88 Insert the following new Clause –

**“The Student Loans Company communication with graduates**

- (1) The Secretary of State must by regulations provide that the Student Loans Company must –
  - (a) provide universities with anonymised information about their graduates' incomes;
  - (b) facilitate universities' communication through the Student Loans Company with their graduates without passing any personal data to any university, unless a graduate has specifically opted out; and
  - (c) facilitate National Employment Savings Trust (NEST) communication through the Student Loans Company with graduates at the earlier of –
    - (i) the two years preceding the predicted completion of their graduate repayments, or
    - (ii) between the 28th and 30th year of their graduate repayments without passing any personal data to NEST,
 unless a graduate has specifically opted out.
- (2) Regulations under this section are to be made by statutory instrument, and a statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

**Member's explanatory statement**

*This amendment enables universities to use the SLC to communicate with their graduates to encourage greater uptake of lifelong learning opportunities. Anonymised SLC data about graduates' earnings may also be provided to universities to enable them to improve graduate outcomes. It also could nudge graduates into greater pensions investment through NEST.*

89 [Withdrawn]

**After Clause 25 - continued**

89A Insert the following new Clause—

**“Access to learner data for research**

- (1) Key learner data must be shared for research purposes, including longitudinal studies, in accordance with Part 5, Chapter 5 of the Digital Economy Act 2017, or equivalent legislation concerning data not covered by the 2017 Act.
- (2) What constitutes “key learner data” must be reasonably defined by researchers on a case-by-case basis and may be taken to include, but not be confined to, graduates’ employment and income data.
- (3) Organisations controlling key learner data must take all reasonable endeavours to make the data available for research in line with subsection (1).”

***Member’s explanatory statement***

*The purpose of this amendment is to ensure that administrative data is available for research and longitudinal studies that will inform, and improve, public policymaking.*

90 Insert the following new Clause—

**“Review of student loans**

- (1) The Secretary of State must review and update all the terms of—
  - (a) student loans, and
  - (b) graduate payments,
 every five years.
- (2) The outcome of the review under subsection (1) must be published within six months of its completion.”

***Member’s explanatory statement***

*The purpose of this amendment is to ensure that there is a regular review of the student loan system so that any problems can be identified and changes made.*

THE LORD BISHOP OF DURHAM  
LORD ADDINGTON  
BARONESS MORRIS OF YARDLEY

90A Insert the following new Clause—

**“Universal credit conditions: receiving education**

- (1) In section 4 of the Welfare Reform Act 2012—
  - (a) in subsection (1) omit paragraph (d), and
  - (b) omit subsection (6).
- (2) The Secretary of State may by regulations made by statutory instrument make consequential provision.
- (3) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”

**Member's explanatory statement**

*This amendment would remove the restriction that those "receiving education" cannot claim Universal Credit, which at present may impede some of the most disadvantaged from benefitting from learning opportunities. It is intended to probe how the Government plans to incentivise take-up of training programmes, and to elicit how cross-departmental working can be made more effective in transforming learning and skills.*

**90B** Insert the following new Clause –

**“Long-term funding review**

- (1) The Secretary of State must commission a panel of experts to review of the long-term funding for skills and post-16 education.
- (2) The panel must consider and make recommendations about –
  - (a) resources available for different types of technical training, further education and higher education;
  - (b) support for disadvantaged students and those with special education needs;
  - (c) the impact of this Act on the long-term funding for skills and post-16 education.
- (3) The panel must conclude their review and make a report to the Secretary of State with their findings and recommendations.
- (4) Within the period of one year beginning with the day on which this Act is passed, the Secretary of State must lay the panel's report before Parliament.”

**Member's explanatory statement**

*This is a probing amendment, intended to draw out the Government's plans to introduce a longer-term funding settlement for FE, as called for by the Education Select Committee, prefigured in the White Paper and signalled, as the direction of travel by recent increases in core FE funding, capital funding allocations and the longer term Lifelong Learning Entitlement.*

BARONESS BENNETT OF MANOR CASTLE

**90C★** Insert the following new Clause –

**“Assessment of local skills gaps for life skills**

Within two months of the passing of this Act, the Secretary of State must prepare and lay before Parliament a means to assess local skills gaps for non-academic skills, including, but not limited to –

- (a) parenting,
- (b) budgeting,
- (c) mental and physical first aid,
- (d) financial management,
- (e) practical skills in maintenance and gardening,
- (f) community organising, and
- (g) community participation.”

