

Mr James Dornan MSP
Convener
Scottish Parliament Education and Skills Committee
«Address3»
EH99 1SP

22 – 26 George Street
Edinburgh EH2 2PQ
Tel: 0131 240 5000
Fax: 0131 240 5024
Web: www.royalsoced.org.uk

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Dear Mr Dornan,

Higher Education and Research Bill – Legislative Consent Memorandum

The Royal Society of Edinburgh (RSE) welcomes the opportunity provided by the Scottish Parliament's Education and Skills Committee to submit comments on the Higher Education and Research Bill in the context of the Legislative Consent Memorandum (LCM) which has been lodged by the Scottish Government. We recognise that the LCM seeks consent from the Scottish Parliament in relation to Bill amendments which: enable Scottish higher education institutions to participate in the Teaching Excellence Framework should they choose to do so and subject to the consent of Scottish Ministers; provide for joint working among the Office for Students (OfS), UK Research and Innovation (UKRI) and the Scottish Funding Council (SFC); and clarify the Secretary of State's power to set conditions in providing funding for research.

While the Bill focuses on reform of higher education and research arrangements in England, the RSE recognised at the outset that it would have implications for Scotland. We have therefore actively sought to highlight these implications during the passage of the Bill. Our contributions have included: preparing a briefing paper for MPs at the Second Readingⁱ; making representations to the Public Bill Committee, including providing oral evidence on the 6 Septemberⁱⁱ; and a submission to the House of Commons Science and Technology Committee inquiry into the role and priorities of the UKRI interim chairⁱⁱⁱ.

While the RSE is content with the provisions contained within the LCM, we are firmly of the view that there remain aspects of the Bill, particularly those relating to the research architecture, that need to be addressed.

The RSE considers that currently there is insufficient recognition within the Bill of the need for UKRI to take account of all four nations of the UK. In particular, we have significant concerns that the inclusion of Research England within UKRI could unintentionally distort the focus of UKRI towards England at the expense of Scotland and the other devolved nations. The integrity of the dual support

funding mechanism which has underpinned research excellence across the UK over many years must be maintained.

The RSE has expressed its support for proposed amendments to the Bill which seek to ensure that the board of UKRI includes appropriate membership from the devolved nations. It will also be important that there is Scottish representation on each of the seven Research Councils. In order that UKRI takes full account of the research policies and priorities of Scotland, arrangements should be made for formal engagement between the UKRI and the Scottish Government, Scottish Funding Council and Universities Scotland.

The RSE is also supportive of the proposed requirements to be placed on the Secretary of State to consult with the Scottish and Welsh Governments, and the Northern Ireland Executive, recognising that the Research Councils and Innovate UK are all bodies that perform functions across the UK. In this context it is important that UKRI discharges its functions for the benefit of the UK as a whole.

In relation to ensuring the autonomy of the constituent bodies, we would welcome a commitment to separating the financial allocations to the Research Councils, Innovate UK and Research England. This would also protect the budgets of each of the constituent bodies and not leave them exposed should any single body experience budgetary difficulties.

Please let me know should you wish to discuss these points. RSE representatives would be pleased to meet with you and members of your Committee to discuss the implications of the Bill for Scotland.

Yours sincerely,

Dr Keir Bloomer FRSE
Convener of the RSE Education Committee

ⁱ Bill briefing: https://www.royalsoced.org.uk/cms/files/advice-papers/2016/BP16_01.pdf

ⁱⁱ HE & Research Bill (Second Sitting) Hansard 6th September: [https://hansard.parliament.uk/commons/2016-09-06/debates/7d4373c4-7137-4ef1-bece-3c93d9b55682/HigherEducationAndResearchBill\(SecondSitting\)](https://hansard.parliament.uk/commons/2016-09-06/debates/7d4373c4-7137-4ef1-bece-3c93d9b55682/HigherEducationAndResearchBill(SecondSitting))

ⁱⁱⁱ RSE submission on UKRI interim chair: <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/science-and-technology-committee/role-and-priorities-of-ukri-interim-chair/written/40399.html>