

Education, Children and Young People Committee
18 September 2024
23rd Meeting, 2024 (Session 6)

Note by the Clerk on [Academic Awards and Distinctions (SRUC) (Scotland) Order of Council 2024] (2024/219)

Overview

1. At this meeting, the Committee will consider the following Scottish Statutory Instrument (SSI), which is subject to annulment by resolution of the Parliament until 11 October 2024. The Committee is invited to consider the instrument and decide what, if any, recommendations to make.
2. More information about the instrument is summarised below:

Title of instrument: [Academic Awards and Distinctions \(SRUC\) \(Scotland\) Order of Council 2024](#) (2024/219)

Laid under: [Further and Higher Education \(Scotland\) Act 1992](#)

Laid on: 2 September 2024

Procedure: Negative

Deadline for committee consideration: 7 October 2024

Deadline for Chamber consideration: 11 October 2024

Commencement: 14 October 2024

Procedure

3. Under the negative procedure, an instrument is laid after it is made, and is subject to annulment by resolution of the Parliament for a period of 40 days beginning on the day it is laid.
4. Once laid, the instrument is referred to:
 - the Delegated Powers and Law Reform (DPLR) Committee, for scrutiny on various technical grounds, and
 - a lead committee, whose remit includes the subject-matter of the instrument, for scrutiny on policy grounds.
5. Any MSP may propose, by motion, that the lead committee recommend annulment of the instrument. If such a motion is lodged, it must be debated at a meeting of the Committee, and the Committee must then report to the Parliament (by the advisory deadline referred to above).

6. If there is no motion recommending annulment, the lead committee is not required to report on the instrument.

Delegated Powers and Law Reform Committee consideration

7. The DPLR Committee considered the instrument on 10 September 2024 and reported on it in its [51st Report, 2024](#). The DPLR Committee made no recommendations in relation to the instrument.

Purpose of the instrument

8. The purpose of the instrument is to specify SRUC (a higher education institution) as competent to grant degrees, diplomas, certificates and other academic awards or distinctions (not including those made on completion of a programme of supervised research).
9. The Policy Note accompanying the instrument is included in Annexe A. It includes a summary of consultation undertaken on the instrument, impact assessments carried out, and the anticipated financial effects.

Committee consideration

10. So far, no motion recommending annulment has been lodged.
11. Members are invited to consider the instrument and decide whether there are any points they wish to raise. If there are, options include:
 - seeking further information from the Scottish Government (and/or other stakeholders) through correspondence, and/or
 - inviting the Minister (and/or other stakeholders) to attend the next meeting to give evidence on the instrument.

It would then be for the Committee, at the next meeting, to consider the additional information gathered and decide whether to make recommendations in relation to the instrument.

12. If Members have no points to raise, the Committee should note the instrument (that is, agree that it has no recommendations to make).
13. However, should a motion recommending annulment be lodged later in the 40-day period, it may be necessary for the Committee to consider the instrument again.

Clerks to the Committee September 2024

Annexe A: Scottish Government Policy Note

POLICY NOTE

THE ACADEMIC AWARDS AND DISTINCTIONS (SRUC) (SCOTLAND) ORDER OF COUNCIL 2024

S.S.I. 2024/219

1. The above instrument is made in exercise of the powers conferred upon the Privy Council by sections 48(1) and 60(3) of the Further and Higher Education (Scotland) Act 1992. The instrument is subject to negative procedure.

Summary box

2. To specify SRUC (a higher education institution) as competent to grant degrees, diplomas, certificates and other academic awards or distinctions (not including those made on completion of a programme of supervised research).

Policy Objectives

3. The Designation of Institutions of Higher Education (The Scottish Agricultural College) (Scotland) (No. 2) Order 2008 provided that SRUC¹ (at the time known as The Scottish Agricultural College) was to be a designated institution of higher education under section 44 of the Further and Higher Education (Scotland) Act 1992. Section 48(1) of that Act provides that the Privy Council may specify that an institution within the higher education sector, such as a designated institution, is competent to grant such awards and distinctions as they may specify.
4. In 2021 SRUC submitted an application for taught degree awarding powers to the Privy Council, who in turn sought a recommendation from the Scottish Government on whether SRUC should be specified as competent to award such degrees and other academic awards and distinctions.
5. The Scottish Government sought advice on the SRUC application from the Quality Assurance Agency (QAA). The application has undergone detailed scrutiny by the QAA's Advisory Committee for Degree Awarding Powers between 2021-23 and a recommendation that SRUC met the required criteria, in line with QAA's published guidance (https://www.qaa.ac.uk/docs/qaa/guidance/degree-awarding-powers-handbook-scotland.pdf?sfvrsn=9594a081_6), to be specified as competent was received.
6. This Order specifies SRUC as competent to grant degrees, diplomas,

¹ SRUC is registered in Scotland under company number SC SC103046

certificates and other academic awards or distinctions, except where the award or distinction, of whatever description, is made on the completion of a programme of supervised research. This includes SRUC having the power to award honorary degrees and to grant degrees to members of the academic and other staff of the institution.

7. The specification as competent to make academic awards and distinctions, made by the Order, will continue to apply following any change to the name of the institution.

EU Alignment Consideration

8. This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

9. The Scottish Government consulted SRUC, the Quality Assurance Agency and the Privy Council during the preparation of this instrument.

Impact Assessments

10. A Business and Regulatory Impact Assessment (BRIA) has been completed and is attached.

Financial Effects

11. As above.

**Scottish Government
Lifelong Learning and Skills Directorate**

August 2024