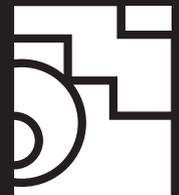# Universities in a dynamic constitutional environment: policy issues for consideration

November 2012

Universities
Scotland

Introduction

Universities Scotland does not have a preferred constitutional option. It is for the people of Scotland to decide Scotland's constitutional future.

We do, however, want to assist the development of constitutional options by identifying issues which, from a university sector perspective, should be taken into account in the detailed development of those options. The debate that will take place up to the 2014 referendum and the potential for constitutional change within Scotland creates a window of opportunity to review the policy and competitive environment in which universities operate at Scottish, UK, European and international levels. It also creates a space for the sector to challenge each political party engaged in that debate to set out how their preferred constitutional future is capable of delivering for Scotland's universities and their contribution to sustainable economic growth and social and cultural wellbeing.

The links that Scotland's universities have at Scottish, UK, European and international level are all important to the sector's success in different ways, and universities will continue to operate in all of these spheres irrespective of whatever is Scotland's constitutional choice.

This paper aims to assist the proponents of all constitutional options as they consider how the university sector can best be enabled to contribute to the nation's success. It is equally relevant to the proponents of the status quo, further devolved power, or independence.

Policy outcomes which we would seek under any constitutional settlement include:

- the sustainable accessibility of Scottish universities to appropriately-qualified learners from Scotland, the rest of the UK, the EU and overseas;
- the quality and quality assurance of teaching at Scottish universities;
- the quality, scale and impact of university research and knowledge exchange;
- the free movement, within the British Isles, EU and internationally, of students, staff and ideas;
- the maintenance and enhancement of universities' scope for collaborative teaching and research at Scottish, UK, EU and international levels;
- taxation regimes which support universities' success, both directly and indirectly (e.g. in relation to the attraction of research-driven inward investment, taxation of shared services transactions or of philanthropic giving);
- regulatory regimes which support universities' generation and dissemination of intellectual property; and
- sustainable and fair pay and pension arrangements for university staff.

In some cases, elements of existing policy provide a sound basis for universities' contribution, and are a good starting point for the evolution of policy by a Scottish Government elected under any constitutional settlement. In other cases, the development of constitutional options creates an environment where new policy approaches can be conceived which better support universities' contribution to Scotland's success. We make no judgement about whether any constitutional outcome is more likely to deliver the policy outcomes which we seek.

Universities Scotland looks forward to working with the proponents of different constitutional options to enable an informed debate about how policies adopted under the different options can best support universities' success and their contribution to a prosperous and inclusive Scotland.

Whatever option is ultimately chosen democratically, Universities Scotland will work closely with government to secure policy outcomes which best support the excellence, international competitiveness and financial sustainability of Scotland's universities and their contribution to the nation's success.

Professor Pete Downes OBE
Convener, Universities Scotland

Universities in a dynamic constitutional environment: policy issues for consideration

This paper is offered as a technical information resource for the proponents of all constitutional options for Scotland, whether status quo, further devolution of power, or independence. It offers no judgements about the case for or against any particular constitutional option.

It sets out a series of policy areas which are important to universities and to their contribution to Scotland. For each of these policy areas it identifies:

- policy principles and outcomes which we would wish to see secured, as a basis for the continuing evolution of policy under any constitutional option; and
- suggested changes to current policy which could potentially be considered by the proponents of each constitutional option.

The grid under each heading identifies key elements of policy in each of these categories.

The accompanying text offers contextual information about each of the policy issues which have been identified in the grid, and identification of policy opportunities which could be considered by all parties to the constitutional debate.

We have assumed for planning purposes that all the constitutional options which are currently under development include membership of the EU.

Universities Scotland will not take a position on Scotland's preferred constitutional future – that is for the people of Scotland to decide. This information resource is intended to help the proponents of all constitutional options to develop their proposals for how their preferred option can support the university sector and its contribution to Scotland.

Desirable policy outcome:

Sustainable and managed access to Scottish universities for students from across the British Isles, the EU and overseas in order to sustain the pedagogic benefits and global connectedness of Scotland's universities and the recruitment of the highest quality learners from around the globe alongside Scots.

Policy principles and outcomes which we would wish to see retained under any constitutional option	Changes to current policy which could potentially be implemented under any constitutional option
Sustainable funding for high-quality teaching provision for Scottish domiciled students Openness of Scottish universities to students from the rest of the UK on a basis which is: • financially sustainable for universities • fair to students from the rest of the UK • manageable in terms of student flows Explicit Government support for the projection of Scotland as a destination for international students	A visa regime, to enable Scottish universities to welcome high quality learners from around the globe and offer related benefits which rival those of leading competitor nations (e.g. post study work opportunities) Contribution to the cost to universities of educating students from other EU member states

Sustainable funding for high-quality teaching provision for Scottish domiciled students

The importance of maintaining the Scottish higher education sector's international competitiveness was reflected in the outcome of the last spending review. Having been informed by the work of a Technical Working Group[1], part of the settlement focused on ensuring that a 'funding gap' did not emerge between Scottish institutions and those in the rest of the UK due to the introduction of variable tuition fees in England. The Group identified scenarios for the scale and nature of increased resources available to English institutions based on the average fee charged over the remainder of the current spending review period (to FY2014-15). It then identified scenarios for Scottish institutions to secure equivalent levels of resource through a mix of public funding, fees charged to rest-of-UK (RUK) students, efficiencies secured by Scottish HEIs and from philanthropic giving. The 2011 Spending

[1] See http://www.scotland.gov.uk/Resource/Doc/82254/0114163.pdf

Review projected levels of Scottish Funding Council recurrent funding support for higher education institutions (not just for teaching – also for research, knowledge exchange and specific initiatives) along the following lines:

	FY2012-13 £m	FY2013-14 £m	FY2014-15 £m
SFC HE Programme Funding	1,002.2	1,041.6	1,061.8

Scottish Government also assumed that significant levels of efficiency saving, and of new income from fees from RUK students, would contribute to meeting the 'funding gap'.

The short and medium term levels of recruitment and average fee levels at English institutions alongside the effects of fees on recruitment of RUK students to Scottish institutions are all uncertain. As the system stabilises, sustained income levels will become clearer as the next spending review approaches. An evaluation of the resources required to maintain the Scottish sector's competitiveness will be required at that point – and benchmarking with international competitors will also be necessary.

Currently, funding for teaching at Scottish institutions is drawn from a number of sources:
- the Scottish Funding Council's Main Teaching Grant which in AY2012-13 directly supports 116,000 student places through £612M of funding. Prior to AY2012-13 these places were all open to applicants from Scotland, the rest of the UK and the EU[2] however applicants to Scottish institutions from the rest of the UK are now charged a variable fee of up to £9,000 per annum;
- tuition fee payments from the Student Awards Agency for Scotland (SAAS) to support Scottish and non-UK EU students (£325M in FY2012-13 for student support and tuition fees);
- income from fees charged to students from the rest of the UK, net of any bursary payments. This income has commenced in AY2012-13 as institutions begin to charge fees to new entrants to Scottish institutions. The Technical Working Group estimated that this income stream would yield £25M in additional income in AY2012-13 (assuming static demand and an average fee of £6375), rising to £62M in AY2014-15 as additional year cohorts are subject to fees; and
- income from around 29,000 international (non EU) students, 9,700 at first degree level (£300M in AY2010-11).

Ensuring that this level of resource is available to sustain high quality teaching will continue to be of central importance to the sector.

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[2] In 2010-11 the total number of Scottish domiciled students studying for first degrees at Scottish HEIs was 109,390, from elsewhere in the UK 19,875 and from elsewhere in the EU 10,700.

Openness of Scottish universities to students from the rest of the UK on a basis which is:
- ***financially sustainable for universities;***
- ***fair to students from the rest of the UK; and***
- ***manageable in terms of student flows***

Whilst the majority of Scottish domiciled students choose to study at a Scottish HEI, (164,775 in 2010-11), each year a significant number of students domiciled in Scotland study at HEIs in the rest of the UK, (12,680 students in 2010-11 with 12,085 in England, 425 in Wales and 170 in Northern Ireland) [3]. At the same time, over twice as many students (29,230) domiciled in the rest of the UK chose to study at Scottish HEIs (24,005 from England, 705 from Wales, 4,520 from Northern Ireland). Whilst student fees and support regimes across the UK have diverged, there have been policy responses to maintain stability in student flows across the UK. Whatever Scotland's constitutional future, students from the rest of the UK should have a clear path to choose to study in Scotland and, equally, Scottish domiciled students should have clear paths to studying outwith Scotland if that is their choice.

