

## **EXECUTIVE NOTE**

### **The Education (Listed Bodies) (Scotland) Amendment (No.2) Order 2005 SSI/2005/592**

The above instrument was made in exercise of the powers conferred by section 216(2) of the Education Reform Act 1988. The instrument is not subject to Parliamentary procedure.

#### **Policy Objectives**

Sections 214 to 216 of the Education Reform Act 1988 make provision on unrecognised degrees. These provisions have as their purpose the protection of the good name of UK higher education by ending the traffic in bogus degrees. These sections make it an offence to offer, in the course of business, a qualification purporting to be a degree of a UK institution, unless it is a recognised award. It falls to Trading Standards Officers to pursue any cases where a body is believed to be offering such degrees without authorisation.

Recognised awards are awards granted, or to be granted, by a university, college or other body which is authorised by Royal Charter or Act of Parliament to grant degrees, or by a body for the time being permitted by any of the foregoing to act on its behalf in the granting of degrees; and such other awards as the Secretary of State (or, in Scotland, the Scottish Ministers) may by order designate as recognised awards for the purposes of section 214 of the 1988 Act.

Bodies currently authorised to grant awards are listed in the Education (Recognised Bodies) Order 1999. The 1999 Order will be amended by the Education (Recognised Bodies) Amendment Order 2005.

The Scottish Ministers are also required to publish an up-to-date list of those bodies which either:

- (a) are not themselves recognised bodies, but are authorised to provide courses which are in preparation for degrees to be awarded by recognised bodies; or
- (b) are a constituent college, school, hall or other institution of a university which is such a recognised body.

The current list of bodies that appear to Scottish Ministers to fall within (a) or (b) above is detailed in the Education (Listed Bodies) (Scotland) Order 2004.

It is important that the same information is available in Scotland, England, Wales and Northern Ireland. The list of bodies in the 2004 Order is therefore a common list of all UK bodies authorised to offer degree level programmes for validation by a recognised body, and was compiled collaboratively by officials of the Scottish Executive, Department for Education and Skills, the Welsh Assembly Office and the Department for Employment and Learning of Northern Ireland.

The Education (Listed Bodies) (Scotland) Amendment (No. 2) Order 2005 amends the 2004 Order to remove Central School of Speech and Drama, Edge Hill College of Higher Education, Kent Institute of Art and Design, Laban Centre, London, Southampton Institute

the Surrey Institute of Art and Design University College and York St John College from the list of bodies appearing to Scottish Ministers to fall within (a) above. It also removes University of Wales, Cardiff and University of Wales, College of Medicine from the list of bodies appearing to Scottish Ministers to fall within (b) above. It also reflects the fact that Trinity College of Music has changed its name to Trinity Laban.

### **Consultation**

Officials of the Department for Education and Skills, the Welsh Assembly Office and the Department for Employment and Learning of Northern Ireland have been consulted in the preparation of this instrument.

### **Financial Effects**

A Regulatory Impact Assessment has not been prepared as this instrument has no financial effects on the Scottish Executive, local government or on business.

Scottish Executive Enterprise, Transport and Lifelong Learning Department  
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