

UK universities' engagement with autocracies

Government response to the Foreign Affairs Committee call for evidence (UAU0008)

Summary

Our universities are international at their core, and we encourage the higher education (HE) sector to collaborate with international partners. It is precisely this interconnectedness that ensures the UK higher education sector remains world-class. However, we recognise that our collaborative approach could be exploited, which is why protecting our universities is of the utmost importance to the government and the sector.

Following the publication of the Foreign Affairs Committee report in 2019, the government has taken a proactive approach to protecting our universities and has made significant strides in protecting our values against those who do not respect fundamental rights and freedoms, or whose strategic intent is hostile to UK interests. This position is reinforced by the Security Minister's recently launched Defending Democracy Taskforce (within which universities are specifically in scope), which focuses on defending the freedoms that guarantee our prosperity and sovereignty.

The government has taken significant steps forward by introducing new legislative measures to protect freedom of speech, academic life and the UK's democratic values. To prevent interference in freedom of speech and academic freedom in our universities, the government introduced the Higher Education (Freedom of Speech) Bill, which will enable the Office for Students to support registered Higher Education (HE) providers, to protect academic discourse and values in England; in particular it will introduce a new Director to the OfS Board to work closely with the sector. This is alongside the National Security Bill which will prevent hostile activity which could threaten the UK's democratic and economic infrastructures; whilst the Research Collaboration Advice Team (RCAT) provides direct advice to UK HE providers, supporting them to engage in safe research collaborations to advance international collaborations.

Whilst respecting the autonomy of universities, it is paramount that government works in partnership with the sector to improve HE providers' overall resilience and economic security. This partnership has seen successful outcomes, through publication of various guidelines and case studies, to enable HE providers to assess risks associated with international collaboration.

Question 1

What measures have universities taken since 2019 to reduce the influence of the Chinese communist party or any other non-democratic regime on academic life and to protect academic freedom?

Government approach to foreign interference in academia

1. Our universities and HE providers are international at their core and they rightly welcome international students and partnerships for the valuable contributions they make not only to our campuses, but also to their wider communities. However, government takes the risk of any foreign interference extremely seriously, regardless of its source. Where we have clear evidence of behaviours that threaten our national security, including malign interference, we will of course act accordingly. We continue to strengthen our approach by introducing new legislative and non-legislative measures to counter these threats to ensure we remain one step ahead. Since 2019, we have reinforced our position and have worked closely with the sector to improve the HE sector's overall resilience and economic security. Government's approach to tackling these risks is actor-agnostic, aimed to protect the UK from all actors who attempt to interfere in our world leading HE sector. We are tackling any interference in academic life, specifically freedom of speech, academic freedom, as it is vitally important that we tackle **all** external and internal risk of interference in the HE sector as a whole.
2. As the Foreign Affairs Committee (the Committee) is aware, the Department for Education (DfE) recognises HE as an area at risk of foreign interference. DfE is working with the Department for Science, Innovation and Technology (DSIT), the Foreign, Commonwealth and Development Office (FCDO) and other relevant government departments and the HE sector directly, to identify and mitigate these risks.

Defending Democracy Taskforce

3. In November 2022, the Security Minister, Tom Tugendhat MP, chaired the first meeting of the new Defending Democracy Taskforce (the Taskforce), emphasising his personal priority of defending the freedoms that guarantee our prosperity and sovereignty. The primary focus of the Taskforce is to protect the democratic integrity of the UK from potential threats of foreign interference. The Taskforce is working across government and with Parliament, the UK Intelligence Community, the devolved administrations, local authorities and the private sector and civil society on the full range of threats facing our democratic institutions. These threats include foreign interference in our elections and

electoral processes; disinformation; physical and cyber threats to our democratic institutions and those who represent them; foreign interference in public office; political parties and **universities**; and transnational repression in the UK.

4. The Taskforce will bring together the many structures both inside and outside of government which are aimed at protecting UK political parties, elected officials and core electoral infrastructure. The Taskforce reports into the National Security Council (NSC). More details will be set out in the update of the Integrated Review.

