

ENTERPRISE AND CULTURE COMMITTEE

Tuesday 9 November 2004

Session 2

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ENTERPRISE AND CULTURE COMMITTEE 24th Meeting 2004, Session 2

CONVENER

*Alex Neil (Central Scotland) (SNP)

DEPUTY CONVENER

*Mike Watson (Glasgow Cathcart) (Lab)

COMMITTEE MEMBERS

*Richard Baker (North East Scotland) (Lab)
*Chris Ballance (South of Scotland) (Green)
Susan Deacon (Edinburgh East and Musselburgh) (Lab)
Murdo Fraser (Mid Scotland and Fife) (Con)
*Michael Matheson (Central Scotland) (SNP)
*Christine May (Central Fife) (Lab)
*Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)

COMMITTEE SUBSTITUTES

Mark Ballard (Lothians) (Green)
Mr David Davidson (North East Scotland) (Con)
Fiona Hyslop (Lothians) (SNP)
Margaret Jamieson (Kilmarnock and Loudoun) (Lab)
George Lyon (Argyll and Bute) (LD)

*attended

THE FOLLOWING ALSO ATTENDED:

Fiona Hyslop (Lothians) (SNP)

THE FOLLOWING GAVE EVIDENCE:

Dr Tony Axon (Association of University Teachers Scotland)
Bryan Ferrick (Elmwood College Students Association)
Dr Alastair Hunter (Association of University Teachers Scotland)
John Andrew Murray (University of Glasgow Students Representative Council)
Keith Robson (National Union of Students Scotland)
Ms Andy Thomson (Educational Institute of Scotland)
Melanie Ward (National Union of Students Scotland)
Mr Howard Wollman (Educational Institute of Scotland)

CLERK TO THE COMMITTEE

Stephen Imrie

SENIOR ASSISTANT CLERK

Judith Evans

ASSISTANT CLERK

Seán Wixted

LOCATION

Committee Room 6

Scottish Parliament

Enterprise and Culture Committee

Tuesday 9 November 2004

[THE CONVENER *opened the meeting at 14:01*]

Item in Private

The Convener (Alex Neil): Welcome to the 24th meeting this year of the Enterprise and Culture Committee. First, I ask everybody to switch off their mobile phones and not just to switch them to silent mode—even when they are silent they can cause problems.

We have received apologies from Murdo Fraser and from Susan Deacon, and I welcome Fiona Hyslop, who is here for the session on the Further and Higher Education (Scotland) Bill.

Item 1 is to seek the agreement of the committee to discuss item 3 in private. Is that agreed?

Members *indicated agreement.*

Further and Higher Education (Scotland) Bill: Stage 1

14:02

The Convener: Item 2 is divided into three parts, the first of which is oral evidence from the National Union of Students Scotland. I welcome Melanie Ward, president of NUS Scotland, and Keith Robson, director of NUS Scotland. Melanie will say a few words by way of introduction, and then we will move to questions and answers.

Melanie Ward (National Union of Students Scotland): We are grateful for the opportunity to come before the committee to give oral evidence and, I hope, to answer members' questions.

We welcome the Further and Higher Education (Scotland) Bill, which we see as being a significant step forward for Scottish students. The bill contains three main wins for students. The first is the merger of the Scottish Higher Education Funding Council and the Scottish Further Education Funding Council. We have campaigned for more than 10 years for the coming together of the further and higher education funding councils and sectors. We see the merger of the funding councils as being an important step towards that aim, and a progressive and significant step for Scottish students in terms of making the education system fairer and of funding their courses more fairly.

Secondly, the bill provides that institutions will have to have regard to the needs of students and potential students. I find it interesting that that has never been in legislation before, but we welcome its introduction into legislation.

Thirdly, for a number of years we have called for students in further and higher education to be able to access the Scottish public services ombudsman. We see that as being a vital step towards giving students access to a fair complaints procedure when all avenues within institutions have been exhausted.

Those are the three items in particular that represent big steps forward for students in Scotland in terms of making their educational experience fairer. However, we were surprised and disappointed by the inclusion of a section that will allow ministers to set differential fees for students who study in Scotland. We understand that the Executive plans initially to use the section to charge more for non-Scottish medical students to study in Scotland. We have a number of issues with that.

We also understand that developments down south with top-up fees might have a knock-on effect on cross-border flows; in other words, more

students from the rest of the United Kingdom might come to study in Scotland. However, we do not think that those problems have materialised yet.

We believe that the root of the problem that the Executive is trying to solve is that there is a need to recruit and retain more doctors in the national health service in Scotland. However, we do not think that the student funding system should be a mechanism for fixing that problem, so we have a number of significant concerns about that section of the bill. We are especially worried about the open-ended nature of the powers that the bill seeks to give ministers and we are concerned that there are not significant checks and balances that will guard against extension of a system of differential fees throughout Scotland. We look forward to working with the committee and, more broadly, with MSPs to amend the bill and to achieve resolutions to our concerns in those areas.

Richard Baker (North East Scotland) (Lab): I welcome the NUS, which was one of the first organisations to propose a merged funding council, and which informed the position that the then Enterprise and Lifelong Learning Committee took in its report on lifelong learning. It is great that progress has been made on that.

My first question is on the proposed new role of the Scottish public services ombudsman. Although Universities Scotland was not too vexed about that, it felt that its current complaints procedure, which is administered by the universities themselves, might be preferable. Do you agree?

Keith Robson (National Union of Students Scotland): We disagree with that. We would like, and have long campaigned for, the ombudsman to have a role in relation to students. The present Universities Scotland system is an opt-in system, so not all institutions must participate in it. I believe that the University of Glasgow is one of the institutions that does not; I hope that I am not wrong in stating that. The proposed system involving the Scottish public services ombudsman would cover all institutions and would give all students the opportunity to make complaints. We are obviously not talking about complaints about matters of academic judgment, but about the services that institutions provide for their students.

Questions are raised about the involvement of the public services ombudsman. For example, would self-funding students have the same right as regards the ombudsman as students who receive funding to go to an institution? How far would the role of the ombudsman stretch to agreements between universities and private halls-of-residence providers? We argue that, as long as there is a service agreement, the money involved comes from public funding, so matters

relating to such provision should fall within the ombudsman's remit. There are details to be thrashed out but, in principle, we warmly support the role for the ombudsman that the bill proposes.

Melanie Ward: One of the most important aspects of the proposal is that the ombudsman is completely independent and has no links to any institutions or to bodies that have links with institutions. We feel that such a system will be fairer for, and more accessible to, students who want to take further complaints that have not been resolved.

Richard Baker: Both those answers are helpful; they raise interesting issues that we should pursue.

My next questions are on fees, an issue that features prominently in your submission. First, I seek information. In the sixth section of your submission, you say:

"We have made alternative proposals to the Executive with an emphasis on providing incentives for medical students ... to practice medicine in Scotland after their graduation."

Do you have those alternative proposals with you? If not, will you supply them to the committee at a later date?

Melanie Ward: We have a copy of our alternative proposals with us. As I am sure the committee is aware, the Executive has carried out a separate consultation on the specific issue of charging higher fees for non-Scottish medical students. We made our alternative proposals in our submission to that consultation. They focus on the provision of incentives, whether financial or otherwise, for medical graduates to stay on to practise medicine in the NHS in Scotland rather than leave the country and go elsewhere. Measures to attract to the study of medicine in Scotland more Scottish students from low-income backgrounds and from other backgrounds that have traditionally had low participation rates could be investigated. We know that there is a bit of a gap as regards social background among students who currently study medicine in Scotland. Those are the areas on which our alternative proposals focus, but we would be happy to provide the committee with more detail.

Richard Baker: That would be helpful, because the charging of fees to medical students is a vexed issue. I am certainly of the opinion that there is no easy answer. You made the point that what is being proposed will introduce a higher fee for English students. That is a difficult issue, because what is proposed is the ability for ministers, not institutions, to vary fees for everyone who studies medicine in Scotland. Scottish students would be paid back through the Student Awards Agency for Scotland, but it will be up to English students' local

authorities to pay them. It is important to note that the proposal is not discriminatory in that sense.

I want also to mention another point on which I am sure other members have questions. No organisation apart from student organisations has highlighted the issue in the same way. When we heard from the Association of Scottish Colleges and from Universities Scotland last week, David Caldwell said:

"it is important to reassure the NUS that the provisions in the bill do not amount to the reintroduction of top-up or variable fees."—[*Official Report, Enterprise and Culture Committee*, Tuesday 2 November 2004; c 1157.]

He also said that it is only a few years since we had band 1 fees and band 2 fees, which were varied by ministers. You suggest that the bill somehow represents the introduction of a differential or variable fee system that is similar to what is being introduced in England when, in fact, the Executive is reacting specifically to cross-border flow issues, which must be addressed in some way. The vital point is that the fees will be varied not by institutions, but by ministers in specific circumstances by affirmative procedure in Parliament. The key point is that it is not a matter of different institutions charging different fees—the fees are for medicine at any institution in Scotland—so they are not really top-up fees in the sense that such fees exist down south. In fact, they are not differential fees at all in the sense that has been suggested.

Melanie Ward: Our policy on the issue is clear: we have a clear stance against any form of differential or top-up fees, whether the fees vary by institution or by course. There is a great deal of evidence to suggest that if variable fees exist, students—primarily those from low-income backgrounds—are more likely to select their courses based on price than on what they have the ability and talent to study. If there was a system in which medicine was more expensive to study than any other course, we would expect that to act as a financial disincentive for significant groups of students.

Richard Baker: The Scottish students would not be paying any more than they would previously have paid.