Contribution to the cost to universities of educating students from other EU member states

Travelling to another EU country to study ('learning mobility') is an important element of students' employability and personal development and is supported by European law and policy. Scotland's higher education institutions attract a significant number of undergraduate students from across the rest of the UK and from other EU nations. In 2010-11, 11,000 students from other EU nations were studying for an undergraduate qualification at Scottish higher education institutions. These students have access to the same fees regime as Scottish students at an estimated[4] overall current cost to the Scottish Government of around £75M per annum including teaching grant to universities and fees support for EU students. If undergraduate students from the rest of the (current) UK had the same entitlement as that currently available to undergraduate students from the rest of the EU, the total cost of fee and teaching grant provision for these RUK students has been estimated by the Scottish Government (October 2012) as approximately £150m (on the basis of around 20,000 RUK undergraduate students at Scottish universities, at an average teaching cost of £7,500 per year, see Scottish Parliament Question S4W-09932). In this scenario, these RUK students would potentially be competing with Scottish-domiciled students (as with current non-UK EU students) for university places funded by the Scottish Funding Council.

Universities Scotland will welcome clarity from the proponents of all constitutional options about how they would support policies which ensure the openness of a Scottish university education to learners from all national backgrounds, in a way which is financially sustainable and which safeguards the availability of university places for Scottish-domiciled learners.

In the meantime, we support continuing work by the Scottish Government to explore options for securing a financial contribution to the costs of a Scottish university education from the EU students who choose to study here.

[3] See http://www.sfc.ac.uk/web/FILES/ReportsandPublications/HE_Students_and_Qualifiers_Publication_201011.pdf (Table 20)
[4] See http://www.scotland.gov.uk/News/Releases/2011/01/13105353

Explicit Government support for the projection of Scotland as a destination for international (non-EU) students

International students enhance the global perspective of our campuses and add to the international perspective of all of our graduates thereby equipping them for success in the modern and global economy. Scotland's international links are also strengthened by international students as they pursue their careers across the globe on conclusion of their studies. International students are also an important element of the sustainability of Scotland's higher education system and of its economic success more broadly. Income to Scottish universities in 2010-11 from fee-paying non-EU students was £305.5m (an annual average fee income of £10,958 per non-EU student). It is estimated that the benefits to the wider Scottish economy were a further £300m. Alongside a recognition and support for the strategic importance for Scotland of international student recruitment, direct support is available through the Saltire Scholarship scheme[5]. We will welcome continuing or enhanced support for the projection of Scotland as a destination for international students.

A visa regime to enable Scottish universities to welcome high quality learners from around the globe

International students' choices are made in a global context, comparing opportunities for study between institutions across the world. Visa regimes are an important element in these choices, not only the regulation of visas for study but also the opportunities for work on graduating. Changes to visa regimes can therefore result in significant shifts in application patterns. The UK's visa regime is now significantly more restrictive than that applied by a range of competitor nations who are vigorously seeking to attract talented learners from around the world. This places the UK, including Scotland, at a competitive disadvantage. Some examples of competitor nations' visa regimes are set out at Annex A.

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[5] See http://www.talentscotland.com/Students/Study/Scholarships/Saltire-Scholarships.aspx

Desirable policy outcome:

An "academic infrastructure" and quality assurance and enhancement regime which is independent, open, transparent and draws on a wide range of external expertise in support of sustaining Scottish universities' international reputation for excellence.

Policy principles and outcomes which we would wish to see retained under any constitutional option	Changes to current policy which could potentially be implemented under any constitutional option
A regime which provides for robust international confidence in the quality of Scottish academic awards Robust and transparent arrangements for the award of university title Engagement of experts from across the British Isles and beyond in quality assurance (i.e. as external examiners) Widespread regional and international recognition of Scottish academic awards for credit transfer (i.e. Bologna) and professional purposes including related employment opportunities for graduates of relevant programmes (i.e. continued accreditation by professional bodies)	Amendments to data collection and presentation arrangements which principally reflect English contexts (Key Information Sets (KIS), HESA performance indicators et al) Relaxation of visa restrictions on external examiners

A regime which provides for robust international confidence in the quality of Scottish academic awards

Scotland's universities operate in a global context. The quality of teaching in every institution is assured though a framework that draws on expertise from across the world and qualifications from Scottish institutions are recognised and valued internationally. This is supported by an "academic infrastructure", (the processes and policies to support quality), and a vibrant enhancement culture that draw on expertise from across the UK and beyond.

Scotland has set out a distinct and successful approach to quality assurance and enhancement. The Quality Enhancement Framework has five main elements:
- a comprehensive programme of institution-led reviews, carried out by higher education institutions with guidance from the Scottish Funding Council;
- enhancement-led institutional review: external reviews run by QAA Scotland that involve all Scottish higher education institutions over a four-year cycle;

- improved forms of public information about quality, based on addressing the different needs of a range of stakeholders including students and employers;
- a strong voice for student representatives in institutional quality systems, supported by a national development service, sparqs; and
- a national programme of Enhancement Themes, which encourage academic staff, support staff and students to share current good practice and collectively generate ideas and models for innovation in learning and teaching.

We would want to see arrangements at least as robust and conclusive as this reflected in any future policy environment.

Robust and transparent arrangements for the award of university title

Scotland's higher education institutions are all recognised or listed bodies for the award of degrees. This status is granted, following a rigorous process, through Royal Charter, Act of Parliament or by the Privy Council[6]. It is a framework that sustains international confidence in the quality of the Scottish HE system. Under any constitutional settlement, a regime is needed which can secure the same level of confidence.

Engagement of experts from across the British Isles and beyond in quality assurance including relaxation of visa restrictions on external examiners

External involvement in quality review, within the external examiner system and in course development, is a vital element in maintaining the international standing of Scotland's higher education system. This relies upon:

- a visa system that is sufficiently flexible to ensure that academic staff from outwith the European Economic Area can contribute to the work of Scottish institutions with an appropriate level of bureaucracy, (currently this work can be done under a Permitted Paid Engagement[7]); and
- engagement with professional, statutory and regulatory bodies (PSRBs) that regulate professions through the setting of standards of professional practice, accrediting degrees and contributing to degree course content. A 2010 survey[8] by the Higher Education Better Regulation Group records sixty PSRBs with a UK-wide remit and a role in regulating the professions. These are listed in full at Annex B.
- There is scope for improvement to current arrangements. In particular, current UK Government visa arrangements are sub-optimal, e.g. the treatment of external examiners as employees of the university they are assisting creates unnecessary difficulties with enabling the international engagement of external examiners and creates the anomaly that they are unable to claim for travel and subsistence expenses because this is classed as 'travel to work'.

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[6] See http://www.bis.gov.uk/policies/higher-education/recognised-uk-degrees/about-uk-degree-awarding-bodies-and-uk-degree-course-providers for further information
[7] See http://www.ukba.homeoffice.gov.uk/visas-immigration/visiting/paid-engage/engagements/
[8] See http://www.hebetterregulation.ac.uk/OurWork/Pages/Professional,StatutoryandregulatoryBodies(PSRBs).aspx

Widespread regional and international recognition of Scottish academic awards for credit transfer

Scotland has taken a leading role in the development of the European Higher Education Area (EHEA) (the 'Bologna Process')[9]. By certifying the quality and comparability of degree programmes to agreed European norms, this process ensures that the Scottish HE sector is open to students from across Europe, as well as widening opportunities for students of Scottish universities to incorporate study abroad into their degree programmes. It also facilitates new collaborations and sharing of best practice in learning and teaching internationally. In the 2009 EHEA stocktaking exercise, Scotland was the only country to achieve a 100% dark 'green' rating, reflecting full implementation of key EHEA action lines. These included early mapping of the national qualifications framework to the EHEA qualifications framework, full adoption of the ECTS compatible system of transferable credits and full certification of quality assurance mechanisms to the European standards and Guidelines for Quality Assurance. Scotland continues to take an active role in the EHEA and to rate very highly in measures of the implementation of EHEA priorities. We wish to see continued or enhanced recognition of Scottish university qualifications in the EHEA and other international frameworks.

Amendments to data collection and presentation

Information on the sector is mainly collected and published at the UK level:

- The Higher Education Statistics Agency (HESA)[10] is the official UK agency for the collection, analysis and dissemination of quantitative information about higher education. HESA collects and publishes data and performance indicators across all aspects of institutions' activities.
- In 2012 the Key Information Set[11] was introduced across the UK providing data to support students when making their choice on where to study.
- The National Student Survey (NSS)[12] is commissioned by funding bodies across the UK and asks final year undergraduates at all publicly funded higher education institutions in the UK to provide feedback on their courses.

Data collections at the Scottish level also inform policy and funding, for example the Scottish Index of Multiple Deprivation (SIMD)[13] or the Scottish Funding Council Knowledge Exchange Metrics[14].

There are benefits in maintaining systems which enable benchmarking across the nations of the (current) UK. However, there is scope for improvement to current arrangements, particularly to ensure that UK-wide data collection systems, which are geared to meeting the needs of the more market-driven English system, are properly adapted to the distinctive information needs of a Scottish system which operates within a different policy environment.

