



## THE HIGHER EDUCATION AND RESEARCH BILL PART 3: DECEMBER 2016

### Introduction

1. The Academy of Social Sciences and its Campaign for Science welcome the opportunities for strategic co-ordination of cross-disciplinary ‘challenge-focussed’ research represented by the formation of UK Research and Innovation, in Part 3 of the HER Bill. The awarding of a further £4.7b of funds for research in the Autumn Statement shows the potential of these new structures to deliver large-scale strategic scientific investments in the vital issues of our time. The social sciences have much to offer in many priority areas (including the long-standing debate about UK productivity and behaviour change relevant to industrial strategy, health and climate change for instance).

2. We also welcome the various clarifications and amendments that have been made to the Bill so far. These include the explicit protection of dual support, clarification of the links between teaching and research, and provision for post-graduate training, and consultation with devolved authorities. We note that the links between teaching and research are especially important to enable Research England to address such issues as ‘strategically important and vulnerable subjects’, including quantitative skills in the social and biological sciences, as did HEFCE before it.

3. But as the Bill moves to the Lords, the Academy and Campaign think there are some further amendments that would improve the role of scientific and research input to ensure UKRI can deliver its full potential.

### Changes in composition or remit of research councils

4. The current wording of the Bill would allow the Secretary of State to add or omit Research Councils or change their remits by issuing a statutory instrument subject to the affirmative resolution procedure. This would mean that any such proposals would be debated and require approval by both Houses. While we note that this provides a period of time for wider discussion (either 28 or 40 days), **this procedure does not guarantee consultation with scientific stakeholders.** The Academy and Campaign recognise that legislation is in place for the long-term and that, over time, changes in the Research Councils/UKRI Committees may be desirable. Open discussion with the scientific community should not however be dependent on the views of any particular Secretary of State. **We believe that the Bill should include an explicit positive duty for the Secretary of State to consult with the scientific and research community on any proposal for Research Council reform.** Science thrives when such proposals are the subject of open discussion and debate and we cannot envision any circumstances when the timetable could not ensure a period of public consultation, including of scientific stakeholders. This affects Clauses 86(2) and 89(5) of the current Bill.



## Governance and priority-setting

5. The Bill sets up a long-term model of governance which must be considered independently of any particular Secretary of State or UKRI Chief Executive, or the particular composition of any UKRI Board.

6. The Bill is explicit in stating the prerogatives of UKRI Chief Executive to make recommendations on scientific priorities and other matters, without any countervailing duty to consult. We note that the Royal Charter of ESRC for instance does not spell out the powers of the Chief Executive in such detail, and that all Research Council Chief Executives (and their Boards) have taken seriously their duty to consult their respective scientific communities while still having much freedom of manoeuvre. **Given the positive statement of rights of UKRI Chief Executive in the Bill, we believe that there should be a balancing explicit statement of duties to consult with Research Council Executive Chairs and their scientific communities.** This should include scientific communities in all parts of the United Kingdom.

7. This affects Clause 93 (1), **the development of the details of any research and innovation strategy**, which will by definition involve substantive scientific issues. This should, we believe, be amended to include a positive duty to consult with the Chairs of the Research Councils who can choose if appropriate to consult with their respective scientific communities.

8. The need for a more consultative model also extends to the **governance model** proposed for UKRI. We welcome as an improvement the undertaking of the Secretary of State that there should be an Executive Committee of Research Council Executive Chairs. We note however that this is not part of the Bill, and that the Executive Chairs would still be remote from access to ministers and from direct access to the UKRI Board. So far the government has resisted changes to the composition of the UKRI Board, arguing that to have Research Council Executive Chairs on the UKRI Board does not fit 'modern best practice' for Board membership. We do not believe this is true for a knowledge-based organisation. In addition, we note that the UKRI Chief Executive will be a Board member, and that models that make a distinction between 'executive' and 'non-executive' members are relatively common. We note too the importance of ensuring that the posts of Research Council Executive Chairs continue to attract senior members of the research community, and that science benefits from open deliberation and discussion. Involvement of the Research Council CEOs in substantive plans for interdisciplinary and other work, including discussion with their respective scientific constituencies, can only be a benefit to the work of UKRI. **We favour a model that would put Research Council Chairs as ex officio members of the UKRI Board.** This affects Schedule 9 (2) (1) of the Bill.

## 'Haldane principle'

9. As the Academy and Campaign have previously argued (see [Higher Education and Research Bill July 2016 Policy Briefing](#)) the explicit invocation of Haldane will not necessarily address the key issue of scientific consultation, especially as the Haldane principle has been interpreted by government since 2010 to refer only to the principle of scientists making allocation decisions about individual grants. Important though that is, it does not address the importance of scientific consultation more generally, and the balance between government



departmental needs and the importance of government funding in providing for medium and longer term scientific research. A more important historical issue may be the 1971 Rothschild Report, which transferred funds for short-term objectives to government departments and discussed the respective roles of each type of spending. **We believe that that adding a positive duty to consult with scientific communities is the best way to address the issues many assume are ‘Haldane’ matters.** This has special relevance to social science research, which is more likely directly to impinge on departmental views of what is or is not appropriate for Research Councils to address.

### Purposes of public funding of science

10. The purposes of research funded by UKRI are set out as in the Bill as ‘contributing to economic growth in the United Kingdom’ and ‘improving quality of life (whether in the United Kingdom or elsewhere)’. We have argued that this is rather narrow, and note that the wording in the ESRC Royal Charter is ‘contributing to the economic competitiveness..., the effectiveness of public services and policy, and the quality of life’. We believe that if a future government were so minded, the wording in the Bill could be interpreted very narrowly, and would prefer a ‘public benefit’ test, as put forward in, for instance, the Digital Economy Bill. This would include for instance research that improved the quality of public debate or effectiveness of public service, which could be arguable purposes under the current wording. **We favour the addition of a ‘public benefit’ clause as a legitimate purpose of research funded by UKRI.** This affects Clause 89 (4).

### Definition of ‘science’

11. The Bill has been amended to refer to ‘sciences and the humanities’, with ‘science’ being defined in Clause 105 as including ‘social sciences’. While we appreciate this is an efficient means of drafting, **we continue to believe social science should receive explicit recognition in clause 87 of the Bill, alongside sciences and the humanities, rather than depending on a simple definitional clause.** In light of political pressure in the United States, Australia and elsewhere to restrict public funding to some social sciences, we believe this explicit recognition is important in providing long term safeguards for the place of the social sciences within UKRI. The clauses affected are 87 (1) a-e); 87 (3); 101 (2) a); 105 (1); and various parts of Schedule 9.

### Notes:

1. *The Academy of Social Sciences is the national academy of academics, learned societies and practitioners in the social sciences. Its mission is to promote social sciences in the United Kingdom for the public benefit. The Academy’s Campaign for Social Science was launched to raise the profile of social science in the public, media and Parliament. Its activities include lobbying government, organising events, promoting social sciences in the media and monitoring the health of academia in the UK.*
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