Melanie Ward: They would not at the moment, but we are the National Union of Students, so we would worry about that for any group of students, no matter where in the UK they came from.

The other point that you made was about ministers having the power to vary the fees and the fact that they would do so for all students, but the SAAS would pay the extra for Scottish students. However, ministers have the power to stop the SAAS doing that at any time, so if the bill were passed as drafted, ministers could

completely change the student funding system by removing funding from the SAAS and by varying fees by course, perhaps starting with medicine because they are worried about the cross-border flow issue, but extending the variation to other courses.

We are particularly worried about the fact that the bill contains two exclusions: students on teacher-training courses and postgraduate students, who cannot be charged a higher variable fee. If the intention is to charge only medical students, why should the Executive make two specific exclusions? If the Executive's intention is to charge a higher fee to non-Scottish medical students only, why should the Executive not reflect that in the bill rather than draft an open-ended power for ministers to make use of?

On several occasions, the Executive has mentioned the explanatory notes and policy memorandum to us. It has suggested that if it were to change its policy on charging only non-Scottish medical students a higher fee and try to extend the higher fees, the accompanying documents might carry some weight in a legal challenge, because they state that the Executive's intention is to charge the fee to non-Scottish medical students. However, the Executive's own legal advice suggests that there is no legal weight to the explanatory notes or policy memorandum and that that would not stand. The situation is that what it is suggested will be checks and balances would not be checks and balances in the eyes of the law and ministers would have wide-ranging powers to change the system.

Richard Baker: On the last issue, I agree to some extent. I understand that the Executive said that it could not be sure that the accompanying documents would be legally binding, but they have been in other cases.

The Convener: We will have the minister in front of us in two weeks, so perhaps we can clarify that point with him.

I have two points. First, we should take up Richard Baker's suggestion that we circulate the paper that the NUS submitted to the Executive consultation on the issue.

Secondly, I have a question for Melanie Ward. There are two concerns in relation to section 8, which will introduce the potential for differential fees. You have already referred in detail to one; you feel that the measure will be used to tackle the number of students who stay in Scotland after their graduation to practise medicine. The NUS proposal to deal with that is to use an incentive strategy with a completely different set of incentives. The other concern relates to the number of undergraduate medical students. Universities Scotland made the point that the

number of medical places in universities is more fixed than are the numbers for other disciplines. If it became attractive for medical students from south of the border to take their degrees north of the border, the net effect of the upper limit on the number of places for medical students in Scottish universities would be to destroy opportunities for people who are resident in Scotland to take up a medical course in Scotland. Would your proposals deal with that problem?

14:15

Melanie Ward: We would be extremely concerned if Scottish students were, in effect, squeezed out of places on any course, medicine or otherwise. The differential fees measure is supposedly intended to deal with the issue of cross-border flows. We were worried that the introduction of the top-up fees system in England would affect cross-border flows in a number of ways but, interestingly, this year the number of admissions to study in Scotland was up, while the number of applications to do so was not. That means that, in the first year of the new system, Scottish students were not squeezed out of places.

We have suggestions for how the Executive could deal with the issue. One is simply to continue to monitor the number of applications to study in Scotland and admissions from throughout the UK. At present, the Executive does that and has not found a problem with cross-border flows this year, which raises the question why the measure has been introduced in the bill. Another suggestion is to ensure that there is never a financial incentive for universities to recruit non-Scottish students in preference to Scottish students. That may be an issue if institutions are allowed to keep the extra money that they charge non-Scottish students to study there. We can circulate our suggestions on the matter, if that would be useful.

The Convener: That would be extremely helpful.

Christine May (Central Fife) (Lab): I want to talk about differential fees, which I discussed with Melanie Ward when she came to see me some time ago. Richard Baker accurately drew from her the essence of what we discussed at that meeting, but I want to put her on the spot by asking what provision on differential fees the NUS would like to be in the final legislation when it comes along.

Melanie Ward: Our ideal would be for the measure to be removed completely so that the minister would not have a power to set differential fees for any course. There are a number of issues. The provision was not in the draft bill, but it is in the bill as introduced, which was published before

the end of two consultation processes that the Executive is carrying out on the issue, supposedly to decide what it will do about medical students in Scotland. One of those consultations closed on 31 October, but the bill was published on 1 October, which undermined the consultation process.

The Executive has also established an implementation advisory group to consider how it will react to the top-up fees system in England. It involves a number of stakeholders, including the NUS. The group will continue to meet into the new year and has not yet even discussed higher fees for medical students. The Executive appears to have subverted the consultation processes by including the differential fees provision in the bill. Because of our principled stance against any form of variable fees for students in Scotland, no matter where the students come from, our solution is to remove the provision from the bill.

Christine May: In the event that ministers were not minded to do that and Parliament supported them, would you seek clarification in the bill about the degree of variability or about the group to which such variability might apply?

Melanie Ward: That is a difficult question to answer. We have a clear policy on the matter. The question is this: If ministers and the Executive intended to charge only non-Scottish medical students who study in Scotland, why was that not reflected in the bill?

Christine May: You said that you would provide the committee with the note of the incentive ideas that you have given to ministers. Did that note take account of the very complex point that the career choice of many medical graduates, particularly women, is made seven or eight years down the line which—because they go part-time, job share or whatever—effectively takes them out of the active profession for some of that time and therefore reduces the pool of available qualified folk? I realise that that is not necessarily a student issue, but it might become one. After all, it raises questions about the number of places that should be available initially if we are to have a larger pool later on.

Melanie Ward: That issue does not form part of our current proposals, but we could certainly consider it. Obviously, it is difficult for the NUS to get complex information about the in-depth workings of the national health service. That said, we have a general interest in gender choice and we are examining many issues that relate to the particular courses that women or men students choose. We have not yet considered the matter that you raise but, if the committee were interested, we could consider including it in our proposals.

Christine May: I was not trying to put you on the spot on the matter. I became aware only recently of how it complicates the issue of availability of qualified doctors to the NHS in Scotland.

Melanie Ward: Since we made our submission, we have become aware of other issues. For example, some Scottish universities send their medical students to placements in England, which is a rather interesting practice if they are trying to encourage people to stay in Scotland. We should also consider what goes on in other countries. I understand that Canada has an interesting system of scholarships and incentives to encourage people to study medicine.

Mike Watson (Glasgow Cathcart) (Lab): I have a couple of questions before I get on to the subject of variable fees. In your submission, you say that you

"believe that the extension of the Ombudsman's role can only serve to better protect students, whatever their level of study".

How has the existing situation not helped students?

Keith Robson: At the moment, further and higher education students are not covered by the Scottish public sector ombudsman's remit. As a result, such an extension would give further opportunity to address grievances. In my opening remarks, I said that we were considering not academic judgements but institutional grievances.

Obviously, different institutions have different arrangements and we have already had a short discussion on the Universities Scotland system that people can opt into or out of. We simply want to give students the same coverage that everyone else has. For example, I know from my working background that housing associations have access to the ombudsman. We do not want to increase the number of cases; indeed, we hope that any difficulties would be resolved swiftly at institutional level for the sake of the student and the staff. We recognise that it is a two-way process.

Mike Watson: I accept that. The ombudsman would obviously be a court of last resort to be used when internal procedures failed. Do you know of any past or recent cases in which students who wanted to take a matter further were frustrated simply because there was no measure in place or because they felt that their institution's internal procedures were not dealing with things effectively?

Melanie Ward: Before the Universities Scotland system was introduced, students could take such cases only to the courts. Because that was extremely difficult, the average student was unlikely to take such an option. As Keith Robson

said, we do not want a huge surge in the number of complaints; however, if the system were made easier and fairer, we would expect that a few more students would bring such cases.

Another problem with the current system is that it does not cover all institutions. The system falls down because it is an opt-in system that has strong links to Universities Scotland. There is evidence of huge problems with the current system. The introduction of a system that would be fairer to students, completely independent and in line with systems that serve other sections of society that receive significant public funding would obviously represent a fairer way forward. When the Scottish public services ombudsman was established, it made no sense to exclude further and higher education. The bill would bring the system into line with the system that is available for anyone else who accesses a publicly funded service.

Mike Watson: Most of what needs to be said about differential fees has been covered by previous questions. However, in paragraph 6 of your submission you say that that you are not reassured by the Executive's comments on differential fees and you comment on

"the apparent lack of imagination that has been brought to bear on devising the measure itself".

Does that comment relate to your response to Christine May's question? Are you referring to the top-up fees implementation group—I think that I am right in saying that the NUS is a member of that group—which has not yet completed its work, and the medical fees group, which has completed its work? I am interested to know in what context you think that there has been a lack of imagination.

Melanie Ward: We talk about a lack of imagination because ministers told us that they did not consider other solutions to issues about cross-border flows or in relation to incentivising people to stay in the NHS. Ministers did not consider other options and simply considered that the solution would be to introduce a market element in the form of a differential fee.

Mike Watson: I have a couple of further points. I compared the NUS submission with those of the Association of University Teachers Scotland and the Educational Institute of Scotland. This might be a bit unfair, but I will do it anyway. In a small paragraph at the end of the AUT submission the union states its opposition to variable fees but says little more than that. The EIS submission fails to mention the matter at all. However, the NUS submission stresses the matter and the submission from the University of Glasgow students representative council gives the matter almost as much prominence as the NUS does. I

will ask the unions about that in due course, but given that you swim in the same pool as they do, I will put the question to you. Why is the issue so important to your organisations but apparently of much less relevance to the higher education unions?

