

## **POLICY NOTE**

### **The Education (Recognised Bodies) (Scotland) Order 2018**

#### **SSI 2018/6**

The above instrument was made in exercise of the powers conferred by section 216(1) 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 in relation to 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 such body to act on its behalf in the granting of degrees; and such other awards as Scottish Ministers may by order designate as recognised awards for the purpose of section 214 of the 1988 Act.

Scottish Ministers are required to publish an up-to-date list of these bodies, with the UK Government and the other devolved administrations also making similar Orders. Each Order lists the names of all the recognised bodies in the whole of the UK.

The Education (Recognised Bodies) (Scotland) Order 2018 replaces, for Scotland, the Education (Recognised Bodies) (Scotland) Order 2007 as amended by the Education (Recognised Bodies) (Scotland) Amendment Order 2009. Article 3 of this Order revokes both of those earlier Orders.

The schedule of this Order lists all the bodies currently authorised to grant awards and includes changes which have occurred since the 2009 Amendment Order was made. These include the addition of a number of new bodies, as these bodies appear to Scottish Ministers to now fall within the definition of a recognised body. The list omits a number of bodies which were listed in previous Orders but which have merged with other bodies. There are also a number of minor amendments which take into account institutions' name changes.

#### **Consultation**

Officials of the Department for Education, Higher Education and Governance, the Welsh Government's Higher Education Division and the Northern Ireland Executive's Department for the Economy, Higher Education Policy 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.

Directorate of Advanced Learning and Science

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