

POLICY NOTE

THE EDUCATION (LISTED BODIES) (SCOTLAND) ORDER 2018

SSI 2018/7

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

The Education (Listed Bodies) (Scotland) Order 2018 (“the Order”) replaces the Education (Listed Bodies) (Scotland) Order 2007 as amended by the Education (Listed Bodies) (Scotland) Amendment Order 2009, both of which are revoked.

Sections 214 to 216 of the Education Reform Act 1988 make provision in relation to unrecognised degrees. 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. Bodies currently authorised to grant recognised awards are listed in the Education (Recognised Bodies) (Scotland) Order 2018.

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 Order lists in the schedule the bodies that appear to Scottish Ministers to fall within (a) or (b) above. It includes a number of new bodies and omits a number of institutions which no longer provide courses that are approved by recognised bodies. Institutions which have their own degree-awarding powers are omitted and are instead included in the schedule of the Education (Recognised Bodies) (Scotland) Order 2018. This Order also makes a number of amendments to take account of name changes which have taken place since the 2009 Amendment Order was made.

Scottish Ministers are required to publish an up-to-date list of all UK bodies authorised to offer degree level programmes for validation by a recognised body, with the UK Government and the other devolved administrations also making similar Orders.

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
January 2018