Melanie Ward: That would be an interesting question to put to the trade unions themselves. The NUS is the only national representative body for students, so student funding is of prime importance to us. The committee might be interested to hear that Scottish Trades Union Congress policy is to oppose differential and top-up fees in Scotland. I am sure that the education trade unions will reflect that in their stances when you question them.

The NUS and the education trade unions have consistently worked closely together in the struggle against top-up fees in England and in campaigning for a fairer system of funding in Scotland. We have taken part in a number of joint actions this year and have worked together on many different activities. I expect that to continue.

Mike Watson: I know that you act together in many aspects of higher education, which is why I asked the question.

I highlight another difference between the submissions. Your submission says:

"NUS Scotland has campaigned for over a decade for these sectors to be treated as a holistic tertiary education sector."

However, the submissions from the AUT and the EIS make it clear that the education unions stress the distinctiveness of the two sectors. Why does the NUS think that the sectors should be fused, whereas the education unions apparently think the opposite?

Melanie Ward: Our organisations represent different groups of individuals. Staff in the institutions are entitled to take a different view from that of students about the future of further and higher education. We talk about wanting Scotland to have a tertiary education system because we have in the past 10 years or so observed a growing number of similarities between the two sectors. Similar quality systems have been adopted, the student funding systems have become more similar and many of the divisions between further and higher education in Scotland that existed 20 or 30 years ago have become blurred. The sectors have different missions and serve different purposes, but there are many more similarities than differences between them.

14:30

We also feel that the sectors can learn a great deal from each other. For example, the further education sector is good at widening access by providing child care facilities and developing links with communities, and higher education is good at providing a well-rounded and holistic student experience. We feel that the differences between the sectors have become less and less and that much of the distinction that remains today is arbitrary. That is why we think that the establishment of a tertiary education sector is the way forward.

Mike Watson: Is that also why the NUS preferred specified tertiary education providers to fundable bodies?

Chris Ballance (South of Scotland) (Green): Most of the points in your submission have been covered, but I would like to ask you about the paragraph that states:

"We are concerned, however, that the definition of a person with learning difficulties is not fully appropriate for its purpose, and we would look to work with the Committee throughout this process in order to improve this."

Could you expand on that?

Keith Robson: We have had discussions with Skill, the national bureau for students with disabilities, and we would like there to be a broader term. The Education (Additional Support for Learning) (Scotland) Act 2004 uses the term "additional support need." The term in the bill that we are discussing, however, is narrow and would make it difficult to argue for resources and support. The school-college review, which relates to 14 to 16-year-olds, has shown that, whether people like it or not, there is an opening up of opportunity for secondary pupils to go to college and, from there, to university. We would like there to be a coherent approach to that and we support the use of the broader definition that is implicit in the term "additional support need."

Chris Ballance: What does that mean in terms of amendments to the bill?

Melanie Ward: The wording of the section that refers to students with learning difficulties would have to be changed to include those with additional support needs.

The Convener: It might be useful if you could give us a more detailed explanatory note in writing. I know that a number of people are concerned about the wording that is used in that part of the bill.

Fiona Hyslop (Lothians) (SNP): It might be helpful if the clerks of this committee could speak to the clerks of the Education Committee, because a great deal of issues were raised in the course of the Education (Additional Support for Learning)

(Scotland) Act 2004 with regard to the references to colleges.

The heart of the submission relates to differential fees. It is ironic that the NUS, which was one of the most enthusiastic about the bill, is now one of the most critical of it because of the fees element. Even if you were to accept the Executive's proposal to introduce differential fees, do you think that this bill is the right means by which to do so at this time or do you think that it would be more appropriate to hold a debate on that proposal at another time?

Melanie Ward: We understood—along with everyone else—that the bill was supposed to be about merging the funding councils and addressing the structure of the further and higher education sectors in Scotland rather than about student funding. As I have outlined, we were particularly surprised that the Executive included the section on fees after the publication of the draft bill and before any of the consultation processes were officially finished. We do not think that this bill provides the right time or place for a debate on differential fees to take place.

Further, given that the proposal is an attempt by the Executive to react to a situation that has not arisen yet—that of cross-border flows—and that the Executive has not considered other options in relation to encouraging more doctors to stay in the Scottish national health service, we would have hoped that the Executive would deal with this issue at a point when such matters had been properly considered.

Fiona Hyslop: The Executive's position is that a court case could be brought by a student or the NUS if ministers were to extend the differential fees proposal beyond non-Scottish medical students. Do you think that that is an adequate safeguard against the extension of the proposal?

The proposal cannot be two things at once: it cannot be a knee-jerk reaction to stop non-Scottish students coming to Scotland to get a degree and then leaving Scotland, as well as a back-door way of introducing differential fees across a range of subjects. Is that what the Executive is trying to do? Is it using the bill as a Trojan horse for differential fees for various subjects or is the proposal simply a knee-jerk reaction to a recruitment and retention problem in the health service?

Melanie Ward: We are not exactly sure what the Executive is trying to do. The Minister for Education and Young People has said that the proposal is specifically about non-Scottish medical students, but I have outlined our concerns arising from the fact that the minister would have quite wide-ranging powers. Why would he need such

broad powers if the intention is to deal only with that problem?

We are concerned that a differential fee for non-Scottish medical students would be, in some respects, the thin end of the wedge. For example, we know that more non-Scottish students in Scotland study veterinary medicine than study medicine. If a fee were introduced first for doctors, what would prevent it from being extended to other courses? We fear that that would be the start of a system that could be extended to non-Scottish students on other courses. As the minister has powers over SAAS and student funding, funding could be withdrawn.

In a relatively short time, we could have a system of differential fees throughout Scotland. That would not be the same as the system in England, but it would nevertheless be a system of differential fees. The introduction of such a system would not require a debate in Parliament, because the bill would allow ministers to make an affirmative order. Such changes to the system in Scotland, even though they are huge and wide ranging, would not have to go through Parliament.

Fiona Hyslop mentioned a court case. The Executive's advice is that the policy memorandum and explanatory notes on the bill do not carry legal weight and would not stand up in a court case. Even if such a case were to be brought—it would be difficult for one student to do that—the Executive's advice is that the documents would not stand up in court as a guarantee that the Executive had promised not to introduce a system of differential fees. The Executive says that it plans fees only for non-Scottish medical students, but we worry that such fees could be extended in the future and that there would be nothing to back up the claim that has been made.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I have two questions, one of which is more hypothetical than the other. We have covered fees fully and you make your case well. We have talked about the matter previously. Last week, the committee pushed the professionals on the same issue. The general response was, "Problem? What problem?" You had told me privately that that could be the reaction. Will you surmise why that is the reaction? You articulate your case well, but when we spoke to Universities Scotland or whatever, it said that it was not as concerned as the NUS is. Why is that?

Melanie Ward: As I said, the different groups that have appeared before the committee represent different stakeholders. Initially, Universities Scotland was concerned about STEPs—which have been referred to—and about a tertiary education sector. The bill has changed significantly since that time. We took a different position on that subject.

It is normal for different groups of stakeholders in the system to take different views on elements of a bill and on any policy issue. Universities Scotland's prime concerns with the bill have been addressed and it is satisfied with the bill. We, too, are satisfied with the bill, except the fees element.

We have worked in the past against top-up fees with Universities Scotland and with trade unions, as I said. The consensus among stakeholders on top-up fees is that a system of differential fees is not the way to proceed, but our submissions focus on different elements of the bill and on the elements that are of most importance and significance to our stakeholders.

Mr Stone: My second question returns to the funding council merger. I ask you merely to speculate. Will the merger pose questions about the structures of colleges and universities? When all money comes from one source, might that create the temptation to ask two institutions that are geographically close whether it is time to rationalise their operations? One thinks of administration, payroll and grounds maintenance.

Melanie Ward: The draft bill contained a power that would allow the minister to instruct institutions to consider merging. That has changed a little bit, but the minister can still ask institutions to have a look at merging.

There are a couple of current examples of mergers. Glasgow metropolitan college brings together Glasgow College of Building and Printing and Glasgow College of Food Technology. In that situation, three colleges are basically on the same street. From the students' point of view, the merger has been successful. Students are happy with the changes, which they feel have delivered well for them. Another interesting example is that of Paisley University merging with Bell College. Again, an interesting process is happening there, but students are perhaps less satisfied with it.

We would have significant concerns if the Executive was trying to force institutions to merge when they really did not want to do so and if the governing bodies of those institutions had no wish to do so. We are not worried that the bill would allow ministers to do that and we are satisfied that the provisions in the bill would take account of students' needs in such a process so that institutions would not be forced to merge if they had no desire to do so.

The Convener: In section 5 of your submission, you say:

"We also welcome the duty upon the Council to put in place a unitary credit and qualification framework across further and higher education".

One of the points that was raised with Universities Scotland, which certainly struck a note with me, is that the funding council is really not the

appropriate body to decide on a credit and qualification framework. Do you agree? You can see why, if there is such a framework, the funding council would have a duty to promote it, but surely the adoption of that framework should be done by a body that is not solely concerned with funding.

Melanie Ward: That question can be answered if you look at the overall duties of the new funding council in the bill. The council is to be charged with looking at Scotland's skills needs and it is to have a strategic overview of the system of further and higher education in Scotland. I cannot think of another body that would be as appropriate or which would have the ability to take an overall strategic view of further and higher education and to look at a credit and qualification framework that it might wish to adopt and promote. We are quite happy with the provision in the bill regarding credit and qualification frameworks and with allowing the funding council, as the body charged with skills needs and as the body with a strategic overview, to be the body that would adopt and promote a credit and qualification framework.

The Convener: The funding council is not charged with skills needs, but it must refer to skills needs.

