

# **Consultation on primary legislation proposal to remove the legislative restriction on the University of St. Andrews to award degrees and licenses in medicine and dentistry**

## **Analysis of Consultation Responses**

September 2020

## Contents

<b>Introduction</b> .....	3
<b>About the respondees and responses</b> .....	5
<b>Main arguments in support of removal of the legislative prohibition</b> .....	5
<b>Main arguments against removal of the legislative prohibition</b> .....	6
<b>Other concerns and issues raised by respondees</b> .....	7
<b>Conclusion and next steps</b> .....	8
<b>Annex A – Respondent Information Form Template</b> .....	9
<b>Stakeholder Responses</b> .....	11
<b>Annex B - University of Edinburgh</b> .....	11
<b>Annex C - University of Glasgow</b> .....	12
<b>Annex D - University of St. Andrews</b> .....	13
<b>Annex E - University Of Dundee</b> .....	17
<b>Annex F – University Of Aberdeen</b> .....	20
<b>Annex G - Edinburgh Napier University</b> .....	21
<b>Annex H - University of the Highlands and Islands</b> .....	22
<b>Annex I - Robert Gordon University</b> .....	23
<b>Annex J - British Dental Association</b> .....	24
<b>Annex K - The Academy of Medical Royal Colleges and Faculties In Scotland</b> .....	27
<b>Annex L - Clackmannanshire and Stirling Integration Authority</b> .....	28
<b>Annex M - British Medical Association</b> .....	29
<b>Annex N - Aberdeenshire Health and Social Care Partnership</b> .....	30
<b>Annex O - General Medical Council</b> .....	32
<b>Annex P - University and College Union Scotland</b> .....	35
<b>Annex Q - ScotGEM Students</b> .....	36
<b>Annex R - Royal College of Midwives</b> .....	38
<b>Annex S – Letter from the University of St. Andrews</b> .....	39

## Introduction

1. Between 18 May and 29 June the Scottish Government undertook a formal targeted consultation to seek views on removing a legislative prohibition which prevents the University of St. Andrews (“the University”) from awarding medical and dentistry degrees. The legislative prohibition is contained in paragraph 17 of schedule 6 to the Universities (Scotland) Act 1966 (“the 1966 Act”).
2. The impetus for consulting was primarily to enable the University to award, jointly with the University of Dundee, undergraduate Primary UK Medical Qualifications (PMQ) to Scottish Graduate Entry Medicine (ScotGEM) MBChB<sup>1</sup> students, ahead of the first cohort graduating in 2022.
3. The University was founded in 1411 and is the oldest university in Scotland. In 1897, it amalgamated with a new academic centre, Queen’s College in Dundee (“Queen’s College”). The 1966 Act reconstituted the four ancient Universities of Scotland (Aberdeen, Edinburgh, Glasgow and St. Andrews) and reorganised the University of St. Andrews by separating it from Queen’s College, which then became the University of Dundee. The 1966 Act also conferred upon the four ancient Universities more autonomy in academic matters, such as the institution of new degrees.
4. In the immediate separation of Queen’s College from the University, the clinical part of the medical degree offered at that time was moved to the new University of Dundee. As a consequence of this, the 1966 Act put in place a legislative prohibition to prevent the University from granting degrees in medicine and dentistry.
5. ScotGEM is Scotland’s first graduate entry programme for medicine and it is jointly delivered by the Universities of Dundee and St. Andrews, in collaboration with the University of the Highlands and Islands and partner Health Boards. It was announced by the First Minister in 2016 and formed part of a package of initiatives to meet the Scottish Government’s commitment to create a more sustainable medical workforce and encourage more people into a career in healthcare, whatever their background. The first cohort of graduate students commenced in the 2018-19 academic year.
6. ScotGEM was jointly awarded to the Universities of Dundee and St. Andrews following an open competitive assessment process conducted by the Scottish Government. The bid was awarded to both universities on the understanding that ScotGEM would be jointly delivered and awarded, as was detailed in the initial bid.
7. The Scottish Government carried out pre-consultation engagement with the University, the other medical degree providing universities (in Aberdeen, Edinburgh, Glasgow and Dundee), the General Medical Council (GMC), the Scottish Funding Council (SFC), NHS Education Scotland (NES) and Universities Scotland.
8. The Scottish Government then issued a formal targeted consultation on 18

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<sup>1</sup> A Bachelor of Medicine and Bachelor of Surgery degree.

