

Parliamentary Briefing

Higher Education and Research Bill

For Consideration of Lords Amendments in the Commons

April 2017

Overview

The Higher Education and Research Bill has acquired a number of modifications in the Lords, some tabled by the Government, and some as a consequence of Government defeats. The University of Oxford's view on these overall is that they improve the bill, and accord some of the protections to the sector that were otherwise lacking.

MPs will be voting on the Government defeats. The University of Oxford's view on these is as laid out below, with particular emphasis on the amendment concerning students in the immigration statistics.



Government defeat	University of Oxford's view
Amendment 1 Definition of a university	This was an early defeat, to establish a line in the sand about protection for universities, but the University of Oxford considers there are drafting problems with this amendment, which would prove too restrictive to the sector.
Amendment 12 Prohibiting a link between TEF and the ability to raise fees	The University of Oxford considers it would not be healthy for the sector if TEF were used to establish fees, leading eventually to a set of failing institutions. The University is yet to be convinced that a robust set of metrics has been established.
Amendment 15 Requirements to register students on the electoral register	The University of Oxford supports this measure to encourage voting behaviour in students and to prevent the disenfranchisement that has recently occurred.
Amendment 23 Deletion of clause 26 (quality and standards) and replace with a lighter touch, non-hierarchical process	The University of Oxford had concerns about the bill's initial position, which would have allowed for government intervention on standards. We consider this goes a long way to address the issue.
Amendment 71 (12, 13) 4 year threshold for new provider	While the University of Oxford has not separately lobbied on the issue of new providers, we consider this a sensible

	precaution.
Amendment 78 (and consequent amendments) Widens grounds of appeal against revocation of university status to include simply “wrong”	The University of Oxford is enormously concerned about the threat to the sector of the powers to revoke Royal Charters and Acts of Parliament, and while we would have liked this power removed from the bill completely we can see that this goes some way to provide a measure of protection.
Amendment 156 Take students out of immigration stats, allow free movement of EU staff and students and encourage European research links	The University of Oxford strongly supports this amendment. (see below)

Reasons for supporting Amendment 156

Students in immigration statistics

The University of Oxford is on the record as supporting the removal of foreign students from the immigration statistics. It continues to press MPs on this issue. This is for the following reasons:

1. We agree with both the Migration Advisory Committee and Treasury Committee conclusions that the International Passenger Survey is a flawed source for migration statistics and is “not fit for purpose” as a base for migration policy¹.
2. The weight of data and research which shows that international students are a net gain to the UK economy, and certainly to the higher education sector, is overwhelming. In the South East of England alone (not including London) in 2016 £1.2 billion was generated by international students fees, £634 million was spent off campus by international students. International student fees generate sufficient income for universities to maintain the cap on domestic student fees².
3. The weight of data demonstrates that public opinion does not see international students as economic migrants. Most recently the University of Oxford’s Migration Observatory reported that only 29% of the general public saw students as economic migrants³.

¹ Treasury Committee, *Counting the Population* 13th Report September 2008 p4.
<https://www.publications.parliament.uk/pa/cm200708/cmselect/cmtreasy/1032/1032.pdf>

² UUK research: 6th March 2017 <http://www.universitiesuk.ac.uk/policy-and-analysis/reports/Pages/briefing-economic-impact-of-international-students.aspx>

³ Migration Observatory paper 2011: <http://www.migrationobservatory.ox.ac.uk/resources/reports/thinking-behind-the-numbers-understanding-public-opinion-on-immigration-in-britain/>

4. The purpose of putting students into the economic migrant group in order to deter false applicants and students at bogus institutions has largely been dealt with by the tightening of criteria for the most highly trusted sponsor (HTS) status in 2014.
5. While these numbers are not necessarily capped, the visa regime is costly and bureaucratic to both student and institution, sending out clear messages about how welcome such students are considered to be. Research carried out for Times Higher Education by Hobsons showed that the most important non-work related factor for students not choosing the UK was attitude toward international students: 22.5% of international students cited this. The importance of encouraging international students has become more pressing since the decision to leave the EU, which has already affected numbers of EU students applying to most institutions⁴.

Support for EU Research links

1. The University of Oxford has received €263 million since the inception of the Horizon 2020 research fund in 2014. While still in the EU and able to access research networks, there is already evidence of a potential diminution in this respect. Major research collaborations such as Opticon, which coordinates astrophysical data, has already announced its departure from the UK, while leaving Euratom, as flagged up in the Brexit Act, could seriously impair our nuclear research activity. The relocation of such organisations as the European Medicines Agency adds further difficulties⁵.
2. This amendment would put a responsibility on the newly created UKRI to commit itself to the activity of encouraging and developing EU research links after these valuable links are potentially severed in any Brexit deal.

Protection of staff and students post-Brexit

1. While assurances have been made for the current cohorts of students, there will be many potential staff and students who will have concerns about applying or moving to take jobs when their status regarding fees and access to services, insurance and health care is in grave doubt. This is difficult to quantify at the moment, but the assurances in this amendment will go a long way to settle the situation. We support and commend the conclusion of the Committee for Exiting the EU's conclusion in its report on negotiating priorities published on the 29th March 2017

“The success of the Higher Education sector in the UK owes much to its ability to attract international skills and talent. The UK Government must design a future

⁴<https://www.timeshighereducation.com/news/eu-student-applications-uk-down-7-per-cent-after-brexit-vote>
Times Higher Ed, Feb 2nd 2017

⁵ <http://uk.mobile.reuters.com/article/idUKKBN1771XM>

immigration system that does not make it difficult for such talent, both students and staff, to come to the UK”⁶

For further details contact: Margaret Ounsley

Margaret.ounsley@admin.ox.ac.uk

01865 280673

⁶Recommendation 224, *Third Report*, 29th March 2017

<https://www.publications.parliament.uk/pa/cm201617/cmselect/cmexeu/1125/112502.htm>