**Before Clause 14**

LORD STOREY  
BARONESS GARDEN OF FROGNAL

91 Insert the following new Clause—

**“Personal Education and Skills Account**

- (1) A Personal Education and Skills Account (“PESA”) is an account—
  - (a) held by an eligible adult (an “account holder”); and
  - (b) which satisfies the requirements of this section.
- (2) An eligible adult is a person who—
  - (a) is aged 18 or over; and
  - (b) is ordinarily resident in England.
- (3) A PESA may be held only with a person (an “account provider”) who has been approved by the Secretary of State in accordance with regulations.
- (4) The Secretary of State may by regulations establish a body to administer the operation of the PESA scheme.
- (5) In the case of each person who is eligible under subsection (2), the body established under subsection (4) must open a PESA for that person.
- (6) If a person does not wish to hold a PESA, they must inform the body under subsection (4) in writing in accordance with regulations.
- (7) The Secretary of State must pay into each PESA a deposit of £4,000 during the year in which each account holder attains the age of 25 and a deposit of £3,000 during the year in which each account holder attains—
  - (a) the age of 40; and
  - (b) the age of 55.
- (8) Further contributions may be made to a PESA by—
  - (a) an account holder;
  - (b) employers; or
  - (c) any other person as may be prescribed by regulations by the Secretary of State.
- (9) At any time after an account holder has attained the age of 25, they may transfer funding from their PESA to an approved institution for their chosen education or training course.
- (10) For the purposes of subsection (9) an “approved institution” is—
  - (a) a “relevant provider” under section 18;
  - (b) such other education or training providers as may be approved by the Office for Students.
- (11) Prior to an account holder making an initial funding transfer, the National Careers Service must offer a careers guidance consultation to that account holder.”

**Member's explanatory statement**

*This amendment provides for individual "skills wallets" which may be used by a person to pay for education and training courses throughout their lifetime. The Government will make a payment of £4,000 when an individual turns 25 and then two further payments of £3,000 when an individual turns 40 and 55.*

**Clause 15**

BARONESS BERRIDGE

**91A** 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.*

**91B** 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”;
  - (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.*

**91C** 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;”;

**Clause 15 - continued**

- (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.*

**After Clause 15**

LORD JOHNSON OF MARYLEBONE  
 BARONESS GARDEN OF FROGNAL

92 Insert the following new Clause—

**“Availability of lifelong learning entitlement**

- (1) The lifelong learning entitlement is available to any student regardless of—  
 (a) prior qualification,  
 (b) subject being studied,  
 (c) intensity of study, or  
 (d) restrictions on student numbers (excluding for medicine, dentistry, veterinary science, and undergraduate teacher training).
- (2) The Secretary of State may not, in exercising powers under this or any other Act in relation to the lifelong learning entitlement, restrict access to the scheme on the grounds set out in subsection (1).”

***Member’s explanatory statement***

*This amendment is intended to ensure that the lifelong learning entitlement is available to those who wish to pursue a qualification at a level equivalent to or lower than one they already hold, and in any subject at any pace or course structure, and to prevent Government-imposed caps on student numbers that restrict student choice.*

BARONESS JANKE  
 LORD STOREY

93 Insert the following new Clause—

**“Access to Universal Credit for full time study or training**

- (1) The Universal Credit Regulations 2013 (SI 2013/376) are amended as follows.  
 (2) In regulation 12, leave out paragraph 2(b).  
 (3) In regulation 14, leave out sub-paragraph (a)(ii).  
 (4) In regulation 95, after paragraph (2)(b) insert—  
 “(c) for the claimant to carry out study necessary for a course leading to the Lifetime Skills Guarantee.””

**Member's explanatory statement**

*This amendment would allow individuals studying or training full-time for a qualification below advanced level to receive Universal Credit.*

LORD WATSON OF INVERGOWRIE  
BARONESS BENNETT OF MANOR CASTLE

94 Insert the following new Clause—

**“Duration of lifelong loan entitlement**

As soon as practicable after this Act is passed, the Secretary of State must consult on extending the duration of the lifelong loan entitlement to up to six years equivalent funding.”