May for a period of six weeks. It was decided that a targeted consultation was the proportionate approach given that the proposed repeal of the prohibition impacts on a very narrow area of law and group of stakeholders. The only persons or bodies directly affected are ScotGEM students and the Universities of St. Andrews and Dundee. Those universities currently offering degrees in medicine and dentistry, as well as all other higher education institutions in Scotland, would be impacted indirectly given that one of their potential competitors would no longer be subject to an additional caveat requiring legislative change should it be successful in any future competitive commissioning process to become a medical or dentistry degree provider.

9. The consultation sought views on the proposal to fully repeal the prohibition contained at paragraph 17 of schedule 6 of the 1966 Act. Respondees were invited to provide any details on the impact to themselves, their organisation, or to others. The consultation asked one question, as follows:

*Do you agree that the Scottish Ministers should seek the Parliament's approval to repeal paragraph 17 of schedule 6 to the Universities (Scotland) Act 1966 and therefore reinstate the ability of the University of St Andrews to hold qualifying examinations and award degrees in medicine and midwifery, as well as degrees and licenses in dentistry?*

10. Although the consultation referred to removing the prohibition for midwifery degrees as well as medical and dentistry degrees, it has since been clarified that the prohibition essentially relates only to degrees in medicine and dentistry. Historically, legislation commonly referred to the medical professionals being qualified for the practice of 'medicine, surgery and midwifery'. However, at the time of the 1966 Act, the term 'midwifery' was understood to be a reference to the discipline of obstetrics which forms part of the modern medical degree. The first higher education undergraduate programmes in midwifery were not introduced in Scotland until the early 1990s. The 1966 Act could not, therefore, have intended to cover modern midwifery degrees.

11. Further stakeholder discussions took place during the consultation period. These included discussions with: the Universities and Colleges Union, the Academy of Medical Royal Colleges in Scotland, the British Medical Association, a ScotGEM student representative, the Chair of the Directors of Medical Education (NHS), the Principal of the University of the Highlands and Islands, the Principal of the University of the West of Scotland, the Royal College of Midwives, the Nursing and Midwifery Council, the General Dental Council, the British Dental Association, the GMC and the Chair of the Board for Academic Medicine.

## About the respondees and responses

12. A total of twenty-two responses were received. Apart from one response received on behalf of ScotGEM students, all other responses were received from organisations. These include professional and regulatory bodies, higher education institutions (including existing medical and dental schools), integration authorities, the Universities and Colleges Union and NES.

13. Responses were quantified according to whether the respondee was a) supportive b) unsupportive c) had no objection, or d) supportive of a partial removal of the legislative prohibition only.

14. Respondent information forms were completed and received from all respondents. A template of the respondent information form is attached at Annex A. Four respondees indicated that their response should not to be published. All other respondees were content for their response to be published with their name. Where permission was given for publication, responses are included at the Annex of this report.

**Table 1. Responses to the consultation question:** *Do you agree that the Scottish Ministers should seek the Parliament's approval to repeal paragraph 17 of schedule 6 to the Universities (Scotland) Act 1966 and therefore reinstate the ability of St Andrews to hold qualifying examinations and award degrees in medicine and midwifery, as well as degrees and licenses in dentistry?*

	Number
Supportive	14
No objection	6
Unsupportive	1
Preference for partial removal of prohibition only	1

\*percentage values may not total 100% due to rounding of figures.

15. As shown in table 1, the majority of respondees (twenty out of twenty two) were either supportive or had no objection to the proposal to fully repeal the legislative prohibition.

## Main arguments in support of removal of the legislative prohibition

16. The main comments received in support of the legislative prohibition being fully removed are summarised as follows:

- It will bring St. Andrews University in line with the other medical schools in Scotland and allow the University to award the ScotGEM PMQ jointly with the University of Dundee.

- St. Andrews University should be able to operate on an equal basis with other universities in relation to any current or future developments or commissions for a new medical or dentistry degree provider, such as the 2019 Programme for Government (PfG) commitment to develop proposals for a new medical school.
- The proposed legislative change would support the development of a medical workforce for Scotland across a choice of universities.
- ScotGEM students enrolled to their programme of study with the clear expectation that their degree would be jointly awarded by the University of St. Andrews and the University of Dundee. For a number of students, this joint award was an important factor in their decision to apply. It is a matter of fairness to ScotGEM students that they receive a joint degree.
- Whilst the University of Dundee alone would be able to award the ScotGEM degree, this is not the degree that ScotGEM students believed they were embarking on.
- There would be deep disappointment and frustration amongst the ScotGEM student cohort if the proposal to remove the restriction was not accepted. If students were to graduate with only the University of Dundee badge it would not reflect the reality and lived experience of being a ScotGEM student. This should be reflected in the resulting degree certificates and the law.
- If the ScotGEM degree were to be awarded by the University of Dundee alone, this may decrease the attractiveness of the programme to students which would have a negative impact on the programme and on both universities.
- The University of St. Andrews is the only academic institution in the UK that is legally barred from awarding PMQs. The legal prohibition is anomalous and so it is appropriate to remove it.
- As the prohibition relates to the controlled subjects of medicine and dentistry, its removal is not determinative of the University's ability to award medical and dentistry degrees.
- The legal prohibition serves no modern purpose.
- There is no disadvantage in repealing the prohibition.
- The 1966 Act did not originally intend to prevent the University from offering medical and dentistry degrees. The legislation is therefore now fundamentally unfair.