Legislation: the Higher Education (Freedom of Speech) Bill

5. The Committee's previous report made clear its desire to see more action to safeguard our universities 'who may serve to undermine academic freedom'. We are countering attempts to interfere with academic discourse and our values in HE through the Higher Education (Freedom of Speech) Bill, which is currently being scrutinised by Parliament. Whilst the Bill is domestic in focus and applies to England only, it supports our objectives to protect freedom of speech and academic freedom in English HE from international actors who may want to undermine our values to promote their own narrative.
6. The principal duty under the Bill is to require registered HE providers, colleges and students' unions in England to take reasonably practicable steps to secure freedom of speech within the law for their staff, members, students and visiting speakers. The Bill includes a range of measures aimed at protecting and promoting freedom of speech and academic freedom in HE in England, strengthening existing freedom of speech duties by empowering the Office for Students (OfS) to take regulatory action if these duties are breached. A new director will join the OfS Board with a remit to champion freedom of speech and academic freedom on campus and responsibility for investigations of infringements of freedom of speech duties in HE which may result in sanctions for staff, members, students and visiting speakers. The director will also oversee a new complaints scheme dedicated to managing freedom of speech complaints, by which staff, members, students and visiting speakers can seek compensation and other forms of redress where their rights have been unlawfully restricted. It will also introduce OfS regulation of students' unions at approved (fee cap) providers (a category of registered HE provider) regarding their compliance with the new freedom of speech duties.
7. The Bill will also help address concerns about the possible influence of overseas money in English HE, without reducing the ability of our world class universities to work with global partners. New measures will support the OfS by requiring them to monitor the overseas funding of registered HE providers, their constituent institutions and students' unions, to understand the possible impact

of overseas income on freedom of speech and academic freedom and monitor any trends and patterns of concern. The OfS will be able to require providers to give details of gifts, donations, research grants and other income from overseas which they, their constituent colleges and their members and staff receive which is over a set threshold. The Bill will allow the OfS to take appropriate action, including issuing penalties, if there is evidence that an HE provider has breached its freedom of speech duties.

8. DfE will work in collaboration with the OfS to implement the provisions included in the new legislation following Royal Assent of the Bill. Additionally, the OfS will develop guidance to ensure that the introduction of the new duties will support the HE sector to adopt these enhanced practices, and to promote freedom of speech and academic freedom in a practical way.

Legislation: the National Security Bill (Home Office led)

9. The National Security Bill currently before Parliament brings together vital new measures to protect our national security. It completely overhauls our espionage laws and creates new measures to enable our law enforcement and intelligence agencies to deter, detect and disrupt the full range of modern-day state threats.
10. The Foreign Influence Registration Scheme (FIRS) has been added to the Bill, which has been created to tackle covert influence in the UK. The primary registration requirement will require the registration of 'political influence activities' where they are to be carried out within the UK at the direction of any foreign power or foreign entity; or where they are to be carried out by a foreign entity itself.
11. It will require a person acting within the UK at the direction of a specified power or entity to register with the scheme. It will also require a specified entity to register activities to be carried out within the UK with the scheme. It would not be appropriate to speculate on who these requirements will ultimately apply to.

Question 2

How can universities distinguish between beneficial and potentially harmful modes of academic engagement with autocracies?

12. There is no single solution to address the risk of interference in HE. Accordingly, government is delivering a whole-system approach, covering the breadth of academia, research policy and activity. As HE providers and research institutions in the UK are autonomous, this includes government working in partnership with the sector – an approach that is vital to delivering results and ensuring that the sector takes responsibility for tackling the risk.
13. Since November 2019, government and the sector have implemented and expanded a range of new measures to support HE providers understand the political, diplomatic and legal implications of international collaboration. This includes, but is not limited to, launching the RCAT; creating new and updating existing guidance and resources; publishing case studies and delivering an extensive range of events and direct engagement with and for the sector.