[9] See http://www.scotland.gov.uk/Topics/Education/UniversitiesColleges/16640/Intllifelonglearnstrategy/Minutes
[10] See http://www.hesa.ac.uk/
[11] See http://unistats.direct.gov.uk/
[12] See http://www.thestudentsurvey.com/
[13] See http://simd.scotland.gov.uk/
[14] See http://www.sfc.ac.uk/knowledge_exchange/Universities/KnowledgeTransferGrant/KnowledgeTransferGrant.aspx

Desirable policy outcome:

An excellence-led research funding system based on the "dual support" concept and which enables competition and performance analysis with a large number of peer institutions and which secures:

- **the international competitiveness and quality of Scottish university research;**
- **funding and support on a scale which enables the very best researchers in expensive subjects (especially capital intensive areas), to compete on the world stage; and**
- **funded collaboration between Scottish, UK, EU and international universities to address interdisciplinary research challenges on a global scale.**

Policy principles and outcomes which we would wish to see retained under any constitutional option	Changes to current policy which could potentially be implemented under any constitutional option
Sustainable quality-driven funding for the research infrastructure of Scottish universities (including REG and SRIF or its Scottish successor) Scottish universities' capacity to access research funding at least matching the levels of resource secured currently from Research Councils at UK & EU levels; from UK, EU and international charitable foundations; and from UK, EU and international business Scottish universities' capacity to engage in collaborative research projects with non-Scottish universities funded from Scottish, UK (i.e. RCUK, TSB), EU or international sources Internationally-recognised arrangements for the assessment of research quality	Relaxation of visa restrictions which hinder the attraction and retention of international research talent Improved capital funding for research infrastructure Enhanced representation of Scotland within EU research fora

Participation in a wide research ecosystem

Scottish universities operate in a complex research ecosystem with research funding from a range of Scottish, UK, EU and international sources. Arrangements for Scottish institutions to engage with this collaborative ecosystem must be present under any constitutional settlement. While the ways in which research is supported may change over time, under any constitutional settlement, it is important that policies in support of Scottish universities secure or improve universities' research excellence and capacity.

To illustrate the current environment, in the last year for which data is available (2010-11) for everything except the SFC's Research Excellence Grant, Scottish universities secured the following research funding:

• Scottish Government funding for research infrastructure through the SFC Research Excellence Grant (£223m in AY2012-13)
• £97m research contracts from governmental sources (including UK, Scottish, local authorities and NHS) (2010-11)
• £232m from UK Research Councils (2010-11)
• £183m from charitable and industrial funders across Scotland, England, Wales and Northern Ireland. (2010-11)
• £64m from EU research contracts (2010-11)
• Scottish Funding Council Research Postgraduate Grant (£33m in AY2012-13)
• £27m from international funders (2010-11)

Sustainable quality-driven funding for the research infrastructure of Scottish universities (including REG and SRIF or its Scottish successor)

Scotland's world class research activity is supported through the 'dual support system' of Funding Council and Research Councils. These resources are focused on research of the highest quality as measured by the Research Assessment Exercise, (in future through the Research Excellence Framework). To maintain international competitiveness, Scottish institutions would need to have access to at least the same level of resources under any constitutional settlement.

Scottish universities' capacity to access research funding at least matching the levels of resource secured currently from Research Councils at UK & EU levels; from UK, EU and international charitable foundations; and from UK, EU and international business

Alongside funding to support Scottish universities' research capacity, significant funding for specific projects comes from the UK Research Councils, major charities, e.g. the Wellcome Trust and from industry. The Scottish sector has a strong track record of attracting competitively won research funding from the UK Research Councils. In 2010-11 the sector secured 14.9% of total research council competitive funding totaling some £232m.

The European Research Council (ERC) – the first pan-European funding body for frontier research - was set up in 2007 under the EU's Seventh Framework Programme for Research (FP7, the EU's main instrument for funding research in Europe, running from 2007-2013). The total budget allocated to the ERC for the period 2007 to 2013 is €7.5 billion from the total Framework Programme budget of €50.5 billion. Scottish institutions have been successful in securing ERC funding. For example in October 2012 Heriot-Watt University scientists were awarded three million euros to investigate new areas of quantum physics, looking at how energy and matter interact in a bid to revolutionise information and communication.

Looking ahead, the EU's new programme to support research and innovation from 2014 to 2020, "Horizon2020" will have a budget of €80bn[15].

To maintain international competitiveness Scottish institutions would need to have access to at least the same level of resources through policies implemented under any constitutional settlement.

Scottish universities' capacity to engage in collaborative research projects with non-Scottish universities funded from Scottish, UK (i.e. RCUK, TSB), EU or international sources

Scotland's universities both host collaborative projects and benefit from involvement in the research infrastructure across the world.

Examples of infrastructure hosted in Scotland are the Medical Research Council Centre for Regenerative Medicine[16], the UK National Supercomputing Service[17] and the Offshore Renewable Energy 'Catapult' Hub[18]. More examples may be found at Annex C.

Examples of infrastructure outwith Scotland that is accessed by researchers at Scottish universities includes the Boulby Underground Laboratory and ISIS at the Rutherford Appleton Laboratory. More examples may be found at Annex D.

Such collaborative infrastructure is an essential element of internationally competitive research and Scottish institutions would wish to both host and use such resources through policies implemented under any constitutional settlement.

[15] See http://ec.europa.eu/research/horizon2020/index_en.cfm?pg=h2020
[16] See http://www.crm.ed.ac.uk/
[17] See http://www.hector.ac.uk/
[18] See http://www.scotland.gov.uk/News/Releases/2012/02/renewableshq09022012

Internationally-recognised arrangements for the assessment of research quality

The Research Excellence Framework (REF) is the new system for assessing the quality of research in UK higher education institutions (HEIs). It will replace the Research Assessment Exercise (RAE) and will be completed in 2014. It is a process of expert review carried out by the four UK funding bodies (the Scottish Funding Council in Scotland). All of the UK Research Councils operate competitive processes for the allocation of public funding. All of the seven Research Councils are Non Departmental Public Bodies, established under the Science and Technology Act 1965, as a body incorporated by Royal Charter.

Whatever Scotland's constitutional settlement, Scottish institutions' continued involvement in robust research quality assessment is vital to ensure that Scottish research is rigorously benchmarked and recognized as being internationally competitive.

Relaxation of visa and eligibility restrictions which might hinder the attraction and retention of international research talent

Scotland's research capability is internationally competitive and delivers impact. The attraction of research talent is central to achieving these aims. It helps to build research strengths and demonstrates the national and international standing of the research base in Scotland. The number and proportion of international academic staff in Scottish HEIs has been increasing gradually over the past five years. In 2010-11, 13 per cent of academic staff were of non-EU nationality and a further 13% were of non UK EU nationalities.

Visa and funding arrangements must support the attraction of the best talent. As skilled migrant workers, non EU academic staff must obtain a visa under 'Tier 2' arrangements. The number of sponsorship certificates per institution for recruitment/ retention of staff under this category are controlled by the UK Border Agency and the sector remains concerned about the potential of this to present an obstacle to the recruitment and retention of academic talent from outside of the EU.

Similarly, Research Council studentships are available to international (non-EU) students on a restricted basis under specific principles[19]:

• a recognition of the desirability of opening recruitment to attract the best international talent into excellent UK research and training environments - particularly in areas of skills shortage; and
• that the benefit to the UK of providing public funding to international students must be balanced against the availability of opportunities for UK-based graduates.

Non-UK EU citizens seeking a full research council studentship must also meet eligibility criteria.

Policies adopted under any constitutional option need to ensure the openness of Scottish universities to international flows of talent and ideas.

[19] See http://www.rcuk.ac.uk/ResearchCareers/postgrad/Pages/home.aspx

Improved capital funding for research infrastructure

In the last 10 years the higher education sector has made significant strides in developing its estate. Alongside a focus on capital maintenance, where it is estimated that there is still a backlog of work required, the sector has been able to develop new, fit for purpose research infrastructure such as the Centre for Regenerative Medicine within Edinburgh's Bioquarter or the Technology Innovation Centre at the University of Strathclyde. Such strategic developments require significant capital funding and draw support from public funding from across Scottish and UK sources. Looking ahead, Scottish institutions will need to continue to have access to capital funding of this scale if they are to remain internationally competitive. The current restrictions on Scottish Government's capacity to offer capital funding are a business risk, with SFC capital funding for the college and higher education sectors projected to decrease by 7% in cash terms over the current Spending Review period.

Enhanced representation of Scotland within EU research fora

Institutions across the UK have been successful in securing grant awards from the European Research Council and from European Commission Framework Programmes. The proponents of all constitutional options could usefully demonstrate how these might strengthen Scottish universities' influence in the development of European research policy and funding decisions.

Desirable policy outcome:

An environment which supports a pay and reward structure that enables Scotland to attract and retain the very best teachers and researchers within its universities.

Policy principles and outcomes which we would wish to see retained under any constitutional option	Changes to current policy which could potentially be implemented under any constitutional option
Ability for Scottish universities to set reward levels fairly and at a level which enables international competitiveness and financial sustainability Freedom of universities to negotiate individual remuneration packages with key staff Sustainable funding of pension schemes and sharing of risk across a sufficiently wide pool.	A relaxation of visa restrictions which hinder the attraction and retention of international talent

Ability for Scottish universities to set reward levels fairly and at a level which enables international competitiveness and financial sustainability

Scottish universities are party to national bargaining on pay through the UK Joint Negotiating Committee for Higher Education Staff. Annual pay awards are reflected in the national pay spine for academic and HE support staff. Professorial and senior pay is determined at the institutional level. The ability of the sector to negotiate pay on a fair and sector-led basis should be maintained, and given that universities across the UK (or its successors) will be competing for talent there is a good case for continued cross-border benchmarking or co-ordination.