Melanie Ward: I am sorry. It must have regard to skills needs.

The Convener: Other bodies such as Scottish Enterprise and sector skills councils also have a responsibility in statute.

Melanie Ward: I am sorry. I should have clarified that that body is required to have regard to skills needs.

The Convener: Do you think that that is right? Do you think that the funding council should decide the credit and qualification framework?

Melanie Ward: We have to bear in mind that the funding council is a body that is made up of education experts from Scotland and from outwith Scotland. As the committee will be aware, there is a credit and qualification framework in Scotland that has been drawn up through a complex process of discussion and negotiation and with the support, I believe, of all stakeholders in Scottish further and higher education. If a new credit and qualification framework were suddenly to come along and be adopted, we might have concerns about that, but we are happy with the funding council being the body to adopt and promote such a framework.

The Convener: Okay. That covers all the questions. We look forward to receiving your additional papers within the next few days so that we have time to read them before we see the minister next week, when we can ask the tough questions that arise from them.

Melanie Ward: We shall certainly ensure that we send them. Thank you.

The Convener: Thank you very much for your written and oral evidence.

While we are rearranging the chairs, as it were, for the next group of witnesses, I welcome Stephen Imrie, our new clerk, to the committee. Stephen has spent five years as clerk to the European and External Relations Committee and has now been promoted to be the clerk of the Enterprise and Culture Committee. I pay tribute to the work done by Simon Watkins, who was the clerk to this committee for five years and who did a sterling job, ably backed up by the senior assistant and assistant clerks.

Our second panel of witnesses consists of non-NUS student organisations, if I may put it that way—I do not want to get involved in the internal politics of the student movement. I welcome John Andrew Murray, president of the University of Glasgow students representative council, and Bryan Ferrick, vice-president of Elmwood College students association. I believe that Bryan has an opening statement.

Bryan Ferrick (Elmwood College Students Association): Yes. I have a speech, if that is okay.

The Convener: Speeches are not allowed, but opening statements are, provided that they are no longer than three minutes.

14:45

Bryan Ferrick: First, on behalf of Elmwood College students association, I thank you for the opportunity to express our views on a matter that will clearly have an impact on our future education.

On the whole, we think that the merging of the two funding councils is positive for the future of lifelong learning. We hope that the bill will create equal opportunities for students at all further and higher education institutions. It should open avenues for institutions to share good practice and standardise the quality of service that they provide, but we hope that the identity of individual institutions will be retained and supported in the merger. That is important to us at Elmwood College, which is one of the smallest FE colleges in Scotland and offers not only many mainstream subjects for the local community but more specialised land-based courses.

Choice and quality are important issues for students today. There is a fear that local colleges might not be able to continue to offer the variety of courses that are now available if larger, centralised education centres are pursued through the joint funding council. Lifelong learning will work for much of the population only if learning is

accessible. Many of the mature students at Elmwood and other colleges have family ties and responsibilities and, for them, accessibility translates into distance and affordability.

The ability to access education is important to students, but recognition of the worth of further education qualifications is equally important. One of the advantages that students anticipate in the merging of the funding councils is increased awareness by the general public of a more unified approach to further and higher education qualifications in Scotland. We hope that that joint approach, with parity of funding, will highlight parity of quality and thus increase the status of Scottish qualifications both nationally and internationally.

We trust that the new funding council will seek to ensure easier progression from further education to higher education courses. Students at Elmwood want the progression opportunities between FE and HE to improve and become more standardised. We hope that, in that process, higher education establishments will recognise more readily the worth of further education qualifications.

We hope that the joint funding council will ensure that choice and accessibility remain and improve in further education colleges and that students in FE will have the same quality of educational experience as those in HE. We think that a more direct route between FE and HE can be achieved by the joint approach and that that should bring about a greater understanding of the key roles that both areas play in training and education in Scotland.

John Andrew Murray (University of Glasgow Students Representative Council): Thank you for inviting me to the committee on behalf of students at the University of Glasgow. You will note that our written submission concentrated on differential fees. One of the reasons for that is that I represent one of the best medical schools in the UK and I am particularly concerned about medicine. Like the NUS, I worry that the introduction of differential fees is the thin end of the wedge and that it will result in more fees, with the principle of top-up fees becoming extant in Scotland. We recognise that a problem exists with funding the Scottish NHS, but we would prefer alternatives to be used. The alternatives that I spelled out in our submission include the promotion of a culture in which it is possible for school pupils to take five highers in one sitting—at present many people are discouraged from doing so—and the encouragement of medical schools to be more lenient by accepting applications from those who have three or four highers that were taken in one sitting and others that were taken later.

The Government should support programmes such as Glasgow's programme on widening access for health care professionals, to raise aspirations in schools. I have some sympathy with the idea of ring fencing places for Scotland-domiciled students, although I would like that to be discussed a lot more, and I believe that more incentives should be offered to medicine graduates to stay in Scotland, especially in areas outside the cities of Glasgow and Edinburgh. The Scottish Executive should consult universities, the British Medical Association and medical students before retaining the section of the bill on variable fees, although I would prefer it to be struck out altogether.

Bryan Ferrick touched on parity of esteem, which is a general theme that runs through the bill. As someone who went through a year and a half of further education, I sympathise with moves to act against the snobbery that damages people's view of further education. Further education is important, but it has a different function from that of higher education—although the difference may not be as great now as it once was, with many post-1992 universities bridging the gap between education and training by offering a large number of vocational degrees.

We concede that further education needs more money, but we feel that that should not happen at the expense of higher education. Universities exist in a competitive international market, whereas further education colleges tend to serve only a local or Scottish market. Universities require income to attract top-flight academics to maintain and enhance their standing. I would rather that articulation agreements were encouraged at the level of the institutions—I believe that the University of Glasgow has many articulation agreements with institutions such as Anniesland College, Clydebank College and Langside College Glasgow, where I came from.

We welcome the extension of the powers of the public services ombudsman, but hope that emphasis is put on having a number of dedicated staff who are familiar with further and higher education. Many of the staff in the ombudsman's office deal with a wide range of issues, but because of the complexity of the complaints about further and higher education, I would rather that the staff specialised.

Section 7 of the bill is entitled, "Fundable bodies: further provision". We would not like fundable body status to be extended to private institutions; we believe firmly that education should remain in the public sector. If such institutions are created, they should be subject to the same stringent regulation of quality as the existing institutions and provision should be made for robust student representation within them.

The Convener: Thank you. Your opening statement ranged a bit wider than your written evidence, but we will take them both together. We kicked off our evidence with Elmwood College from Fife, so we will kick off our questions with Christine May from Fife.

Christine May: I had questions for both witnesses, but John Andrew Murray's broad statement has probably answered the questions that I had for him. However, I want to comment on his comment about the role of the post-1992 universities. Very good articulation arrangements are in place with some of the older universities as well; I would cite, as an example, the University of St Andrews and its relationships with various FE colleges.

I thank Bryan Ferrick for his comments. As the MSP for Central Fife, I know Elmwood College well; many of my constituents attend the college. I have two questions. At the bottom of page 2 of your submission, you raise the issue of merging colleges. Jamie Stone asked a similar question of the previous panel of witnesses. Are your concerns to do with the loss of physical location in the event of a merger—in Elmwood's case, such a merger might be with Glenrothes College or Fife College—or are they to do with the loss of courses?

Bryan Ferrick: It would be more to do with the loss of courses. As you know, Elmwood is more of an agricultural college, covering green-keeping and that sort of subject. We have some mainstream courses such as care-sector courses and hairdressing, and those subjects could be at risk if the college were to merge with other colleges.

Christine May: In the context of a more streamlined administration of further education, would you have a problem with integrated mechanisms for payroll, human resources and so forth?

Bryan Ferrick: I am sorry, but I cannot answer that question just now.

The Convener: May I interrupt for a moment? The sun is right in Bryan's face, which must be very disconcerting. If you would like to, you should move to your left—which I am sure is never a problem for a student. We have closed the blind, but the sun is still very bright.

Bryan Ferrick: Thank you—it is a bit better here. It is fine.

The Convener: Is that more comfortable?

Bryan Ferrick: Much better, yes.

Christine May: I am sorry, Bryan—I had not realised the problem.

I turn to page 4 of your submission and to the points on access to higher education. I presume that you are talking about the two plus two—two years of FE followed by two years at university. From your experience of Elmwood and the courses that it offers, do you feel that any discrimination is solely on the basis of the courses of study that are followed, or do you feel that it applies to the FE sector as a whole?

Bryan Ferrick: I feel that it applies to the FE sector as a whole. As I said, Elmwood is one of the smallest FE colleges in Scotland.

Christine May: There is an interesting point there about parity of esteem, particularly in relation to smaller colleges with more specialist courses.

The Convener: On mergers and so on, I should point out that one of the recommendations in the Enterprise and Lifelong Learning Committee's report two years ago concerned the need for a national estates review that would look across both higher and further education. That was inspired to some extent by the estates review among the colleges in Glasgow. Perhaps the issue needs to be revisited at some point, although not in our discussions about the bill.

I think that Jamie Stone has a question.

Mr Stone: Christine May has just asked the question that I was going to ask.

Michael Matheson (Central Scotland) (SNP): I have a question for John Andrew Murray about his written evidence. In the second paragraph of the section that is entitled "Principles in relation to the proposal to increase fees for medical students", there is a reference to the process of special pleading. The final sentence of the paragraph questions the assertion that medical courses

"will universally be accepted as a 'special case'"

when differential fees are considered. Why do you question that assertion?