### **Main arguments against removal of the legislative prohibition**

17. One respondent did not agree that the prohibition should be removed (Aberdeenshire Health and Social Care Partnership) and one respondent (Dundee University) supported the prohibition being removed only partially for the purposes of ScotGEM but with it remaining in place for all other degree-awarding purposes. Both respondents appeared to be of the view that by removing the legislative prohibition this would be determinative of the University's ability to award medical degrees. The objections raised therefore focused on the potentially adverse impacts on the medical education and training environment should the University deliver its own degree in either of these subjects in the future (discussed further in the next section), rather than removal of the legislative prohibition itself.

18. In addition, the University of Dundee advised that the original intention, prior to the ScotGEM bid being submitted to the Scottish Government, was for the ScotGEM degree to be solely awarded by the University of Dundee but that:

*“... prior to the submission of the final proposal to the Scottish Government, the University of Dundee agreed to a revision of the application such that the final degree would be awarded jointly by both institutions. It did so on the basis that it would support the University of St Andrews to seek reinstatement of these degree awarding powers solely for the purposes of ScotGEM.”*

19. The University of St. Andrews' views on this point were subsequently sought, and the Scottish Government was advised that the University refuted the University of Dundee's assertion. This was on the basis that no such revision exists and no such condition was raised at the time of the ScotGEM bid submission<sup>2</sup>.

### **Other concerns and issues raised by respondents**

20. A number of respondents who were supportive of the proposal to remove the prohibition, or who raised no objections, did so on the understanding that this would not be determinative of the University's ability to award degrees in medicine and dentistry. However, a number of those respondents raised concerns about the potentially adverse impacts on the medical and dentistry education and training environment should the University deliver its own degree in either of those subjects in future. This was particularly within the context of the 2019 PfG commitment to develop proposals for a new medical school which the University had submitted a bid for.

21. Not all respondents were concerned about the University becoming a new medical or dentistry degree provider in future, however, and some were supportive of this.

22. The main comments received regarding the University potentially becoming a new medical or dentistry degree provider in future, and the separate PfG process to develop proposals for a new medical school, are summarised as follows:

- New medical school capacity should be balanced by access to the necessary clinical teaching exposure and also enhanced capacity to recruit from rural and deprived areas, preferably for Scottish domiciled students.
- The development of a new medical school should continue to be considered as a very separate process and initiative to the current proposal to put St. Andrews University in a similar legal position to all other Scottish universities.
- It is important that any proposals for a new medical school are judged against the impact on existing medical education, availability of clinical placements, and that foundation places would increase also so that posts are made available for all graduates who wish to work in Scotland.
- St. Andrews University becoming a medical degree provider could lead to the position whereby there would be 4 medical schools along the East coast of

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<sup>2</sup> Letter from Professor Sally Mapstone, Principal and Vice-Chancellor of the University of St. Andrews to Carmen Murray, Scottish Government (16 July 2020), available at Annex S.

Scotland and only 1 in the West of Scotland. This may cause significant educational capacity issues with the Health Boards along the East Coast of Scotland should clinical placements be local to the medical schools.

- There could be added complexity faced by NHS clinicians working with multiple curricula and assessments from different universities should there be an additional medical degree provider in Scotland.
- Further expansion of medical student places to meet workforce needs can be accomplished most rapidly and with the least disruption by expanding places in the existing medical school programmes rather than allowing an additional institution to offer medical degrees. The impact of extra students on an established curriculum would be easier to manage.
- There is some overlap of clinical placements between medical schools on the East Coast, particularly in NHS Fife, but there is sufficient capacity for clinical placements in the South East and East coast of Scotland for the University of St. Andrews to also deliver its own medical degree. The Board for Academic Medicine and informal meetings of Heads of Medicine and informal meetings of Heads of Medical Schools and programmes would be able to provide a good forum in which those issues could be addressed. Within Scotland's world leading and excellent university sector the Medical Schools are of particular strength and the inclusion of St Andrews as a fully-fledged Medical School will only enhance the standing of Scottish medicine in medical education and research across the world.