Freedom of universities to negotiate individual remuneration packages with key staff

The current national bargaining structure provides institutions with a level of certainty for financial planning purposes but still allows sufficient flexibility in attracting and retaining key staff. If constitutional change required change in these arrangements, it would be in the interests of the Scottish HE sector to be able to retain these features, whilst ensuring a continued level of competitiveness in the level of financial reward offered to academic staff in comparison to the rest of the UK and international competitors.

Sustainable funding of pension schemes and sharing of risk across a sufficiently wide pool

Academic and senior administrative staff in 'pre-92' higher education institutions are members of the Universities Superannuation Scheme (USS), the second largest pension scheme in the UK by fund size. Academic staff in 'post-92' institutions are members of the Scottish Teachers' Superannuation Scheme (STSS). In the latest funding position of the USS scheme the deficit, as at 31st March 2011, was calculated to be £9.8bn. USS has set out a ten year deficit recovery plan resting mainly on higher contributions and an assumed higher return on investments. The allocation of liabilities to members in different parts of the (current) UK in any changed constitutional arrangements may need to be calculated, or it would need to be agreed that the pension schemes could continue to be operated on a cross-border basis.

A relaxation of visa restrictions which hinder the attraction and retention of international talent

The policy environment for visas and the attraction and retention of staff is considered under a number of other sections of this document.

Desirable policy outcome:

Scottish universities' ability to develop and utilise research for economic, social and cultural benefit.

Policy principles and outcomes which we would wish to see retained under any constitutional option	Suggested changes to current policy which could potentially be implemented under any constitutional option
Universities are recognised as key inward investment partners for Government and its agencies Structures and incentives which encourage knowledge transfer contributions at the local, regional, national, EU and international levels Support and incentives for universities to undertake knowledge transfer in support of social, cultural and economic enhancement	Better incentives, including tax incentives, to encourage a higher volume of Scottish and global businesses to build research collaborations with universities

Universities are recognised as key inward investment partners for Government and its agencies

Of Scottish Development International's 'seven reasons to invest in Scotland', four may be directly linked to the higher education sector:

- educational excellence;
- academic achievement;
- scientific success; and
- pioneering innovators.

Furthermore, education itself is one of Scottish Development International's (SDI) key sectors, recognising the significant economic contribution that higher education makes. The strength of the university sector both in terms of its graduates and its research has been cited by major companies such as Avaloq, GlaxoSmithKline and Wyeth as an important factor in choosing to locate in Scotland. Similarly, the UK Government's decision to locate the Green Investment Bank HQ in Edinburgh was partly influenced by Scotland's 'technical and academic expertise in green energy technologies'. Under any constitutional option, it will be of advantage to Scotland to build on universities' capacity to act as a magnet for inward investment.

Structures and incentives which encourage knowledge transfer contributions at the local, regional, national, EU and international levels

Knowledge transfer is supported with funding at the local, Scottish, UK and European level. Significant funders of knowledge exchange in Scotland's universities are Scotland's enterprise bodies, the Scottish Funding Council, the UK Research Councils, the Technology Strategy Board and the European Commission. Work is ongoing to develop a 'Scottish Knowledge Exchange Organisation' for Scotland to better co-ordinate these interventions. Access to knowledge exchange funding of this scale is essential for the sector to continue to have a significant economic impact. The sector secures over £350m per annum in direct earnings from its knowledge exchange activities with a significant impact of approximately £1bn GVA to the economy[20].

Support and incentives for universities to undertake knowledge transfer in support of social, cultural and economic enhancement

The overall capacity of support and incentives for Scottish universities' knowledge exchange activities is a mosaic of funding from Scottish, UK and European funding sources alongside direct industry support. There is a potential to better co-ordinate these streams of support, and this is being considered in the context of a 'Scottish Knowledge Exchange Organisation'. Whatever Scotland's constitutional future Scottish institutions will need to continue to have access to at least the same overall volume of support for knowledge exchange. An example of current support is, the Scottish Funding Council's Knowledge Transfer Grant[21]. It is an essential element in ensuring that all of Scotland's higher education institutions can have an impact. Whilst allocated competitively by metrics of success in knowledge exchange, its flexibility allows institutions to support knowledge exchange across the full breadth of disciplines and to innovate in their approach to working with business and with the public and third sectors. From this foundation institutions can pursue successful projects with support from programmes such as Scottish Enterprise's 'Proof of Concept'[22]. Institutions also compete successfully in a UK and European context for investments across the full breadth of knowledge exchange from the arts and humanities (e.g. the Arts and Humanities Research Council Hub for the Creative Economy at Dundee) to science and engineering.

Better incentives in order to encourage business to build research collaborations with universities

The Scottish higher education sector's ability to take collaborative action has meant that the sector has been a leader in research pooling and in the development of innovative knowledge exchange mechanisms. Sector-wide approaches to the development of 'easy access IP' and of standardised contracts[23] have positioned Scotland well. Interface and Innovation Vouchers[24] are examples of how, working with funders, the sector has enhanced incentive mechanisms for all businesses in Scotland. Scotland's universities would be pleased to explore how further incentives might be developed. For example, Innovation Centres offer an opportunity to build partnerships with business and between support agencies and funders. There are also opportunities to build the capacity of on existing successes such as Knowledge Transfer Partnerships (KTPs) where funding constraints at the UK level have limited the supply of support to university – business partnerships.

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[20] See http://www.universities-scotland.ac.uk/uploads/latest/Biggar%20summary%2015%20June10.pdf
[21] See http://www.sfc.ac.uk/knowledge_exchange/Universities/KnowledgeTransferGrant/KnowledgeTransferGrant.aspx
[22] See http://www.scottish-enterprise.com/start-your-business/proof-of-concept-programme.aspx
[23] See http://www.university-technology.com/
[24] See http://www.interface-online.org.uk/

This is an area where the potential for policies adopted under different constitutional options to enable a further step-change should be explored. In particular, competitor nations have a range of successful models for encouraging R&D and research-led inward investment which enables universities to drive further economic growth, for instance by using innovative taxation models. Tax concessions for R&D activities are extensively used as a policy tool designed to stimulate business R&D indirectly. Across the OECD nations such measures are becoming increasingly popular. The latest figures for 2008, cited by the UK Government, list 21 schemes[25]. Most nations provide a reduction in corporation tax based on R&D expenditure as a method of support but some innovative approaches have allowed companies to reduce the amount of income tax and social security contributions they pay on behalf of employees engaging in R&D, (e.g. in the Netherlands and in the Republic of Ireland). In the Netherlands the R&D deduction (known as WBSO)[26] is applied to wages paid in respect of staff employed to conduct R&D, reducing the wage taxes and national insurance contributions paid by the company. In 2012 this deduction was 42% for the first 110,000 euro in R&D wage costs and 14% for the remaining R&D wage costs. For start-up companies the reduction could rise to 60% of the first 110,000 euro. Qualifying projects must be approved by a government agency. In 2012 the Irish government changed its R&D tax credit regime and introduced a 'key employee' reward mechanism for staff in tax paying companies who are involved in "the conception or creation of new knowledge, products, processes, methods and systems"[27].

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[25] See http://www.hmrc.gov.uk/research/report107.pdf "An Evaluation of Research and Development Tax Credits" page 10
[26] See http://www.agentschapnl.nl/content/general-information-about-wbso-2012 for further information
[27] See http://www.kpmg.com/global/en/issuesandinsights/articlespublications/taxnewsflash/pages/ireland-research-development-tax-credit-changes.aspx for summary

Desirable policy outcome:

Taxation, inward investment and charities regimes which recognise and reward the individual and wider societal benefits provided by universities and which encourage income generation, knowledge transfer, fundraising from non-state sources and the inflow of funds from external sources.

Policy principles and outcomes which we would wish to see retained under any constitutional option	Changes to current policy which could potentially be implemented under any constitutional option
Charitable status for universities and related VAT benefits	Improvements to tax relief for/ incentivisation of philanthropic support
Current tax incentives for individuals to provide philanthropic support to universities (i.e. Gift Aid, tax relief on larger donations)	A tax regime which supports shared/ collaborative services

Charitable status for universities and related VAT benefits

Scotland's higher education institutions hold charitable status and are eligible bodies for VAT purposes. This needs to be preserved in any constitutional settlement.

Tax incentives for individuals to provide philanthropic support to universities

As registered charities, Scotland's higher education institutions fundraise to support their educational missions. Continuation of charitable status, and the associated tax regime, is an important element as institutions develop their fundraising income. It is of note that even in the most successful fundraising universities around the world (with the most high profile examples being in North America) the most successful philanthropic programmes and campaigns contribute to the development, growth and success of institutions rather than simply replacing other sources of income. As a result philanthropy is often referred to as the 'margin of excellence'. Further incentivisation of philanthropic support would be of benefit to the sector. For example, the Caledonian Group (of Scottish Development Directors) has set out a proposal for a matched giving scheme intended to provide Scottish universities with a capacity building opportunity. A similar scheme offered to institutions in England led to £580m of matched gifts over a three year period and a one third increase in the total number of donors making gifts.

