



# Higher Education and Research Act 2017

## 2017 CHAPTER 29

### PART 1

#### THE OFFICE FOR STUDENTS

##### *Other registration conditions*

#### **14 Public interest governance condition**

- (1) For the purposes of section 13(1)(b), “a public interest governance condition” in relation to a provider means a condition requiring the provider’s governing documents to be consistent with the principles in the list published under this section, so far as applicable to the provider.
- (2) The OfS must determine and publish a list of principles applicable to the governance of English higher education providers.
- (3) The principles must be those that the OfS considers will help to ensure that English higher education providers perform their functions in the public interest.
- (4) The list may include different principles for different descriptions of English higher education providers.
- (5) The OfS may revise the list.
- (6) If the OfS revises the list, it must publish it as revised.
- (7) The list (as originally determined and as revised) must include the principle that academic staff at an English higher education provider have freedom within the law—
  - (a) to question and test received wisdom, and
  - (b) to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges they may have at the provider.
- (8) Before determining or revising the list, the OfS must consult—

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*Status: This is the original version (as it was originally enacted).*

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- (a) bodies representing the interests of English higher education providers which appear to the OfS to be concerned,
- (b) the Secretary of State, and
- (c) such other persons as the OfS considers appropriate.