Research Collaboration Advice Team (RCAT)

14. The former Department for Business, Energy and Industrial Strategy established the [Research Collaboration Advice Team \(RCAT\)](#)¹, which provides direct support to research institutions on how to engage in safe research collaborations.
15. The RCAT is a collaboration between the government and academia which provides research institutions with a first point of contact for advice about national security risks linked to international research. RCAT does this by promoting greater understanding within the academic research community about the UK's security policies and regulations, and by offering tailored risk-management guidance. RCAT aim to help researchers create and sustain successful, thriving international research partnerships.
16. RCAT works across government to make national security advice accessible and digestible for the academic community. It partners with organisations such as the Centre for the Protection of National Infrastructure (CPNI) and the National Cyber Security Centre (NCSC), and UKRI as well as research sector bodies such as Universities UK. The RCAT's 12 advisers are based in offices around the country and maintain close advisory relationships with the UK's leading research institutions.
17. RCAT have engaged with 129 research institutions since its advisory service

¹ [Research Collaboration Advice Team \(RCAT\) - GOV.UK \(www.gov.uk\)](#)

launched in March 2022. RCAT advisers have addressed over 350 specific queries, including many complex issues which have resulted in targeted mitigations of national security concerns. Specific mitigations have included supporting institutions to implement stronger governance processes around reviewing and making decisions on potentially higher risk collaborations.

18. Robust processes are in place, involving other departments and agencies, to manage national security risks identified through the RCAT's work. Whilst the main focus of the RCAT is the protection of research, this activity helps to increase the security literacy of HE providers in general, which has direct read across to protecting academia and other international collaborations.

Trusted Research guidance

19. In 2019 CPNI and NCSC launched the "Trusted Research" campaign, with the aim of helping UK universities and research institutions make informed decisions about international scientific collaboration to better protect their intellectual property, sensitive research and personal information. The UK approach differs significantly from other countries by focusing on partnership and joint ownership with the sector which has responded positively to self-regulation rather than enforcement. CPNI worked with Cabinet Office colleagues to embed Trusted Research principles into Cabinet Office guidelines² on research grants, placing a responsibility on grant givers to assure themselves of national security risks associated with research grants. CPNI engagement led UK Research and Innovation (UKRI) to adopt the principles³ of Trusted Research and change the terms and conditions⁴ for all UKRI and Research Council research grants, placing the onus on grant applicants to adhere to Trusted Research principles and conduct appropriate due diligence on research partners.
20. We continue to engage with the sector and are exploring how to further support the sector to implement the principles of Trusted Research for example with Effective Practice Principles (EPPs). Internationally, New Zealand have adopted the "Trusted Research" campaign⁵, and Wilton Park have run a series of Trusted Research webinars for UK academics and academics in a range of Nordic countries. CPNI have supported promotion of Trusted Research by the BEIS/FCDO Science Innovation Network (SIN) based out of a range of UK Embassies overseas. Engagement with the British Embassy in Prague led to the development of a Czech equivalent to Trusted Research and their own proposals⁶ on implementing Trusted Research principles in the Czech Republic.

² [2022-20-11-Grants-Standard-SEVEN-v2.3.pdf \(publishing.service.gov.uk\)](#)

³ [UKRI-170821-TrustedResearchandInnovationPrinciples.pdf](#)

⁴ [UKRI-021122-fECGrantTermsAndConditions.pdf](#)

⁵ [www.protectivesecurity.govt.nz/assets/Campaigns/PSR-ResearchGuidancespreads-17Mar21.pdf](#)

⁶ [HTDTR_report_how-to-do-trusted-research_A4_18_web.pdf \(amo.cz\)](#)

Working with international partners

21. In December 2021, UUK and their Five Eyes and German HE sector counterparts co-signed a statement on '*Collaboration to support safe, secure and stable internationalisation*⁷'. This ensures that the UK HE sector representative bodies, like government, are able to share best practice and maintain an ongoing dialogue with their peers in countries facing similar challenges.
22. Government is also funding an innovative project, delivered through the joint DSIT-FCDO Science and Innovation Network in collaboration with UK sector representative groups, to support UK universities to build links with their international counterparts. The project enables UK institutions to discuss common challenges, share approaches to tackling research security issues and build international consensus between like-minded partners on how to work together.