A tax regime which supports shared/ collaborative services

Shared services have always been an important part of the Scottish Government's Efficient Government agenda. The Cost Sharing Exemption removes some forms of shared services from VAT[28]. The exemption has the potential to support efficiencies in the sector by exempting institutions that decide to share services from the VAT liability on those services, but involves a continuing level of bureaucracy by requiring the establishment of 'cost sharing vehicles'. The proponents of constitutional options should explore what further potential there may be for their preferred options to support taxation regimes which incentivise shared services.

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[28] See http://www.hmrc.gov.uk/briefs/vat/brief2312.htm

Desirable policy outcome:

A regulatory regime which supports and protects the generation and dissemination of intellectual property by universities.

Policy principles and outcomes which we would wish to see retained under any constitutional option	Changes to current policy which could potentially be implemented under any constitutional option
Maintenance of arrangements which enable research and teaching excellence while protecting public confidence in: • research ethics • arrangements for regulation of medicines and clinical trials • arrangements for regulation of the health professions • arrangements for the regulation of other professions • arrangements for regulation of intellectual property, company formation and patents	Amendment of any of these regulatory regimes where it would enhance Scottish universities' competitiveness and capacity to generate world-class/ life-enhancing research

Maintenance of regulatory arrangements which enable research and teaching excellence, while protecting public confidence

Many aspects of research and of universities' commercial activities are the subject of regulation determined at the UK and / or European level. For example, researchers using human tissue have to comply with the Human Tissue Act and the EU Tissue and Cells Directives as implemented in UK law. The regulatory body at the UK level is the Human Tissue Authority. Similarly, intellectual property is subject to UK statute and the European Commission has a vision for a European single market for intellectual property rights (IPR) supported by a European IPR regime.

Under any constitutional option, arrangements need to me made for the continuity of existing regulatory arrangements, at least until there has been time for the development of distinctive Scottish approaches which are recognised nationally and internationally as safeguarding the integrity of research, intellectual property and qualification for the professions. The proponents of constitutional options might also explore whether, whilst many regulatory regimes are being harmonized across the EU, there was scope for determining a distinct Scottish approach that might offer Scotland and Scottish universities a competitive advantage.

Desirable policy outcome:

An administrative infrastructure which underpins and sustains the sector and drives efficiencies by means of economy of scale.

Policy principles and outcomes which we would wish to see retained under any constitutional option	Changes to current policy which could potentially be implemented under any constitutional option
An efficient applications and admissions management system for undergraduate study An approach to ICT infrastructure that derives efficiencies through scale and can support the high bandwidth and data storage requirements of modern research A student loans and support system which is centrally administered by government and where individuals' repayments are collected at source alongside taxation	Increased resource for a collaborative approach to marketing Scottish Universities' distinct offer overseas

An efficient applications and admissions management system for undergraduate study

The Universities and Colleges Admissions Service (UCAS) is responsible for managing applications to higher education courses in the UK. Its Board draws its membership from across the UK. The organisation processes more than two million applications for full-time undergraduate courses every year. As a key organisation within the application process it also assists students to find the right course and provides online tools to support students and higher education institutions (HEIs) to manage applications and offers. UCAS's income is derived from student applicant fees, fees collected from institutions and from marketing related media income. To enable continued cross-border student flow there may be benefit in retaining a shared arrangement across the UK or its successors, as long as robust Scottish input can be assured so that the system meets the needs of Scottish institutions.

An approach to ICT infrastructure that derives efficiencies through scale and can support the high bandwidth and data storage requirements of modern research

JISC, (formerly the Joint Information Systems Committee) is funded by the UK higher and further education funding bodies, including the Scottish Funding Council, to provide world-class leadership in the innovative use of information and communications technology to support education and research. To achieve this it runs over 200 projects within 20 programmes and also supports 45 services that provide expertise, advice, guidance and resources to address the needs of those in the higher education, further education and skills sectors. In the academic year 2011-12 it had core expenditure of £81m, £34m of which supported the JANET[29] network and a further £26m on capital expenditure including further development of the JANET network. JANET provides an ICT infrastructure for teaching and learning and, with the high capacity of the JANET backbone, allows researchers to link large data storage and high performance computing facilities at a national and international level. This is an area where there may be benefit in retaining a shared arrangement across the UK or its successors.

A student loans and support system which is centrally administered by government and where individuals' repayments are collected at source alongside taxation

The Student Loans Company (SLC) is a UK public sector organisation providing loans and grants to over one million students annually, across Scotland, England, Northern Ireland, and Wales. Established in 1989, it is owned by the UK Department for Business, Innovation and Skills (BIS) and the Secretary of State for Scotland. It employs 1,920 people across four UK sites[30]. Approximately 1,000 employees are employed at the company's Glasgow HQ. Scottish students' applications for a student loan are made to SLC via the Student Awards Agency for Scotland (SAAS) alongside applications to SAAS for fees or bursaries. HM Revenue and customs is responsible for collecting repayments of Student Loans where the borrower is within the UK tax system and is no longer in higher education. In most cases, the employer of the borrower collects the Student Loan repayments through the Pay As You Earn (PAYE) scheme. Whatever future arrangement is made for this function, the operation of a student loans repayment system through the taxation regime, and its capacity to deal with cross-border flows of students and of graduate re-payers, needs to be retained.

Increased resource for a collaborative approach to marketing Scottish universities' distinct offer overseas

Scottish universities have a strong presence overseas. Links to other education systems, institutions, foreign companies and students are strong and are supported by in-country offices and marketing and through campuses[31]. Whilst institutions are operating in a competitive market, the sector often comes together to enhance its relationship with other nations either by hosting inward delegations or through outward delegations. This work is done in partnership with Scottish Development International (SDI) and British Council (Scotland). Such collaborations, supported with interventions such as Saltire Scholarships, have the potential to enhance institutions' international links. The proponents of constitutional options should consider what scope they present for Scotland's universities to contribute to, and benefit from, the nation's brand proposition.

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[29] See: https://www.ja.net/
[30] See http://www.slc.co.uk/about-us/locations.asp
[31] For example, Heriot-Watt University's Malaysian campus http://www.hw.ac.uk/malaysia.htm

Conclusion

Universities Scotland has sought to work with all political parties as they develop their thinking on Scotland's constitutional future and what this might mean for the university sector. We would be very pleased to continue these conversations in a non-partisan way over the next couple of years as we approach the referendum in 2014.

ANNEX A

UK visa regime

The UK Government has reviewed all tiers of the points-based system for immigration. Tiers 1 and 2, which enable highly skilled migrants to work in the UK, were reviewed in 2010 and as a result of this review a permanent limit on visa numbers took effect in April 2011and was reviewed for 2012–13. Tier 4, which is the main route for international students, was reviewed in January 2011 and a series of substantial changes were announced in March 2011, which were implemented in stages between July 2011 and April 2012.

Key changes include:

- Tier 1 (Post Study Work) was closed to new applicants in April 2012
- Limited post-study work opportunities for international students remain under Tier 2
- 'credibility interviews' will be introduced for high-risk students impacting around 14,000 Tier 4 applicants per year across all education providers. No judgement will be made in relation to the student's academic abilities but an assessment will be made in relation to a student's credibility, genuine intention to study and intention to leave the UK.
- Raising of English language levels international students must meet to secure a visa for degree level study
- Restricting the ability of international students to bring their dependents with them to the UK
- Highly skilled migrants must meet a salary threshold of £35,000 to settle. Migrants in 'PhD level jobs' are exempt from this threshold
- From April 2011 an annual limit on the number of Tier 2 visas issued has been put in place
- A new visa route for exceptionally talented individuals in the arts and sciences was established in August 2011 with 1,000 visas per annum available under this route
- A graduate entrepreneur route has also been announced with a further 1,000 visas per annum available. HEIs will play a role in identifying graduating international students with promising entrepreneurial ideas and 90 universities have signed up to sponsor migrants under this new route. Graduate entrepreneurs will be granted one year's leave initially with an option to extend for a further 12 months. They will then be able to switch into the main Tier 1 Entrepreneurs route but this will depend on individuals having at least £50,000 capital to invest in their business idea by the end of their two years as a Graduate Entrepreneur.

Examples of competitor nations' visa regimes

Australia

Following falls in international student enrolments at Australian universities, in 2011 the Australian Government carried out a strategic review of its student visa program – the Knight Review. This resulted in a series of recommended changes, which the government has accepted in full. These include:

- streamlining visa processing so that applications are processed more quickly;
- new post-study work visas allowing graduates from Australian universities the opportunity to stay and work for up to four years;
- improvements to student work entitlements; and
- improvements to the visa system to attract students studying for a higher degree by research;

Further details on the changes may be found at: http://www.immi.gov.au/students/_pdf/2011-fact-sheet.pdf

Canada

Canada has introduced a Post Study Work Permit Program that enables graduates from recognised Canadian higher education institutions to apply to stay in Canada for up to three years after graduation. Canada has also responded to demand from international students by improving the visa application process including the establishment of application offices in China, most popular origin country for international students studying in Canada.

