

POLICY NOTE

THE ACADEMIC AWARDS AND DISTINCTIONS (UNIVERSITY OF THE HIGHLANDS AND ISLANDS) (SCOTLAND) ORDER OF COUNCIL 2017

SSI 2017/146

The above instrument was made in exercise of the powers conferred on the Scottish Ministers by sections 48(1) and 60(3) of the Further and Higher Education (Scotland) Act 1992 (“the Act”). The instrument is subject to negative resolution.

Policy Objectives

Section 48(1) of the Act provides the Privy Council with the power to specify institutions within the higher education sector as competent to grant such awards and distinctions as the Privy Council may specify. Under section 56 of the 1992 Act, an institution within the higher education sector is either a university or a designated institution. The University of the Highlands and Islands (UHI) is a designated institution under section 44 of the 1992 Act.

In 2008, UHI (at that time it was still named the UHI Millennium Institute) was granted powers to grant degrees, diplomas, certificates and other academic awards or distinctions - except where the award was granted in respect of the completion of a programme of supervised research. These powers were granted to UHI by the Academic Awards and Distinctions (UHI Millennium Institute) (Scotland) Order of Council 2008 (SSI 2008/212) (“the 2008 Order”).

UHI applied to the Privy Council for powers to grant awards in respect of the completion of programmes of supervised research in December 2014. The Scottish Government, on receipt of the application from the Privy Council, sought the Quality Assurance Agency’s (QAA) advice in respect of UHI’s application for research-degree awarding powers (RDAP). QAA considered the application through its normal procedures (see QAA website <http://www.qaa.ac.uk/publications/information-and-guidance/publication?PubID=3110#.WMK9E1JdHZ4>). In June 2016, QAA advised the Scottish Government that UHI met the established criteria and were content to recommend that UHI be granted RDAP and in light of this the First Minister wrote to the Privy Council. The Privy Council subsequently approved the making of this Order.

The purpose of article 3 of this Order is to specify UHI as an institution competent to grant all degrees, diplomas, certificates and other academic awards or distinctions as may be granted in pursuance of section 48(2) and (3) of the Act. This will therefore mean that, in addition to its existing powers to grant degrees, diplomas, certificates or other academic awards or distinctions, UHI can now also grant awards in respect of the completion of programmes of supervised research. As under the 2008 Order, UHI has the power to award honorary degrees and to grant degrees to staff of UHI. Awards may be granted by UHI to any person who completes an appropriate course of study or supervised research on or after 8 June 2017. Article 3(3) ensures that the competence of UHI to grant awards and distinctions will continue even if UHI changes its name.

As under the 2008 Order, this Order allows UHI, by virtue of section 48(4) of the 1992 Act, to-

- grant degrees and other academic awards and distinctions jointly with other institutions;
- authorise other institutions to grant such awards on its behalf;
- and after due investigation, to deprive persons of such awards.

Article 4 of this Order revokes the 2008 Order so that all of the powers of UHI to grant awards and distinctions are contained in this Order. The specification of UHI made by the 2008 Order continues to apply for the purpose of granting any award or distinction in respect of a course of study completed before the date specified in article 3(2).

Consultation

The Privy Council and UHI have been consulted during the preparation of the instrument.

Financial Effects

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

Scottish Government
April 2017