**Member's explanatory statement**

*This would require the Secretary of State to consult on extending the Lifelong Loan Entitlement (LLE) to six years in order to give those studying part-time or who may need to pause their studies more flexibility.*

LORD WATSON OF INVERGOWRIE  
BARONESS BENNETT OF MANOR CASTLE  
BARONESS GARDEN OF FROGNAL

95 **“Lifelong loan entitlement eligibility**

- (1) All students are eligible for the lifelong loan entitlement regardless of—
  - (a) prior qualification,
  - (b) subject being studied,
  - (c) mode of study,
  - (d) institution of study,
  - (e) location of study, including remote learning, or
  - (f) whether they are studying modules or full qualifications.
- (2) The Secretary of State may not, in exercising powers under this or any other Act in relation to the lifelong loan entitlement, restrict access to the scheme on the grounds set out in subsection (1).”

**Member's explanatory statement**

*This amendment removes the Equivalent or Lower Qualification (ELQ) exemption rule for the Lifelong Loan Entitlement (LLE) to ensure eligibility for student loan funding for another qualification at that or a lower level to facilitate career changes. It also ensures LLE eligibility regardless of subject, intensity of study, institution and learning style.*

LORD WATSON OF INVERGOWRIE  
BARONESS BENNETT OF MANOR CASTLE

96 Insert the following new Clause—

**“Maintenance component of lifelong learning loans**

- (1) The Secretary of State may by regulations make provision for the lifelong learning entitlement to include maintenance provision for living costs.
- (2) Regulations under this section are to be made by statutory instrument, and a statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

***Member's explanatory statement***

*This amendment allows the Secretary of State to make provision for the LLE to include maintenance provisions to support living costs to help disadvantaged students.*

97 Insert the following new Clause—

**“Access to Sharia-compliant lifelong learning loans**

- (1) The Secretary of State may make provision by regulations for Sharia-compliant student finance to be made available as part of the lifelong learning entitlement.
- (2) Regulations under this section are to be made by statutory instrument, and a statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

***Member's explanatory statement***

*This amendment allows the Secretary of State to make provision for Sharia-compliant LLE loans to ensure that the LLE is not a barrier to participation and upskilling.*

BARONESS SHERLOCK  
BARONESS BENNETT OF MANOR CASTLE

98 Insert the following new Clause—

**“Reforming universal credit conditionality**

- (1) The Secretary of State may by regulations make provisions to amend universal credit conditionality with a view to ensuring that adult learners who are—
  - (a) unemployed, and
  - (b) in receipt of universal credit,
 remain entitled to universal credit if they enrol on an approved course for a qualification up to Level 3.
- (2) Regulations under this section are to be made by statutory instrument, and a statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

***Member's explanatory statement***

*This is a probing amendment to clarify whether the Government intend to reform universal credit to support skills development.*

LORD ADDINGTON

99 Insert the following new Clause—

**“Lifelong learning: special educational needs**

When exercising functions under this Act, the Secretary of State must ensure that provision and support under the lifelong learning entitlement includes support for students with special educational needs or disabilities that is of an equivalent standard to those with similar needs in higher education.”

**After Clause 15 - continued**

LORD FLIGHT

**99A** Insert the following new Clause—**“Lifelong learning entitlement: student support**

The Secretary of State must amend the Education (Student Support) Regulations 2011 (S.I. 2011/1986) to ensure that those claiming the lifelong learning entitlement qualify as eligible students for support under those Regulations.”

THE LORD BISHOP OF DURHAM

LORD ADDINGTON

BARONESS MORRIS OF YARDLEY

**99B** Insert the following new Clause—**“Local authority provision for special education needs**

- (1) The Secretary of State must by regulations require local authorities to provide support of a prescribed standard for students with special education needs studying modules of higher education courses or further education courses who are eligible for the lifelong learning entitlement.
- (2) The “prescribed standard” is to be prescribed in the regulations but must be of an equivalent standard to the support that local authorities provide to students with special education needs studying higher education full time.”

***Member’s explanatory statement***

*This is a probing amendment, intended to enable the Government to indicate how provision for this cohort will be better integrated into planned provision and more equitably funded, with reference to the intended Green Paper.*

**Clause 26**

BARONESS BERRIDGE

**99C** 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.*

**99D** 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**

LORD WATSON OF INVERGOWRIE

**100** Page 31, line 24, leave out “22” and insert “23”

***Member's explanatory statement***

*This amendment would prevent Clause 22 from automatically coming into force two months after the Act is passed.*

BARONESS BERRIDGE

**101** 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.*

# Skills and Post-16 Education Bill [HL]

---

PROVISIONAL FOURTH  
MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

---

*16 July 2021*

---