Further information may be found at: http://www.cic.gc.ca/english/study/index.asp

New Zealand

In February 2011 New Zealand introduced a new student visa application policy which includes:

- Student visa applicants being offered an 'interim visa" allowing the student to legally study while the student visa application is being processed.
- restructuring Health reporting so that an undergraduate student will only need to provide one Health Report during their three years of study; saving costs and making the student visa application process easier; and
- streamlining of the living costs guarantee so that students only need to provide proof that they meet the requirements of the Ministry of Education for international students.
- After graduation, international graduates of New Zealand institutions can apply for:
- A graduate job search visa, providing a 12 month visa whilst the graduate seeks work; or
- A graduate work experience visa lasting up to three years.

Further details may be found at the immigration New Zealand website: http://www.immigration.govt.nz/migrant/stream/study/canistudyinnewzealand/allaboutvisas/

USA

In September 2011 the US government launched 'Study in the States' as a key component of a government-wide effort to encourage the best and brightest foreign students to study and remain in the U.S. The initiative is examining regulatory changes, expanding public engagement between the government and academia, and provide a central on-line information hub for DHS and its agency partners to provide current and prospective students with updated and relevant visa requirements in a streamlined, user-friendly format. Alongside Study in the States, the US government has announced an extension to science, technology, engineering and math (STEM) degrees for international student studies, allowing graduates of a STEM degree to remain in the U.S. through Optional Practical Training (OPT) for up to 29 months after graduation.

For further information see: http://studyinthestates.dhs.gov/

Summary of student visa requirements

	UK (Tier 4 visa)	Australia (Temporary Visa - Sub Class 573)	Canada (Study Permit)	New Zealand (Student Visa)	USA (F1 visa)
English language requirement to secure a visa for degree level study	A B2 level of English in all four components of language (IELTS 5.5) is required to obtain a visa.	Applicants must meet minimum English language skills requirements. (IELTS 6.0 – no requirement to meet minimum scores in each component of language).	No proof of English language required to obtain a visa.	No proof of English language required to obtain a visa.	There is no English language requirement to secure a visa but applicants must be prepared to provide scores from standardized tests required by the educational institution sponsoring them such as the TOEFL, SAT, GRE, GMAT, etc.
Sponsor	Applicants must be issued with a Confirmation of Acceptance of Studies (CAS) from a registered Tier 4 sponsor to be able to make a visa application.	Applicants must have been accepted for full-time study in a registered course to be eligible – proof of this is via an electronic Confirmation of Enrolment.	Individuals applying for a student visa must obtain a letter of acceptance from the institution at which they wish to study. The original acceptance letter must be included with their study permit application.	Applicants must have an offer of a place on a course approved by the New Zealand Qualifications Authority (NZQA).	All student visa applicants must have a SEVIS (Student and Exchange Visitor Information System) generated I-20 issued by an educational institution approved by Department of Homeland Security, which they submit when they are applying for their student visa.
Interview	Applicants may be asked to attend an interview if the visa office where they have applied deems it is necessary.	Students may have to attend an interview but they are not mandatory.	Applicants may be asked to attend an interview if the visa office where they have applied deems it is necessary.	Interviews do not form part of the visa assessment process.	An interview at the embassy consular section is required for student visa applicants from age 14 to 79, with few exceptions.

	UK (Tier 4 visa)	Australia (Temporary Visa – Sub Class 573)	Canada (Study Permit)	New Zealand (Student Visa)	USA (F1 visa)
Genuine intent	No assessment of genuine intent.	Applicants must demonstrate that they genuinely intend to stay in Australia temporarily (Genuine Temporary Entrant [GTE] requirement). The factors considered during assessment of the GTE requirement include: personal circumstances in their home country, their potential circumstances in Australia, the value of the course to the applicant's future, the applicant's immigration history, and any other matter that is relevant to their intention to remain in Australia temporarily.	Applicants must satisfy an immigration officer that they will leave Canada at the end of their authorised stay.	Applicants will need to show evidence of how they will leave New Zealand. For example, they may be asked to show travel tickets out of New Zealand, or evidence of enough money held in New Zealand, additional to the funds they'll need for your living expenses.	Applicants must demonstrate that they properly meet student visa requirements including: Have a residence abroad, with no immediate intention of abandoning that residence; Intend to depart from the United States upon completion of the course of study.
Maintenance funds	Yes	Yes - applicants must have enough money to pay for travel, tuition and living expenses for themselves, their partner and any dependent children for the duration of their stay in Australia.	Yes - applicants must prove they have sufficient funds to pay for tuition fees, living expenses for themselves and dependants and return transportation for themselves and dependants.	Yes - applicants must show they are able to meet their living costs during their stay.	Yes - sufficient funds to cover tuition and living expenses during the period of intended study.
Academic Progression	Yes		No	No	No

	UK (Tier 4 visa)	Australia (Temporary Visa – Sub Class 573)	Canada (Study Permit)	New Zealand (Student Visa)	USA (F1 visa)
Dependants	Those studying postgraduate courses of more than 12 months only.			Yes - partners and dependent children of student or work visa holders can be granted a visitor visa for the same duration as their partner or parents' stay.	Those studying courses of more than 12 months only (undergraduate and postgraduate).
Work rights	20 hours/ week.	Student visa holders can work. Previously they were able to work 20 hours per week but these conditions have recently been made more flexible so they are able to work 40 hours per fortnight during any fortnight while the course is in session. This provides more flexibility for student visa holders and their employers. Higher Degree by Research (HDR) student visa holders are no longer limited in the number of hours that they can work once their course has commenced.	Yes. Students can work on campus on a Study Permit. To work off-campus they must apply for an Off-Campus Work Permit which will permit them to work for 20 hours/ week during term time and full-time during scheduled breaks.	Students in tertiary education can work up to 20 hours per work.	Yes – but employment is restricted to work on-campus. Off-campus employment is authorised only in cases of severe economic hardship occurring subsequent to a student's enrolment in an academic program or in emergent circumstances as defined by Department of Homeland Security e.g. loss of financial aid, large increase in tuition or cost of living, unexpected changes in the student's financial support.
Police	Students of certain nationalities are required to register with the police on entering the UK.	Applicants must be of good character.	Applicants must be law-abiding with no criminal record. They may have to provide a police certificate.	Students intending to be in New Zealand for less than 24 months are not required to provide a police certificate.	No police certificate required (only a requirement for those immigrating permanently).

	UK (Tier 4 visa)	Australia (Temporary Visa – Sub Class 573)	Canada (Study Permit)	New Zealand (Student Visa)	USA (F1 visa)
Health	Residents of certain countries are required to be screened for TB prior to applying for a visa if they wish to come to the UK for longer than six months.	Applicants must meet certain health requirements and may need to undergo a health examination. Applicants must have health insurance while in Australia. This can be provided by obtaining Overseas Student Health Cover (OSHC) which provides medical and hospital insurance. Proof of insurance must be submitted when lodging a visa application.	Applicants must be in good health and willing to complete a medical examination, if necessary.	Must have appropriate and current medical and travel insurance while studying in New Zealand (a requirement of the Ministry of Education's Code of Practice). If the applying student intends to stay in New Zealand for more than 12 months, they must complete a *Medical and Chest X-ray Certificate*.	
Maximum length of stay	Five years although some exemptions	No	No	No	No

Arrangements for post-study work

	UK	Australia	Canada	New Zealand	United States
Job search visa	No	No	No	Yes - Graduate Job Search Visa gives individuals 12 months of leave to look for a graduate job in New Zealand.	No
Post-study work visa	Yes - Tier 2 route.	Yes - Graduate (Temporary) Visa (Subclass 385).	Yes - Post-Graduation Work Permit.	Yes - Graduate Work Experience Visa.	Yes - Optional Practical Training (OPT) category.

Job offer required	Yes - with a registered Tier 2 sponsor.	No. If a visa is granted the migrant may choose to travel, work, study to improve English skills or complete a professional year.	No	Yes – offer of full-time employment relevant to applicant's course or qualification [deemed relevant if immigration officer satisfied the qualification was a key factor in the decision to employ the applicant in the role].	No - but all OPT employment must be in a job related to the student's degree programme.
Minimum salary requirement	Yes - £20,000 per annum or the going rate for the job whichever is higher.	No	No	No	No
Leave granted	Three years initially with the possibility to extend for a further three years.	18 months	Depends on length of course studied. Visas issued for up to 3 years. If student has studied for 8 months, they get 8 months to work, if two year course then two years to work etc.	Graduate Job Search Visa - 12 months. Graduate Work Experience Visa - 24 months (or 36 months if graduate working towards a professional qualification.	12 months but foreign graduates of STEM courses can apply to extend for a further 17 months.
Eligibility	Applicant must have a UK bachelor or postgraduate degree; or a UK Postgraduate Certificate in Education; or have completed a minimum of 12 months study in the UK towards a UK PhD. Must meet maintenance funds and English language requirements.	Applicant must have completed an eligible qualification (s) in the last six months as a result of at least two years' study in Australia.	Applicant must have studied a full-time course of at least eight months duration at an institution authorised to confer degrees.	Foreign graduate must have obtained a qualification that would qualify under the Skilled Migrant category e.g. degree & postgraduate qualifications.	Must have obtained an undergraduate degree or higher.