John Andrew Murray: In essence, because the floodgates would be opened. Medicine has a disproportionate—shall I say—number of non-Scotland-domiciled students compared with other courses. Other courses, such as veterinary medicine, possibly do not have as much value to the social economy, but if there is a shift in skills, I imagine that people in rural areas might say that there are not enough vets. We are talking about a dangerous thing to do.

Michael Matheson: So you believe that medicine in general will be accepted as a special case.

John Andrew Murray: I believe that, as things stand, medicine is the only special case.

Michael Matheson: Another course for which you think that there could be special pleading would be veterinary services.

John Andrew Murray: Yes. Veterinary medicine is the other obvious course that has a large number of non-Scotland-domiciled students.

Michael Matheson: Do you have evidence about any other courses that might be in that situation?

John Andrew Murray: Not so much. There is a large number of Scotland-domiciled students in Glasgow in particular. Three quarters of our students are Scottish, so we do not tend to have the same disproportion that there is in places such as Edinburgh and St Andrews.

Michael Matheson: That is helpful. Thanks.

Mike Watson: I have questions for Mr Murray. Your submission is heavily skewed towards the issue of fees, although you added a bit to that in your opening remarks. What you are saying could not be clearer. The ground has largely been covered in the NUS evidence and the issues are perfectly clear.

However, I want to ask you about the second paragraph on page 5 of your submission, which is remarkable. There is excoriating criticism of the Executive and the way in which it is carrying out what you refer to as "this consultation". Are you referring to the consultation on the merger of the funding councils or the consultation that has just been completed on charging medical students from England differential fees? What you have said is pretty much to the point, and other members and I will probably want to put your points to the Executive next week. Did your organisation contribute those views in a consultation response, either in the consultation on the bill on the funding councils or in the consultation on fees for English medical students?

John Andrew Murray: We are talking about fees; for us, that is the main issue in the bill. We accept the bulk of the bill, but that is the one outstanding issue that we would like to be scrapped.

Mike Watson: My second question is about a point that you made that I am particularly interested in. Christine May mentioned a college that is local to her—Elmwood College. Langside College is in my constituency, so I know it well. You said that you went there before you went to medical school.

John Andrew Murray: I went to university, not to medical school.

Mike Watson: I apologise—I thought that you were a medical student. As that is not the case, you might not be able to answer my question. To

what extent do people, when they reach the age of 17 or 18 and leave school, feel unable for whatever reason to study medicine, not necessarily because they do not have the ability or the qualifications? You seem to suggest that, in respect of articulation and so on, there is a lack of encouragement for some school students to move on to study medicine. Is there a role for colleges such as Langside College or any other FE college to bridge the gap between school and medical school?

John Andrew Murray: There may be a role in providing certain courses that would be a pathway into medicine. I do not accept that students must necessarily study for five highers in one sitting and get five As in that sitting—I concede that there are other pathways into medicine that could be provided by schools or FE colleges.

15:00

Mike Watson: That is an important point in the wider context of the issue of medical students.

In your submission, Mr Ferrick, you pose the question:

"By merging the new funding councils will further education students have more of a voice or less of a voice?"

You seem almost to be pitting FE students and their organisations against HE students. To what extent do you see the two groups as being in competition? You say:

"While this situation"—

the difficulties in FE—

"is nothing new it does raise key questions about how the voice of further education students will stand its ground going head to head with higher education students."

That statement seems rather confrontational. I suspect that it is not quite as it sounds, but can you explain what you had in mind?

Bryan Ferrick: I am a further education student and we do not believe that we are heard as much as higher education students.

Mike Watson: Do you mean heard by the Scottish Executive?

Bryan Ferrick: Yes. Higher education students tend to be listened to more than FE students. I am not trying to create a confrontation.

Mike Watson: I understand what you mean. Thank you for that clarification.

You say that often students attend further education colleges only for a year and that they are rarely there for four years, as is usually the case with universities. For that reason, they do not have the opportunity to spend a long time in the role of student. FE colleges also do not fund full-

time sabbatical posts, as universities typically do. I remember that from my time as a student 30 years ago. I understand why an organisation such as the University of Glasgow is not part of the NUS, which was the case even in my time. However, I should have thought that for a small FE college such as Elmwood College one way of getting round the problem of not being heard would be to be part of a bigger organisation that articulates a specific view for FE students as well as looking after higher education students. Why does Elmwood College not see it as beneficial to be part of the NUS?

Bryan Ferrick: I cannot answer that question. It is a matter for the college.

Mike Watson: Is it not for the students, rather than the college, to decide whether to affiliate to the NUS?

Bryan Ferrick: In a way, it is. However, it is also a matter for the college.

Mike Watson: I understand the points that you make. Smaller colleges play a vital role. That is especially true of Elmwood College, which operates in a particular area and offers a specific type of course. I want to ensure that there is a way for the voice of such colleges to be heard. Perhaps the Scottish Parliament is proving to be one way in which that can happen.

Richard Baker: John Andrew Murray said that we should consider the possibility of ring fencing places on medical courses for Scottish students. I am a little concerned about that suggestion, which seems to be blatantly discriminatory against students from other parts of the UK who come to Scotland. The Executive suggests that we address problems with cross-border flow by ministers setting a new fee across institutions' medical courses. That means that English students would potentially pay the same to study in Scotland as they would to study in England and that Scottish students would not pay any more. As is normal, universities would decide on the basis of academic merit who received a place. Ring fencing a number of places would mean going beyond that. I want to flag up those questions with you.

John Andrew Murray: I am not in favour of ring fencing or quotas. I merely suggest ring fencing as an option, but it would be very much a last resort. I would rather have school education improve to the extent that there were enough people wanting a medical education.

Richard Baker: In some areas of medical education, the number of training places is set not by the Executive but by the professional bodies.

John Andrew Murray: I understand that the number of places available for medicine is controlled by organisations such as the BMA.

Those organisations could be put under pressure to be more lenient. The admissions process in medical schools can be overly strict.

Richard Baker: We would need a bit of luck there.

Fiona Hyslop: I thank John Andrew Murray for his submission and especially for the comments on differential fees for medical students. Recruitment and retention of doctors is the key issue in Scotland at the moment. You say that you do not want ring fencing and that it would be a last resort, but we have been presented with the first resort of fees. Is this the right time and place for the Parliament to discuss the future recruitment and retention of medical students or should that debate be removed from the bill and discussed in the context of separate legislation?

John Andrew Murray: It should be taken out of the bill and we should have more of a national debate about it. As you said, it is possibly one of the most pressing issues for the Scottish Executive at the moment. Lumping that issue into a bill that is to do with the funding councils is burying it where it does not belong. It must be debated separately and all the stakeholders need to be involved in a lengthy and extensive consultation.

Fiona Hyslop: The Parliament's Health Committee is currently looking at the recruitment and retention of medical students and it could be argued that that committee should be looking at this part of the bill if it concerns medical students alone. In your submission, you list seven alternative proposals, many of which have come from the Calman report. The final area that you suggest should be considered is

"Ways of improving links between the cities with medical schools and areas where there is a shortage of health workers".

My health board is currently looking at that in connection with Glasgow and Edinburgh and the 10 acute hospitals in between. Is that a way of addressing more proactively some of the recruitment and retention problems rather than hampering legislation with what you say is the thin end of the wedge?

John Andrew Murray: The five medical schools in Scotland could work closer together to cover the country on a geographical basis. Many students tend to go to their local university anyway—that is certainly the case in Glasgow. If medical schools become embedded in their local areas, we might see increasing retention.

The Convener: I thank both the witnesses for their written and oral evidence, which has been extremely helpful and covered all our questions.

We move to the third of today's evidence-taking sessions on the Further and Higher Education (Scotland) Bill. I welcome from the Association of University Teachers Scotland Dr Alastair Hunter, who is this year's president, and Dr Tony Axon, who is research officer to the AUT Scotland. I also welcome Mr Howard Wollman, the honorary treasurer, and Ms Andy Thomson, the president of the Educational Institute of Scotland. I point out for the record that Ms Thomson is a lecturer at the school of acute and continuing care nursing at Napier University and that Mr Wollman is the acting head of the school of psychology and sociology at Napier University.

I take it that there will be an opening statement from each organisation. Will Alastair Hunter of the AUT begin?

Dr Alastair Hunter (Association of University Teachers Scotland): We are grateful for the opportunity to contribute to the committee's work. It has been helpful to be part of a wider consultation. We recognise the way in which the Scottish Executive and the Parliament's committees respond to input from outside and we hope that that will continue creatively.

Our submission picks up on issues, some of which were touched on earlier, that reflect the concerns of the people we represent. Some of the issues that we want to raise in relation to the bill reflect our concern that the new funding council might require further powers than are envisaged at present. I do not mean legal powers, but, for example, it might take more of a planning role in the way in which subjects are provided for throughout Scotland. We are aware that the autonomy of individual institutions is important; however, in a country the size of Scotland, it is by no means unthinkable that some subject areas might disappear through choices made by individual institutions. It would be helpful if some planning provision could be included in what the funding council has to do.

I expect to hear some questions on HE and FE. Our particular concern is with HE, but we are well aware of the need for better articulation between the two sectors. Some of the apparent disagreements between us, the NUS and others arise through different people expressing in different ways the same ambition. Clearly, we have to say that we are concerned that the support and funding level for the specific mission of HE are preserved. For example, HE has an intense research role that is not typically the role of FE, although I do not rule out the possibility of there being such a role in FE in some circumstances. In that respect, we have expressed concern about the extent to which guidance will be given to the funding council as regards the division of the large block grant—I use the word "large"

advisedly—and whether ministers will give fairly detailed or only the most general guidance on how the funding may be divided between the sectors.