Sector-led programme of work

23. UUK, with government support, continue to deliver a comprehensive programme of work to increase the understanding and awareness of the threat from interference within the HE sector. Whilst education is a devolved matter, these measures have application and benefit across the UK. A key output of this work is the publication of two sets of guidelines for the sector.
24. The first guidelines '*Managing risks in Internationalisation: Security related issues*⁸' were commissioned by the former Minister of State for Higher and Further Education, Michelle Donelan, and published in October 2020. The purpose of these guidelines is to encourage secure, sustainable and mutually beneficial international HE partnerships, while promoting an understanding of the need and ways for HE providers to manage and mitigate the risk of foreign interference. An external evaluation by the consultancy Britain Thinks indicates these guidelines have had the expected effect of increasing security awareness amongst HE providers from what was a relatively low base, as identified in the Committee's report in November 2019. DfE will continue working with UUK to ensure these guidelines have the desired impact and reflect new relevant legislation likely to receive Royal Assent in 2023.
25. UUK responded to the evaluation recommendations of Britain Thinks by producing a second set of guidelines '*Managing risks in international research and innovation*⁹'. This guidance was produced jointly with CPNI and UKRI,

⁷ Joint statement from convening higher education associations ([universitiesuk.ac.uk](https://www.universitiesuk.ac.uk))

⁸ *Managing risks in Internationalisation: Security related issues* ([universitiesuk.ac.uk](https://www.universitiesuk.ac.uk))

outlining how universities can implement existing guidance to manage security risks in their international research and innovation. It summarises key themes, signposts to existing guidance in one streamlined way, and can also be used as an implementation guide.

26. In November 2022, UUK published a set of case studies¹⁰ gathered from their member HE providers. These case studies give real life examples of decision-making processes and show how the '*Managing Risks in Internationalisation*' guidance is being implemented and applied in the UK. The examples are drawn from a diverse range of institutions, representing different degrees of research intensity and international engagements.
27. As part of UUK's ongoing work to strengthen the vigilance of the sector when working with international partners, they continue to deliver bespoke events for the HE sector to increase the understanding and awareness of how to tackle the threat.

Academic Technology Approval Scheme (FCDO led)

28. Between October 2020 and May 2021 the government expanded the pre-visa vetting Academic Technology Approval Scheme¹¹ (ATAS) to cover advanced conventional military technology applicable subjects and all researchers working in proliferation sensitive fields. This means that post graduate students and researchers applying to come to the UK to study or conduct research into subjects relevant to weapons of mass destruction, aircraft, cyber and other advanced military technologies will be vetted. Researchers and students (from certain countries) must apply for an ATAS certificate before they can study or start research in the UK. Government constantly assess ATAS and other counter proliferation tools to ensure they are fit for purpose; this includes ensuring that ATAS is targeted at the right area and right level.

Export controls, Investment Screening

29. The above policies are reinforced by robust trade and investment levers that safeguard national security. This includes the National Security and Investment Act and our recently enhanced export control regime, which are applicable to exports and investments in research information and intellectual property.

⁹ [Managing risks in international research and innovation \(universitiesuk.ac.uk\)](https://www.universitiesuk.ac.uk)

¹⁰ [Case studies: how universities are managing risk in internationalisation \(universitiesuk.ac.uk\)](https://www.universitiesuk.ac.uk)

¹¹ [Academic Technology Approval Scheme \(ATAS\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Question 3

What measures have the government and universities taken, or are planning to take, to reduce financial reliance on Chinese students?