ANNEX B

Relevant professional bodies

	Organisation	Website	Subject area (as defined by Joint Academic Coding system)	Royal Charter?	Statutory?	Activities
1.	Architects Registration Board (ARB)	ARB website	Architecture, building & planning	NO	YES	Statutory regulator of architects. Recognise (prescribe) qualifications to become an architect and join UK Register of Architects.
2.	Archives and Records Association	ARA website	Mass communications & documentation	NO	NO	Accreditation of archives and records management courses.
3.	Association for Nutrition	Association for Nutrition website	Subjects allied to medicine	NO	NO	Accredits university courses. Maintains register of nutritionists.
4.	British Acupuncture Accreditation Board (BAAB)	BAAB website	Subjects allied to medicine	NO	NO	Accredits degree courses.
5.	British Association for Counselling & Psychotherapy (BACP)	BACP website	Biological sciencies; Social studies	NO	NO	Accredits individual counsellors, psychotherapists, supervisors, counselling services and training courses.
6.	British Association of Art Therapists (BAAT)	BAAT website	Creative arts & design	NO	NO	Professional organisation for art therapists. Suggests criteria for training courses and standards of professional practice.
7.	British Association of Lecturers in English for Academic Purposes (BALEAP)	BALEAP website	Education	NO	NO	Accreditation scheme for English Language and study skills courses in universities.

8.	British Association of Occupational Therapists and College of Occupational Therapists (BAOT)	BAOT website	Subjects allied to medicine	YES	NO	Endorses taught courses and accredits programmes as part of the APPLE (Accreditation of Practice Placement Educators) Scheme.
9.	British Association of SPort and Exercise Science (BASES)	BASES website	Biological sciences	NO	NO	Endorses sport and exercises science courses under the BASES Undergraduate Endorsement Scheme (BUES).
10.	British Dyslexia Association (BDA)	BDA website	Social studies	NO	NO	Accredits and recognises courses.
11.	British Psychological Society (BPS)	BPS website	Biological sciences	YES	NO	Accredits Psychology courses; degree confers eligibility for the graduate basis for chartered membership.
12.	Broadcast Journalism Training Council (BJTC)	BJTC website	Mass communications & documentation	NO	NO	Accredits courses in Radio, Television/Video and On-line Journalism.
13.	Chartered Institute for Securities and Investment (CISI)	CISI website	Business & administrative studies	YES	NO	Accredits universities to offer training for CISI qualifications. Recognises CISI Centres of Excellence.
14.	Chartered Institute of Architectural Technologists (CIAT)	CIAT website	Architecture, building & planning	YES	NO	Accredits Honours degrees in Architectural Technology and provides exemptions against Professional and Occupational Performance (POP) records. Approves programmes at sub-Honours degree level.
15.	Chartered Institute of Environmental Health (CIEH)	CIEH website	Subjects allied to medicine	YES	NO	Accredits courses and qualifications for the education of members and other Environmental Health practitioners.
16.	Chartered Institute of Housing (CIH)	CIH website	Architecture, building & planning	YES	NO	Accredits training centres, undergraduate and postgraduate programmes.
17.	Chartered Institute of Logistics and Transport (CILT)	CILT website	Engineering & technology	YES	NO	Accredits programmes.

18.	Chartered Institute of Personnel and Development (CIPD)	CIPD website	Business & administrative studies	YES	NO	Network of approved CIPD centres (including HEIs).
19.	Chartered Institute of Public Finance & Accountancy (CIPFA)	CIPFA website	Social studies; Business & administrative studies	YES	NO	CIPFA exam exemptions for some universities and qualifications.
20.	Chartered Institute of Public Relations (CIPR)	CIPR website	Mass communications & documentation	YES	NO	Recognises undergraduate and postgraduate courses (full, partial and module recognition).
21.	Chartered Institution of Water and Environmental Management	CIWEM website	Engineering & technology	YES	NO	Accredits undergraduate and postgraduate programmes. Licensed by the Society for the Environment (SocEnv) to award Chartered Environmentalist (CEnv). Licensed by the Science Council to award Chartered Scientist (CSci).
22.	Chartered Management Institute (CMI)	CMI website	Engineering & technology; Business & administrative studies	YES	NO	Programmes may be recognised as equivalent to Level 5 Diploma in Management and Leadership (CMI). Programmes may be accredited for purposes of student membership.
23.	Chartered Society of Designers (CSD)	CSD website	Creative arts & design	YES	NO	Course Accreditation Programme (CAP)
24.	Chartered Society of Physiotherapy (CSP)	CSP website	Subjects allied to medicine	YES	NO	Graduates from CSP-approved qualifying courses gain charetered status upon becoming a member of the CSP.
25.	College of Operating Department Practicioners (CODP)	CODP website	Subjects allied to medicine	NO	NO	Sets standards of education for the pre-registration aspect of the profession.
26.	Consortium for the Accreditation of Sonographic Education (CASE)	CASE website	Subjects allied to medicine	NO	NO	Accreditation of ultrasound education programmes.

27.	Council for Healthcare Regulatory Excellence (CHRE)	CHRE website	Medicine and dentistry; Subjects allied to medicine	NO	NO	Oversees the 9 regulatory bodies that regulate 30 types of healthcare professionals: General Chiropractic Council; General Dental Council; General Medical Council; General Optical Council; General Osteopathic Council; Health Professions Council; Nursing and Midwifery Council; Pharmaceutical Society of Northern Ireland; Pharmaceutical Society of Great Britain.
28.	Engineering Council	Engineering Council website	Engineering & technology	YES	NO	UK regulatory body for the Engineering profession; accredits degree and approved non-degree qualifications and programmes. Grants licenses to professional engineering institutions, allowing them to assess candidates for inclusion on register of professional engineers and technicians and to accredit programmes and programme development schemes.
29.	General Chiropractic Council (GCC)	GCC website	Subjects allied to medicine	NO	YES	Statutory body that regulates chiropractors, and sets standards for chiropractic education, conduct and practice.
30.	General Dental Council (GDC)	GDC website	Medicine and dentistry	NO	YES	Regulates dentists and dental professionals in teh UK; registers the primary dental qualification and admission to specialist lists (be definition as a result of postgraduate study).
31.	General Medical Council (GMC)	GMC website	Medicine and dentistry	NO	YES	Decides which bodies are entitled to award UK Primary Medical Qualifications (PMQs). Responsible for QABME (Quality Assurance of Basic Medical Education) and annual return.
32.	General Optical Council (GOC)	GOC website	Subjects allied to medicine	NO	YES	Regulates optical professions including optometrists, dispensing opticians, student opticians and optical businesses. Approves qualifications leading to registration and sets standards for education and training of registrants and approval of programmes necessary for registration.

33.	General Osteopathic Council (GOsC	General Osteopathic Council website	Subjects allied to medicine	NO	YES	Regulates the practice of osteopathy in the UK; keeps register of osteopaths and assures quality of osteopathic education.
34.	General Pharmaceutical Council (GPhC)	General Pharmaceutical Council website	Subjects allied to medicine	NO	YES	Accredits pharmacy education and training providers. Regulates the two professions of pharmacists and pharmacy technicians. Approves courses and sets standards for initial education and training for pharmacists and technicians.
35.	Health Professions Council (HPC)	HPC website	Subjects allied to medicine	NO	YES	Statutory regulator of 15 healthcare professions: Art therapists, Biomedical scientists, Chiropodists/podiatrists, Clinical scientists, Dieticians, Hearing aid dispensers, Occupational therapists, Operating department practitioners, Orthoptists, Paramedics, Physiotherapists, Practitioner psychologists, Prosthetists/orthotists, Radiographers, Speech and language therapists. Maintains register of practitioners from all 15 professions. Approves pre-registration training programmes.
36.	Higher Education Academy (HEA)	HEA website	Education	NO	NO	Graduates with PGCE and PGDE awards can gain recognition as fellows of the HEA. Students receiving Initial Teaching award can gain recognition as Associate fellows of the HEA. Accredits institutional CPD.
37.	Institute and Faculty of Actuaries	Institute and Faculty of Actuaries website	Mathematical sciences; Business & administrative studies	YES	NO	Accredited programmes can lead to professional exam exemptions.
38.	Institute of Biomedical Science (IBMS)	IBMS website	Subjects allied to medicine	NO	NO	Accredits undergraduate and postgraduate degrees and professional qualifications. Licensed member body of the Science Council to award Chartered Scientist (CSci) status.
39.	Institute of Careers Guidance	Institute of Careers Guidance website	Social studies	NO	NO	Qualifications in career guidance offered at 11 universities in the UK (2 in Scotland).

