



# Skills and Post-16 Education Act 2022

## 2022 CHAPTER 21

### PART 2 **E+W**

#### QUALITY OF PROVISION

PROSPECTIVE

#### *Initial teacher training for further education*

#### 17 **Initial teacher training for further education** **E+W**

- (1) The Secretary of State may make regulations for the purpose of securing or improving the quality of courses of initial teacher training for further education (“ITT(FE) courses”) provided by educational institutions in England.
- (2) Regulations under subsection (1) may (among other things) make provision for and in connection with—
  - (a) accrediting an institution as a provider of specified ITT(FE) courses;
  - (b) accrediting specified ITT(FE) courses;
  - (c) prohibiting the provision of specified ITT(FE) courses by an institution;
  - (d) setting conditions that must be complied with by an institution that provides specified ITT(FE) courses;
  - (e) requiring the governing body of an institution that provides specified ITT(FE) courses, or other specified person in relation to such an institution, to have regard to guidance issued by the Secretary of State;
  - (f) requiring the governing body of an institution that provides specified ITT(FE) courses, or other specified person in relation to such an institution, to give the Secretary of State specified information about—
    - (i) the ITT(FE) courses provided by the institution;
    - (ii) the individuals who are commencing, are undertaking or have completed an ITT(FE) course provided by the institution.

*Status: This version of this part contains provisions that are prospective.*

**Changes to legislation:** Skills and Post-16 Education Act 2022, Part 2 is up to date with all changes known to be in force on or before 02 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (3) The provision mentioned in subsection (2)(c) may include provision for a prohibition by reference to (among other things)—
- (a) the accreditation of an institution under provision included in regulations under subsection (1) by virtue of subsection (2)(a);
  - (b) the approval of the Secretary of State;
  - (c) a failure to meet conditions set in regulations under subsection (1) by virtue of subsection (2)(d).
- (4) Regulations under [this section](#)—
- (a) may make provision for enforcement of obligations or prohibitions imposed by the regulations;
  - (b) may make different provision for different cases;
  - (c) may make provision generally or only in relation to specified cases;
  - (d) may confer a function (including the exercise of a discretion) on the Secretary of State or another specified person;
  - (e) may make such incidental, consequential, supplemental, transitional or saving provision as the Secretary of State thinks fit;
  - (f) are to be made by statutory instrument.
- (5) A statutory instrument containing the first regulations under [this section](#) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (6) Any other statutory instrument containing regulations under [this section](#) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In [this section](#)—
- “courses” includes programmes;
  - “enforcement” includes—
    - (a) monitoring compliance;
    - (b) investigating non-compliance;
    - (c) dealing with non-compliance;
  - “further education” has the same meaning as in the Education Act 1996 (see section 2 of that Act);
  - “specified” means specified, or of a description specified, by or under the regulations.

#### Commencement Information

**II** S. 17 not in force at Royal Assent, see [s. 36\(3\)](#)

### *Quality assessments of higher education*

#### **18 Office for Students: power to assess the quality of higher education by reference to student outcomes** **E+W**

In section 23 of the Higher Education and Research Act 2017 (assessing the quality of, and the standards applied to, higher education), at the end insert—

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- “(4) The factors that may be taken into account for the purposes of an assessment, under subsection (2)(a) or (b), of the quality of higher education provided by an institution include the student outcomes of the institution.
- (5) The student outcomes of an institution may be measured by any means (whether qualitative or quantitative) that the OfS considers appropriate, including by reference to the extent to which—
- (a) persons who undertake a higher education course with the institution continue to undertake that course, or another course at the same or a similar level, after a period of time,
  - (b) persons who undertake a higher education course with the institution are granted an award of a particular description by that institution,
  - (c) persons who are granted an award by the institution undertake further study of a particular description, or
  - (d) persons who are granted an award by the institution find employment of a particular description by virtue of that award.
- (6) The OfS may, from time to time, determine and publish a minimum level in relation to a measure of student outcomes which all institutions to whom the measure is applicable are expected to meet.
- (7) The OfS is not required to determine and publish different minimum levels in relation to a measure of student outcomes in order to reflect differences in—
- (a) particular student characteristics;
  - (b) the particular institution or type of institution which is providing higher education;
  - (c) the particular higher education course or subject being studied;
  - (d) any other such factor.
- (8) In taking into account the student outcomes of an institution as mentioned in subsection (4), account may be taken of whether the institution has met any minimum level determined and published under subsection (6) which is applicable to the institution.
- (9) In this section—
- “award” means a taught award or research award (see section 42);
  - “student outcomes”, in relation to an institution, means outcomes for persons to whom the institution provides or has provided higher education or has granted an award.”

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**Commencement Information**

**I2** S. 18 in force at 28.6.2022, see s. 36(2)

**Status:**

This version of this part contains provisions that are prospective.

**Changes to legislation:**

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[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 19(2)(ga) inserted by [2023 c. 55 Sch. 4 para. 222](#)
- s. 20(7)(ca) inserted by [2023 c. 55 Sch. 4 para. 223](#)