Although we have made only a small remark towards the end of our paper on the question of fees, we are aware that the whole issue of fees has a number of pitfalls that need to be addressed, some of which are not part of the bill that is presently under consideration. We share the concerns about the apparent opening of the door to variable and differential fees; however, I suspect that enough has been said by others on that subject. There are also problems for self-financing and part-time students, in relation to fees, which sometimes have a bearing on the setting of fee levels in Scotland.

The other issue that we thought was worth highlighting in this opening submission is the opportunity that the bill might offer to extend the principles of academic freedom: not just the freedom of institutions to pursue what they do, but the freedom of academics within institutions to pursue their proper remit of investigation, research, study and scholarship. Such academic freedom is written in for the pre-1992 HE sector, and it would be interesting to see whether it could be easily extended to the post-1992 and FE sectors.

Mr Howard Wollman (Educational Institute of Scotland): I thank the committee for giving us the opportunity to contribute to the work of the committee. We are pleased that many of the points that we and others made on the original draft bill have been used to improve the bill as introduced substantially. We think that that is a good example of that part of the consultation process at work. We strongly welcome the merger of SHEFC and SFEFC and, more important, the aim of ensuring parity of esteem between the sectors. We have one or two concerns, as there are issues that might detract from that parity of esteem.

The first of those is that which my colleague Dr Hunter raised about academic freedom. We, too, think that there should be an extension of the academic freedom of institutions—which is explicitly mentioned in parts of the bill—to individuals in both post-1992 higher education institutions and further education institutions.

15:15

We are also concerned about parity of esteem, or the lack of it, when higher education courses are taught in the further education sector. Much support has been given for the development of the Crichton campus and the UHI Millennium Institute, but we are concerned that the work at those institutions to teach higher education courses—

degree courses—is being performed at further education pay rates, which have, on the whole, been considerably lower than higher education pay rates. There are two variations within further education, but pay rates are considerably lower overall. Conditions of work, such as teaching hours, are also much less favourable. We are concerned because that situation is not only inequitable but counterproductive in relation to the experience that could be provided for students and in attracting the best staff.

I should have said that our paper mostly reflects the draft bill. The points that I will make are additional to those in our written submission.

We welcome the changes to section 20 to require the funding council to consider economic, social and cultural issues, as well as skills needs. That reflects more clearly the diverse roles of higher and further education. We also welcome inclusion of the UK and wider international contexts and recognition of the credit and qualifications framework, of which we are strong supporters.

The bill could contain a little more in one or two places. For example, the list of bodies that the council is required to consult under section 22 is somewhat narrow. We would like the provision to refer to staff organisations, trade unions and relevant student, professional and community bodies. They are not named at the moment.

We have expressed concerns about the governance of institutions. We would like further and higher education institutions to have governing bodies that represent fully the communities of which they are a part, to ensure diversity and to take full account of age, gender, ethnicity and disability. We would like measures to ensure that board appointment processes throughout the sector follow good practice and are open and accountable.

We acknowledge that some safeguards are in place on the designation of further fundable bodies, but we are concerned that such designation could be extended to private providers as part of, for example, a global liberalisation of the market in higher education, to the detriment of existing Scottish institutions. Adding to the current number of providers would not serve the best interests of Scottish higher and further education.

We share the concerns about fees that I gather have been debated this afternoon. Despite the assurance that it would be limited to highly specific circumstances, we are concerned that the power in the bill could be used to introduce differential fees, which we oppose strongly.

We are content with the powers for ministers to provide additional grants, provided that they are genuinely additional. We do not wish to see a

further round of top-slicing of existing grants to institutions.

We welcome the requirement to establish a research committee, but we are concerned about parity between pre-1992 and post-1992 higher education institutions in research funding and opportunities to undertake research. In a previous submission, we pointed out the significance of research that is undertaken predominantly in post-1992 institutions for important sectors such as nursing and the creative industries. We would welcome further specification in the bill of the committee's membership, to ensure that it represents fully research that is conducted throughout the higher education sector and to encourage the further development of relevant research in further education.

We are content with and welcome the council's rights to attend and address meetings of governing bodies, but we are uncertain about what happens next and where concerns would be taken following meetings. The bill is silent on that.

The Convener: Thank you. Mr Wollman, your opening statement raised a number of issues and I begin by asking you about three of them. First, on academic freedom, as I understand it, you are arguing that the existing rights of the pre-1992 institutions should be extended to the post-1992 institutions. I have a lot of sympathy with that argument, but are you also arguing for a further strengthening of overall academic freedom?

Mr Wollman: The EIS is fairly content with the definition in the Education Reform Act 1988.

The Convener: Do you just want it to apply to the post-1992 institutions?

Mr Wollman: We want it to apply throughout the sector and to further education.

Dr Hunter: The AUT Scotland agrees with that. Within the sector, there are support staff who are involved in teaching but who might not be covered by the Education Reform Act 1988. It might be timely to re-examine not the act and what it says about freedom, but the people to whom it applies within the sector overall.

The Convener: It would be helpful if the EIS and the AUT could provide some additional suggestions and information on that before stage 2, because it is the kind of issue that the committee might like to consider further at stage 2.

The second issue about which I will ask concerns governance, particularly college governance. Last year, the Scottish Executive published guidelines on that, which I hope are being implemented. However, a number of college principals and governors have raised with me the point that, under the legislation that set up the colleges as bodies autonomous of local

authorities, local authority councillors were excluded from chairing the college boards. I have had representations that it is time to revisit that rule and that the bill might be—it might also not be—the right place to revisit it. Do you have any thoughts on that matter?

Mr Wollman: We welcome the outcome of the Executive's review of governance and accountability in the FE sector, the full implementation of which would go a long way towards establishing college boards on a better and more equitable basis. The review encourages boards to achieve a more diverse and representative balance, but I do not know whether it can ensure that. Ms Thomson and I are from the higher education part of the EIS, so it is difficult for us to comment on the specific issue of local councillors being allowed to chair college boards, but I do not think that we would oppose that change.

The Convener: Would you give it further consideration together with your colleagues and write to us with your views? That would be extremely helpful. We would also welcome your views on the extent to which the new guidelines are working effectively and whether we need to do more in the bill to improve the governance of colleges.

My third point concerns parity of esteem. To some extent, the issue arose from recommendations that were made in the Enterprise and Lifelong Learning Committee's report on lifelong learning two years ago. The question is how we implement parity of esteem. Howard Wollman made some points about the funding of HE in FE institutions, where HE is funded on an FE basis. I think that you argued that the funding of HE in FE institutions should be equal to the funding of HE in HE institutions, but what would the implications of that be for the rest of the college sector? If we decided to have one rate for HE and another for FE, would it not create anarchy and chaos in the pay and reward systems in the college sector if a lecturer were to be teaching HE in the morning—if I can put it crudely—and FE in the afternoon?

Mr Wollman: There is one simple answer to that: the strong pay differentials between FE and HE should not exist. At the moment, the colleges have different pay rates and there are considerable differences between them—at the top of lecturers' pay scales, there is £4,000 or £5,000 between the best-paying and worst-paying FE colleges.

I do not want to go down the road of distinguishing the proportion of people's work that is done as FE or as HE, as I do not think that that would be sensible. A lot of higher education is going on in further education colleges. There are

some very specific issues with UHI staff whose work is virtually exclusively in higher education inside colleges, as they are paid considerably less for that work.

The issue is not just about pay; it is also about time. There are people teaching higher education on degree courses in colleges who do not have the time for research, which we would normally expect to be a part of teaching in higher education, and for scholarly activity. We have to consider conditions as well as pay.

The Convener: It is complicated and difficult to achieve parity of esteem, not to mention the cost of doing so. We all pay lip service to the notion of parity of esteem, but should there not be a specific duty on the merged council to have regard over a period of time to achieving parity of esteem?

Dr Hunter: One of the problems with a phrase such as “parity of esteem” is that, at an emotional level, it represents how we think about one another. I take it that that is not the real issue because I have absolutely no problem with how I evaluate colleagues in FE. If, for example, we are talking about the level at which the resourcing of HE and FE is done from the students’ perspective, the question would be, “Is what I am getting—which is called higher education in further education—as good as what I would get at university?” There needs to be an examination of arrangements between institutions as opposed to a global solution, and good practice might emerge out of that, such as the sharing of library resources, which is a pretty obvious issue. Those who teach HE in FE have to be sure that they have the time to prepare the kind of courses that would be expected if they were to be called HE courses.

There is also the issue of the articulation of two plus two, which has been developed in some places and must have some future. However, again, it depends upon the fit between the types of courses that are taught in FE and those taught in HE. I suggest that the council might have a long-term remit to promote two plus two, but that will depend on significant work between institutions where articulation already exists or where it might be developed.

The Convener: That leads me to my final question to the AUT. You argue that ministers should direct the merged council to say how much of the money should go where. Assuming that that argument is accepted, there are two ways to do that. Are you recommending that ministers should say that this amount should go to universities and that amount should go to colleges or are you saying that the minister should allocate an amount to higher education and an amount to further education? The two types of allocation are different.

Dr Hunter: Indeed. My immediate answer is that we would have to think further about the question. There is a concern that if the council is left to make the strategic decisions over divisions, that could lead in some circumstances to unnecessary confusion or argument within the council. Ministers might give a less specific steer on pounds, shillings and pence and use a broader division, such as the requirement to maintain the undertaking that has been made for HE for the next few years. I think that we seek a general directive rather than a highly specific instruction. On whether the split should be between HE and FE or between universities and colleges, we might say that there is perhaps a need for a middle ground. As I pointed out a moment ago, HE and FE are developing, so there might almost be, if you like, a threefold division.