40.	Institute of Chartered Foresters (ICF)	ICF website	Agriculture & related subjects	YES	NO	Accredits courses and provides admission to the Institute's Professional Membership Entry (PME). Licensed by Society for the Environment (SocEnv) to award Chartered Environmentalist (CEnv).
41.	Institute of Historic Building Conservation (IHBC)	IHBC website	Architecture, building & planning	NO	NO	Recognises conservation courses.
42.	Institute of Materials, Minerals and Mining (IOM3)	IOM3 website	Engineering & technology	YES	NO	Accredits programmes and Initial Professional Development on behalf of the Engineering Council. Licensed by the Science Council to award Chartered Scientist (CSci). Licensed by the Engineering Council to award Chartered Engineer (CEng), Incorporated Engineer (IEng) and Engineering Technician (EngTech). Licensed by the Society for the Environment to award Chartered Environmentalist (CEnv).
43.	Institute of Water (IWater)	Institute of Water website	Agriculture & related subjects; Engineering & technology	NO	NO	Professional Engineering Institution licensed by the Engineering Council to award Chartered Engineer (CEng), Incorporated Engineer (IEng) and Engineering Technician (EngTech)
44.	Institution of Agricultural Engineers (IAgrE)	IAgrE website	Agriculture & related subjects; Engineering & technology	NO	NO	Accredits academic courses. Professional Engineering Institution licensed by the Engineering Council to award Chartered Engineer (CEng), Incorporated Engineer (IEng) and Engineering Technician (EngTech). Licensed by Society for the Environment to award Chartered Environmentalist (CEnv).
45.	Institution of Engineering Designers (IED)	IED website	Engineering & technology	NO	NO	Accredits courses. Professional Engineering Institution licensed by the Engineering Council to award Chartered Engineer (CEng), Incorporated Engineer (IEng) and Engineering Technician (EngTech).

46.	Joint Audio Media Education Services (JAMES)	JAMES website	Engineering & technology	NO	NO	Accredits courses in the following areas: Recording Technology and Application; Audio Post Production for Film, Animation and Television; Music Technology; Music Production; Live Sound; and Music Business Studies.
47.	National Council for the Training of Journalists (NCTJ)	NCTJ website	Mass communications & documentation	NO	NO	Accredits journalism courses in the UK that lead to Certificate or Diploma in Journalism.
48.	Nursing and Midwifery Council (NMC)	NMC website	Subjects allied to medicine	NO	YES	Statutory body and regulator of nursing and midwifery healthcare professions. Approves and monitors courses and maintains register of nurses and midwives, set standards for education and practice.
49.	Periodicals Training Council (PTC)	PTC website	Mass communications & documentation	NO	NO	Accredits courses including BA, MA, PGDip.
50.	Royal College of Obstetricians and Gynaecologists (RCOG)	RCOG website	Medicine and dentistry	YES	NO	Develops the framework and curriculum for postgraduate training in obstetrics and gynaecology in the UK. Conducts 2 principal examinations: the membership examination (MRCOG) and the diploma examination (DRCOG).
51.	Royal College of Psychiatrists (RCPSYCH)	RCPSYCH website	Medicine and dentistry	YES	NO	Runs membership examination (MRCPsych). Visits and approves hospitals for training purposes.
52.	Royal College of Speech and Language Therapists (RCSLT)	RCSLT website	Subjects allied to medicine	NO	NO	Accredits all UK undergraduate and postgraduate speech and language therapy courses.
53.	Royal College of Veterinary Surgeons (RCVS)	RCVS website	Veterinary science	YES	YES	Statutory regulator of veterinary profession. Maintains register of veterinary surgeons and regulates veterinary education and professional conduct.
54.	Royal Institute of British Architects (RIBA)	RIBA website	Architecture, building & planning	YES	NO	Validates schools of architecture in the UK. Visits and recognises architecture courses.

55.	Royal Town Planning Institute (RTPI)	RTPI website	Architecture, building & planning	YES	NO	Develops and accredits planning qualifications which allow graduates to progress towards chartered membership of RTPI.
56.	Science Council	Science Council website	Subjects allied to medicine; Biological sciences; Physical sciences; Mathematical sciences; Computer science; Engineering & technology; Architecture, building & planning	YES	NO	
57.	Society and College of Radiographers (SCoR)	Society and College of Radiographers website	Subjects allied to medicine	YES	NO	Approves Assistand Practitioner courses. Accredits Practice Educator courses.
58.	Society of Biology	Society of Biology website	Biological sciences	YES	NO	Recognises degrees with over 50 per cent biological content. The Society of Biology is in the process of designing a programme of degree accreditation. Member body of the Science Council.
59.	Standards Verification UK (SVUK)	SVUK website	Education	NO	NO	Endorses generic initial teacher training (ITT) qualifications for the lifelong learning sector in England and Wales, and those Skills for Life practitioners in English for Speakers of Other Languages (ESOL), literacy and numeracy in England.

Examples of infrastructure hosted in Scotland

The Medical Research Council (MRC) funds 22 research units across the UK, three of which are either partnerships with Scottish universities or are hosted by or affiliated with Scottish university research departments. MRC also funds 27 research Centres, five of which are hosted at Scottish universities.

Units and Centres at Scottish institutions are:

- Centre for Cognitive Ageing and Cognitive Epidemiology, University of Edinburgh
- MRC Centre for Regenerative Medicine, University of Edinburgh
- MRC Centre for Reproductive Health, University of Edinburgh
- MRC/University of Edinburgh Centre for Inflammation Research
- MRC-University of Glasgow Centre for Virus Research
- MRC Protein Phosphorylation Unit, University of Dundee
- MRC/CSO Social and Public Health Sciences Unit, co-located with and affiliated to the University of Glasgow
- MRC-University of Edinburgh Human Genetics Unit

Biotechnology and Biological Sciences Research Council (BBSRC) Doctoral Training Partnerships (DTPs) providing over 100 PhDs in Scotland across all six Scottish universities in the life sciences research pool SULSA.

The Scottish Universities Environmental Research Unit at the University of Glasgow hosts 5 Natural Environment Research Council (NERC) Isotope Facilities which provide analytical support to the UK scientific community.

The All-Waters Combined Current and Wave Test Facility at the University of Edinburgh, part funded by the EPSRC: http://www.epsrc.ac.uk/newsevents/news/2012/Pages/wavetest.aspx

The ESRC Centre for Population Change is the UKs first research centre on population change. Based jointly at the University of Southampton and the National Records of Scotland, the Centre brings together expertise from the Universities of Southampton, St. Andrews, Edinburgh, Strathclyde and Stirling as well as the National Records of Scotland and The Office for National Statistics. See: http://www.cpc.ac.uk/

ANNEX D

Examples of infrastructure outwith Scotland that is accessed by researchers at Scottish universities

The Science & Technology Facilities Council operates or hosts world class experimental facilities supporting disciplines such as materials science, space and ground-based astronomy technologies, laser science, microelectronics, wafer scale manufacturing, particle and nuclear physics, alternative energy production, radio communications and radar.

Facilities in the UK include:

- The ISIS pulsed neutron source supporting a national and international community of more than 2000 scientists for research into subjects ranging from clean energy and the environment, pharmaceuticals and health care, through to nanotechnology, materials engineering and IT.
- The Central Laser Facility supporting a broad range of experiments in physics, chemistry and biology
- The LOw Frequency ARray (LOFAR) is a radio telescope working at the lowest frequencies accessible from Earth.

The Council is also a majority shareholder in the Diamond Light Source a third generation synchrotron light source used in research in disciplines such as physics, chemistry, materials science and crystallography. In addition, synchrotron light is increasingly being exploited by new communities such as medicine, geological and environmental studies, structural genomics and archaeology.

Facilities outside the UK are telescopes in La Palma and Hawaii.

The Council also enables UK researchers to access leading international science facilities by funding membership of international bodies including:

- the European Laboratory for Particle Physics (link opens in a new window) (CERN);
- the Institut Laue Langevin (ILL);
- the European Synchrotron Radiation Facility (ESRF); and
- the European Southern Observatory (link opens in a new window)(ESO).

The Engineering and Physical Sciences Research Council (EPSRC) supports 12 Centres for Innovative Manufacturing. One of these, the Centre for Innovative Manufacturing in Continuous Manufacturing and Crystallisation is a partnership of 12 companies and seven universities, four of which are Scottish.

The Biotechnology and Biological Sciences Research Council (BBSRC) supports eight institutes, listed at http://www.bbsrc.ac.uk/institutes ; one of these, the Roslin Institute, is based at the University of Edinburgh.

The Natural Environment Research Council (www.nerc.ac.uk) supports 6 research centres, listed on their web-site. Of these, the British Geological Survey and the Centre for Ecology and Hydrology have offices or research sites in Scotland, and the National Oceanography Centre works in partnership with the Scottish Association for Marine Science and the Sea Mammal Research Unit, base at the University of St Andrews.

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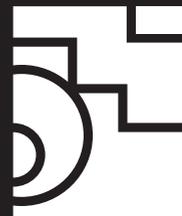
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