Sustainable international student recruitment

30. Our universities are international at their core and overseas students, including those from China, make a significant economic and cultural contribution to our world leading HE sector. They enrich the university experience for all students, including those from the UK themselves, by bringing greater diversity to university and college campuses. For both international and domestic students, this cultural exchange helps build lifelong friendships, future networks and important business, political and diplomatic bridges.
31. However, as outlined in the International Education Strategy (IES), published in 2019, and the recent update in 2021, the diversification and sustainable recruitment of international students remains a key strategic priority for the government. The unprecedented consequences of the Covid-19 pandemic have highlighted the importance of ensuring sustainable growth in a competitive global environment to help to mitigate the risk of any over-reliance of students from particular countries. The diversification of international students also limits giving foreign institutions or individuals leverage over our HE providers.
32. With the impetus for preserving our market share of international students remaining unchanged, we set out a number of priority growth markets in the IES: India, Indonesia, Nigeria, Saudi Arabia and Vietnam. These present significant growth potential across diverse regions, and opportunities where we can make a tangible difference and where government support will be key to unlocking the full potential of that growth.
33. Through priority countries we are targeting the limited markets where there are sufficient numbers of affluent mobile students and significant export growth potential, with growth in recent years coming predominantly from countries explicitly prioritised in the IES. We can see that this effort is working and UK HE providers are already seeing the results of this approach. According to the latest Higher Education Statistics Agency (HESA) data, despite remaining the largest overall source of international students, there was limited growth in the number of entrants of Chinese students to UK HE in academic year 2021/22. At the same time, India saw the biggest growth in student numbers in 2021/22 compared with the previous year [up 41,975 since 2020/21, and up 106,200 since 2017/18]. After India, the largest growth in 2021/22 was from Nigeria (up 22,890) and Pakistan (up 10,100). These numbers reflect the UK's approach

towards diversifying the international student market, with Nigeria and India both being IES priority countries.

34. We have been clear that we want to see HE providers recruiting international students from a diversified base and that is why government continues to improve the attractiveness of the UK offer to international students, for example by launching the Graduate Route in 2021. We have also appointed Sir Steve Smith as the International Education Champion who is playing a key role in supporting the diversification of education exports.

Role of the Office for Students

35. In addition, in 2021 the Secretary of State for Education wrote to the OfS requesting the OfS to monitor the adoption of UUK's guidelines on managing risks in internationalisation, and support the sector to manage these risks to the reputation, integrity and sustainability of individual institutions, as well as to the sector as a whole.
36. As part of this work, the OfS monitors the risk of over-reliance on overseas income at a sector level. The OfS publishes data and analysis on an annual basis about the financial sustainability of English HE providers and assesses reliance on overseas income as part of that analysis. Their most recent annual report, *'Financial sustainability of HE providers in England – 2022 update'*¹², sets this out. The purpose of publication is to provide transparency to providers and others about the risks facing the sector, including any vulnerabilities to the financial health of the sector underpinned by overseas fee income and/or over-reliance on overseas fees.
37. The role of the OfS in this area is not to direct how HE providers manage themselves or set limits to the proportion of students they can recruit from a particular country of origin, but to ensure they understand where there is greater reliance and how any risks are being managed, and to take robust action to protect students from the consequences of unmanaged financial risk if necessary.
38. As part of assessing financial risk, the OfS analyse data about student numbers at each provider by country of origin to understand where a provider might have greater reliance on income from overseas students, including from a single country of origin. Where the OfS are concerned for any reason that a provider is at increased financial risk, they engage with its senior team to better understand the risks and the mitigations available. In more serious cases, the OfS can impose requirements to ensure that a provider takes appropriate action. Where the OfS consider there to be a material risk of market exit, they can impose

¹² [Financial sustainability of higher education providers in England – 2022 update \(officeforstudents.org.uk\)](https://www.officeforstudents.org.uk)

student protection directions on the provider. When assessing financial risk, the OfS respond to new financial information about individual providers but also to changing assessments of sector-level risk. The OfS are engaging with a range of Finance Directors in the sector to gain a better understand of the context around these risks and the likely tools available to providers to mitigate the potential impact.

39. Whilst DfE, as the lead department, will continue to monitor the sector and drive work to support and protect HE providers in their recruitment of international students in new and existing markets, it is important that HE providers, as autonomous institutions, consider how appropriate their recruitment practices are to avoid dependence on a single source of funding.

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