15:30

The Convener: That leaves me totally confused about what you are recommending. Perhaps after you have given the matter more thought, you can give us some paperwork on that.

Dr Hunter: We will.

Dr Tony Axon (Association of University Teachers Scotland): In part, our concern is about how the new funding council will provide funding to the system. When it starts off, there will surely need to be a breakdown at institutional level of the funding that it provides. However, the new funding council might change its funding streams. Our concern is partly about that.

The Convener: I am trying to get at what lies behind your recommendation, how you see the system working and what the implications are. I look forward to hearing more details about your suggestion of—if I may use the phrase—a middle way.

That is a nice cue for Jamie Stone to come in.

Mr Stone: I could take issue with that remark.

I have a tidying-up question on what the EIS submission says about UHI. On the fourth line of page 4, the submission mentions that courses at UHI are delivered by FE staff

“without any common approach to quality, conditions of employment or rates of pay.”

I want to probe what that “quality” refers to. Does it refer to the quality of the teaching, the quality of the end-product or the quality of the educational attainment of the young person?

As someone who represents a Highland constituency, I found that that paragraph leapt out at me. Have you found the paragraph in your submission?

Ms Andy Thomson (Educational Institute of Scotland): Yes. We are just thinking how to answer the question.

Mr Stone: While you are thinking about that, perhaps I could ask my second question, which cuts to the chase.

Although I wholly accept the EIS's point about parity of esteem, the fact is that a highly qualified lecturer in biochemistry at a higher education institution commands a higher level of remuneration than a qualified FE lecturer in some other subject. To get to the biochemistry level, the lecturer will probably have had to undergo more years of training. By definition, they probably need to have a PhD or something else as well. When you talk about parity of esteem, do you accept that remuneration will not always be the same, or is it your long-term goal to increase the cash reward that is paid to lecturers at UHI?

Ms Thomson: We have some concern about the disparities in salary that exist among further education college staff. We are also concerned about the disparities between the salaries of FE college lecturers who are at the top of their salary and those of university lecturers, given that lecturers in FE institutions can be expected to carry out jobs that are similar to those of university lecturers. They are also required to undertake some, if not all, of the teaching of degree students. There is a serious problem with salaries.

We do not have a simple answer to the problem—we certainly do not have one that we can give today—but there needs to be a review of the current situation. We should not expect people to deliver higher education on the cheap by providing the same quality of preparation for the education of students for a much lesser rate of remuneration. Also, FE lecturers often have much larger teaching demands. There is a serious problem with disparities in salary. There may be no simple answer and it may take some time to achieve a solution—that must be a long-term rather than short-term goal—but we should not put the issue to one side as if it was unimportant.

Mr Stone: While you are thinking about the quality question, let me ask a supplementary. As committee colleagues will have heard me say before, it is obvious from the back pages of the *New Scientist* that the remuneration for university teachers of science subjects is somewhat laughable in comparison to what those same individuals might receive if, after graduating or obtaining their PhD, they were to join a financial institution in Edinburgh. On both the FE and the HE fronts, are we not in danger of losing from academia, especially from the science faculties, some of our best brains?

Mr Wollman: I certainly would not disagree that the salary levels in higher education in general—to leave aside further education for a moment—are way out of line with the salaries in many professional areas. I am sure that there are people here who have more detailed information on that. That applies not just to jobs in science, but to jobs in many subject areas, such as accounting and law.

On your question about the difference between salaries in higher education and those in further education, it is not the case—certainly at lecturer and senior lecturer level—that someone teaching biochemistry would end up on a different salary level from someone teaching design. There could be some difference in their starting positions because of experience or qualifications, but their salaries would come to a similar ceiling level. It is at that ceiling level that salaries in higher and further education are very different. Institutions might have more scope at professorial level.

On the quality question, we were not trying to suggest that what was being delivered at UHI was not of high quality. The problem is that the costs of delivering that quality are falling with undue burden on individual members of staff who are getting insufficient reward.

Christine May: I have three questions. I want to step back from the specifics of what has just been debated. As I understand it, the basis of the problem is that FE institutions do not get the same monetary value per student for HE courses that are delivered in FE. Is there not an argument for suggesting that the merged funding council might want to consider that issue over a period of time in return for guarantees about what colleges would be able to do with the additional funding to ensure the quality of their degree courses? That is my first question, which each of the witnesses might want to consider if they are to give us further evidence; I do not expect them to be able to answer it straight off.

At the bottom of page 2, the AUT's submission refers to non-accredited courses. As far as I recall, the bill does not mention non-accredited courses or their funding. You suggest that funding for such courses should be reintroduced. Why? From which budget should that funding come? Would it come from the same pot of resources that is available for accredited courses?

My third question is about the redistribution argument; I asked it last week, but it got evaded. There seems to be a fear that if any moneys are redistributed for new institutions, that might mean a reduction in the overall pot that is available for the existing institutions. Are you saying that if there is to be agreement to additional new institutions, the Executive should provide additional money to support them?

The Convener: We will hear from the AUT and then the EIS.

Dr Hunter: To some extent, I addressed your point about the enhancement of funding for HE in FE in an earlier reply, when I suggested that there might be scope for discussion in the longer term. To save time, I will let that answer stand.

In many ways, non-accredited courses have slipped off the agenda in recent years. In institutions such as mine, which is the University of Glasgow, where there is a strong adult and continuing education department, it is clear that there is a market for non-accredited work. Although such work sometimes goes no further than enhancing an individual's own well-being, it sometimes leads people to recognise that something accredited and formal might be good for them. Given that the whole subject of funding is on the agenda, it might be an opportune moment to revisit this issue. Although having an earmarked budget would be good, I am as much of a realist as MSPs about such matters. That said, such a move would be positive and in keeping with the different approach to education in Scotland. As far as your question on new institutions and new money is concerned, I am not sure whether you are referring to making UHI a full university, to giving the Crichton campus independent status or to some as yet unknown entity.

Christine May: A number of new institutions could well be created from, for example, mergers and, as you have said, the status of UHI and the Crichton campus might change in that respect. However, completely new institutions might also be created.

Dr Hunter: If we are talking about mergers and the continuing development of the Crichton campus and UHI, we hope that the Executive has such matters in mind when budgeting for the future. If we are talking about completely new institutions, I think that we would prefer such developments to be funded by new money.

Mr Wollman: I did not think that, by new institutions, you meant merged institutions. Although they might incur costs, they also involve some sort of consolidation. Moreover, I did not think that you meant existing initiatives such as UHI and the Crichton campus.

Over the years, the trend of discussion in higher education has moved away from creating new institutions beyond Crichton and UHI towards mergers or the idea of mergers. We seem to have quite a lot of higher education institutions already. We are not so much concerned about the creation of new public sector institutions, which is unlikely to happen, but we are finding it hard to anticipate the implications of, for example, the general agreement on trade in services and international

liberalisation. All that might lead to what could be called a McDonald's university, which might come into competition with existing further or higher education providers.

Mike Watson: You might have covered this point in response to one of the convener's questions. In your paper, you recommend that

"the undermining of academic freedom should be reversed".

Does that simply reinforce the point that you make at the end of your submission that all academic staff in further and higher education should be brought within the provisions of the Education Reform Act 1988 or do you mean something else by the word "reversed"?

Dr Hunter: The main point is that the principle of academic freedom should be as widespread as possible. Behind that statement lies the sense that in areas where, for example, research is very closely tied to industrial and business needs conflict can arise between research freedom and the requirements of the people who are putting up the money. We simply felt that it was important to extend the principle.

Dr Axon: We are concerned that academic freedom in institutions has been somewhat eroded and does not have the same worth as it previously had. Now that tenure no longer exists—essentially it was replaced by the endorsement of academic freedom—we are concerned that people in institutions are still being pressed by heads of department not to pursue certain issues. It would be useful if the bill extended academic freedom not only to the institutions that are not covered at the moment but to the people who are not covered at the moment—such as researchers and people in universities who are in support roles and are involved in research and teaching. There has been an erosion of freedom for individuals and a reaffirmation of that freedom would be useful.

15:45

Mike Watson: Would coming within the ambit of the ombudsman not deal with the protection of staff?

Dr Axon: As far as I know, the ombudsman cannot deal with employment issues. Also, the academic issues in the bill are not to be part of the ombudsman's role.

Mike Watson: Would any of the other witnesses like to comment on academic freedom?

Ms Thomson: We would certainly expect freedom to be extended to the post-1992 institutions and to further education. People should be free to voice their opinions. If they do a piece of research, they should be free to talk about it and not forced to hide or subvert any information that

they have discovered. It is important that academic freedom is maintained and that people are able to publish their research findings without feeling under pressure from anybody.

Mike Watson: By and large, members of the EIS will be in the universities that are not covered by academic freedom at the moment. Are your members being put under undue pressure as a result of not having that protection?

Ms Thomson: Without looking into the matter more carefully, I would not want to answer that point at the moment—although Howard Wollman may have an opinion. My feeling comes simply from talking to people; I have anecdotal evidence but no hard evidence that people feel under pressure not to release their findings.

Mr Wollman: We are not aware of specific live issues and problems, but the situation in higher education has become anomalous because the previous act was passed before the 1992 changes. We see no reason why the same protection should not be offered.

Mike Watson: It is a question of parity between the institutions, which is perfectly understandable.

I do not want to labour the point on variable fees, but the AUT made only a brief statement and the EIS did not say anything. You have both now made it clear that you are opposed to any variable fees, but I wonder why you did not want to make the issue more prominent in your written submissions.

