POLICY NOTE

THE EDUCATION (LISTED BODIES) (SCOTLAND) AMENDMENT ORDER 2022

S.S.I. 2022/294

Purpose of the instrument: To amend the Education (Listed Bodies) (Scotland) Order 2018, *correcting the names of two listed bodies within the Schedule of the 2018 Order: "Mary Hare Grammer School" and "St Philips's Centre".*

1. The above instrument is made in exercise of the powers conferred upon Scottish Ministers by section 216(2) of the Education Reform Act 1988. The instrument is subject to the negative resolution procedure.

Policy Objectives

2. UK authorities recognise higher education institutions which have been granted degree-awarding powers by either a Royal Charter, Act of Parliament or the Privy Council. These are called 'recognised bodies'. All UK universities and some higher education colleges are recognised bodies. Other institutions, which do not have the power to award their own degrees, may provide full courses which lead to a degree of a recognised body, approved ('validated') by or on behalf of the recognised body. These are known as 'listed bodies'.

3. Section 216(2) of the Education Reform Act 1988 (hereafter referred to as 'the 1988 Act') requires the 'appropriate authority' (Scottish Ministers for our purposes) to compile, maintain and publish by order a list of bodies that are not recognised bodies but which provide courses in preparation for a degree to be granted by a recognised body or which is a body which is a constituent college, school or hall or other institution of a university which is a recognised body.

4. The Education (Listed Bodies) (Scotland) Order 2018 ("the 2018 Order") lists in the schedule the bodies that appear to Scottish Ministers to be bodies that are authorised to provide courses which are in preparation for degrees to be awarded by recognised bodies; or bodies that are constituent colleges, schools, halls or other institutions of a university which is such a recognised body. Institutions which have their own degree-awarding powers are not included in this Order, these are instead included in the schedule of the Education (Recognised Bodies) (Scotland) Order 2018.

Proposals

5. The 2022 Order would amend the Schedule of the 2018 Order to correct the names of two listed bodies: "Mary Hare Grammer School" should be listed as "Mary Hare", and "St Philips's Centre" should be listed as "St Philip's Centre Ltd".

Commencement

6. The Order will come into force on 5 December 2022.

Consultation

7. The Scottish Government has consulted the Scottish Funding Council during the preparation of this instrument.

Impacts

8. 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
Higher Education and Science Division
21 September 2022