Ms Thomson: Originally, that was because we believed ministers when they said categorically that no top-up fees would be introduced in Scotland and therefore—

Mike Watson: I am not talking about top-up fees, but about variable fees.

Ms Thomson: And therefore we extended that to include variable fees as well. We are now aware of a specific concern over non-Scottish medical students and feel that there might be a gateway for the introduction of further variable fees in future if it was felt that there was a reason for introducing them. We feel that safeguards should be put in place so that the issue does not arise.

At the time, we also felt that the issue was more for the students than the staff and we expected the students to take it up enthusiastically—which they have done.

Mike Watson: With your support?

Ms Thomson: With our support, yes.

Mike Watson: Your submissions seem to be at odds with each other on one point. The AUT wants ministers to

“direct the overall diversion of funds between the two sectors”—

the submission says “diversion”, but I suspect that it should say “division”—whereas the EIS says the opposite. Will you justify your positions? I am especially unclear about what the AUT is saying about ministers being able to specify a certain amount of the funding that goes to each of the two sectors. What are your fears? As things stand, what you suggest might happen, will not happen.

Dr Hunter: I guess that my earlier answer left something to be desired, so let me try to be a little more explicit. The requirement on the university sector to fulfil the mission of carrying out front-line research, and of being not only British class but world class, is not a cheap requirement. That mission is very different from the mission of the FE sector as a whole. We are well aware that there is underfunding in FE that needs to be addressed. However, one of our fears is that, in an undifferentiated budget that is given to the funding council, the solution to one problem could be found at the expense of resources for the research mission of the higher education sector. That fear might be quite unfounded, but it was responsible of us to make it clear that we need to be confident that the merging of the funding councils will enable the university sector to carry out its remit, as the Executive clearly wishes it to do.

Mike Watson: I wonder whether Mr Wollman can clarify why the EIS favours a single allocation.

Mr Wollman: We are embarking on a combined funding council, and that must be a serious consideration. I do not think that there is much of a division between us. In our written submission, we caution against any destabilising of further or higher education funding during the transition phase. We agree that there are issues—we have raised some of them—about the funding of aspects of further education, and we would not want the situation to be improved at the expense of higher education. We do not believe that higher education is overfunded at present—quite the contrary. Although we may have come to different conclusions about the mechanisms, I do not think that we disagree fundamentally on the philosophy.

Mike Watson: Perhaps, to some extent, it is about the division between research and teaching rather than between the two sectors. I take that point.

My final question is in response to something that the EIS says in the penultimate paragraph on page 5 of its submission. It talks about governance and mentions

“penalising those that do not ... comply with the Nolan principles when appointing Board members.”

Surely, that does not happen. The Nolan principles have to be observed in any appointments to any

public body. Is that something that you fear may happen in the future, or do you have evidence of that happening at the moment? I am not asking you to name institutions, but if it were happening, that would be quite a serious matter.

Mr Wollman: We might want to come back to you on that. One of the problems is that the information is not that easy to come by—that is one aspect of the whole issue of governance. What happens when appointments are made is not publicly well known. We will get back to you if we have any specific issues on that.

Mike Watson: I am not asking you to name a college or even an individual. My understanding is that people who put themselves forward for a public appointment go before a panel, as a whole, and then become eligible for various public appointments. That has to be done according to the Nolan principles. If that were not happening, especially in respect of further education colleges, that would be a—

The Convener: They are not, technically, public appointments. They are outwith the public appointments system.

Mr Wollman: Our general aim was to suggest that there is best practice incorporated in those principles and that we would like them to be applied to these bodies, which are not public bodies.

Mike Watson: The paragraph that I just quoted states that the EIS wants the new funding council to have powers

“to ensure that all publicly funded colleges and higher education institutions have regard to staff governance”.

It then goes on to mention the Nolan principles. It is not clear to me what is being said there.

Mr Wollman: The point is that the Nolan principles are highlighted as good practice. The question is whether an equivalent level of good practice is applied across higher and further education institutions.

The Convener: The members of the funding councils go through the public appointments system, and we now have a Scottish commissioner for public appointments. Are you suggesting that, for the purpose of appointing people, each of the 67 institutions that will be funded through the merged funding council should be incorporated into the public appointments system?

Ms Thomson: Yes, I think so. Recommendations have been made on governance and accountability and we would want to see those recommendations being followed. There are transparent ways of interviewing and appointing, so that people can feel confident that

the best possible people are in the jobs that they are in and that there is no opaqueness about the way in which people are selected and appointed.

Mr Wollman: The issue is about applying the principles, and not necessarily every detail, in practice.

Mike Watson: I was certainly not questioning what you have said—indeed, I support it. I was trying to get at whether there is evidence that what I mentioned has not been happening and that things need to be turned around by using the legislation. However, you have clarified the position.

Fiona Hyslop: I have a brief question. The AUT talked about the need for more planning to be available to the new funding council. A quite defensive example was used that involved ensuring that certain subjects do not fall through the net. However, that implies a policy remit, which can be used aggressively as well as defensively. Is your plea more about what the minister should do in instructing the funding council, or will the bill need to be amended to strengthen the council's role in planning? Is your plea more of a general policy plea, or does it specifically relate to what you want to see changed in the bill? The EIS might also want to comment on the council's planning role.

Dr Hunter: We thought that there were two ways in which the funding council might have a wider remit in planning and in guidance of a more assertive kind—I do not want to use the word “aggressive”. One way is to ensure that the funds that are directed in particular areas are directed appropriately. We thought that it would make sense for the council to have some powers to call institutions to account. That is one issue. We have made suggestions about how that might be done through warnings about the possibility of similar funding not being repeated.

I agree that general planning on the provision of subject areas throughout the country might raise a wider policy issue. I am not sure whether it would be entirely appropriate for the funding council to do that, but it seems to us to be missing in the overall provision. Given that there are subject areas that are taught in relatively few institutions and that they may well not be cost effective—institutions are constantly considering whether they are getting value for money or best value from the subjects that they teach—it is not beyond the bounds of possibility that an entire discipline, albeit a minority discipline, might disappear with no possibility of anyone saying that that is a bad thing. As the disciplines are funded through the teaching grant in the funding councils and the research grant to some extent, we identified the funding council as a possible place for such issues to be discussed and for an overview to be taken. I

think that we would be content for the matter to be on the agenda, even if it turned out that the funding council was not the best place for such matters.

Fiona Hyslop: Again, we are talking about a difference between teaching and research as far as direction is concerned.

Mr Wollman: We would probably agree with what has been said. In the light of the size of the sector here, it is easier to envisage such a situation happening here than in England, where it would be less likely for a subject to be completely eliminated. Therefore, there is a potential for worry, although we do not have any active concerns.

There are planning issues that need to be further teased out. There is a fine line in what the existing council has been doing in higher education and research, for example in strongly encouraging collaboration in research. There has not exactly been planning, but things have been heading in that direction, and such developments have been generally welcomed. There is a fine line between the council encouraging collaboration, for example, and actively getting engaged in planning. I am not sure whether the line between the two is entirely clear.

16:00

Chris Ballance: I want to ask specifically about your comments on the funding councils' recent joint corporate plan placing too much emphasis on economic aspects and not enough on health and cultural aspects, which you mention on page 1 of your submission. Arising from that is a wider question that I would like both sets of witnesses to respond to, which covers much of what we have been talking about this afternoon. The material is not in the bill, but it is obviously on your agendas—issues such as the priorities of the corporate plans, academic freedom and the different standards and remuneration for FE and HE. Are those issues on which you recommend that the committee should lodge amendments, or are they simply issues that you are saying will be at the top of your agenda as soon as the new funding council is set up? If you feel strongly that we ought to lodge amendments about those issues, what are your priorities?

Dr Axon: I will answer the question on the joint corporate plan. This is the first time that the funding councils have done a joint plan. We thought that it focused unnecessarily on the economic issues and skills needs rather than the more diverse cultural aspects that higher education delivers and the ways in which it builds up civic Scotland and the individual person. That is why those comments appear in our submission.

Chris Ballance: If the comments are not about the bill specifically, why do you bring the issue to us?

Dr Axon: We are welcoming the fact that there is a section broadening the definition of things that the funding council should deal with. The bill requires the funding council to have regard to the cultural and civic aspects of higher education, and we welcome that.

Chris Ballance: What about your priorities?

Dr Hunter: We recognise that the papers that we have submitted are wish lists. Some of the issues belong to our general pattern of concerns, and you would expect us to raise them when we have the opportunity. We will want to make some specific suggestions in due course. For example, I imagine that the extension of the principles of academic freedom will be one, as it is at least indirectly referred to in reference to the freedom of institutions to go about their business and it would seem an easy modification to make. It is probable that the AUT will want to include something specific to give the funding council some teeth to ensure that the money is spent as it should be. If you want a further priority, the planning issue that we talked about a moment ago might well be one. If the proper mechanism is to submit amendments, we will be happy to do that.

Mr Wollman: Some priorities are easier to decide in the context of the bill. I agree with my colleague that the principle of academic freedom would be relatively straightforward to include in the bill. It is not at the top of our priority list, but it would be relatively easy to put into the current bill something to ensure that, in the setting up of the research committee, consideration is given to ensuring that it reflects the full range of institutions that might be carrying out research. The issue of parity of esteem is harder to address, but we could take it away and consider it. Like Dr Axon, I would be happy to submit amendments.

The Convener: I thank both organisations for their written and oral evidence, and I look forward to receiving the follow-up information that we have requested. We now move into private session for item 3 on the agenda.

16:04

Meeting continued in private until 16:09.

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