23. Separately to concerns regarding the University becoming a medical or dentistry degree provider in future in its own right, one resposdee raised concerns about the legislative competence of the Scottish Parliament to repeal paragraph 17 of schedule 6 to the 1966 Act.

### **Conclusion and next steps**

24. There was, overall, clear support for the legislative prohibition to be fully removed. Whilst many of the concerns raised about the potentially adverse impacts on the medical education and training environment may be valid, removal of the prohibition is not determinative of the University's ability to award medical and dentistry degrees. Whether any institution is able to offer a degree in either of these disciplines is subject to separate financial and regulatory controls and decision-making processes. Other higher education institutions in Scotland with ambitions to deliver their own medical or dentistry degrees are accordingly unable to unilaterally decide to do so, despite not being subject to a legislative prohibition. The concerns that have been raised would nevertheless require to be taken into account by the Scottish Ministers and others in deciding any future commission for a new medical or dentistry degree provider.

25. The Scottish Government therefore recently announced in the [2020 Programme for Government](#) that a Bill will be introduced to the Scottish Parliament which will seek to fully remove the legislative prohibition and therefore create a fairer higher education sector in Scotland, enabling all of Scotland's valued institutions to maximise the options and opportunities they offer to students in Scotland.



## Annex A – Respondent Information Form Template



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

### Universities (Scotland) Act 1966:

### Reinstating the Ability of the University of St Andrews to Award Certain Degrees and Licences

#### RESPONDENT INFORMATION FORM

**Please Note** this form **must** be completed and returned with your response. Are you responding as an individual or an organisation?

- Individual
- Organisation

Full name or organisation's name

Phone number Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
- Publish response only (without name)
- Do not publish response

#### Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again

## Stakeholder Responses

in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

No

Original responses have been provided here, for the eighteen stakeholders that indicated in the respondent information form (see Annex B) that they are content for their response to be published with their name attached.

## Stakeholder Responses

### Annex B - University of Edinburgh

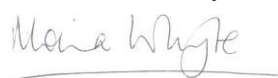
Thank you for seeking the views of the University of Edinburgh and of Edinburgh Medical School on the issue of whether Scottish Government should seek Parliamentary approval to reinstate the ability of the University of St Andrews to hold qualifying examinations and award degrees in medicine and midwifery and also degrees and licences in dentistry. This consultation has been discussed amongst senior staff of Edinburgh Medical School and the wider senior leadership and we are supportive of the University of St Andrews having this ability reinstated.

We currently accept a number of students annually from the University of St Andrews who have completed their 3 years of pre-clinical medicine in St Andrews and transfer to the University of Edinburgh for their clinical years of training. These students are consistently of a very high standard and they have received an excellent grounding, not just in pre-clinical medicine but also in clinical skills at the University of St Andrews. We have also, like the other medical schools, observed the progress of the ScotGEM programme which is jointly run at St Andrews and have been impressed by their innovations in teaching, particularly in the area of primary care.

We have, of course, considered the consequences for our own medical school of St Andrews being able to undertake clinical training and award degrees in medicine. There is some overlap of clinical placements, particularly in NHS Fife, but we consider that there remains sufficient capacity in the South East and East of Scotland for this to be manageable. The Board for Academic Medicine and informal meetings of Heads of Medical Schools and programmes provide a good forum in which any such issues can be addressed. Within Scotland's world leading and excellent university sector the Medical Schools are of particular strength and the inclusion of St Andrews as a fully-fledged Medical School will only enhance the standing of Scottish medicine in medical education and research across the world.

Finally, like many others, we find the current situation anomalous and feel that there is a natural justice to the righting of this historic position.

Yours sincerely



Professor Moira Whyte OBE, PhD, FRCP, FRCPE,  
FMedSci, FRSE Vice Principal and Head of College  
of Medicine & Veterinary Medicine

## **Annex C - University of Glasgow**

The University of Glasgow is supportive of Ministers' proposal to reinstate the ability of the University of St Andrews to hold qualifying examinations for or grant undergraduate degrees in medicine, as well as undergraduate and postgraduate degrees and certificates in midwifery and dentistry. As noted this legislative barrier does not apply to any other UK higher education institution, and it would be appropriate to remove it through the repeal of paragraph 17 of Schedule 6 to the Universities (Scotland) Act 1966.

However, our support for the change is conditional to the reassurance from Scottish Government that it has no intention of significantly changing the funding landscape for medical undergraduate places. As the consultation notes, any future changes in the funding for medical education might result from the 2019 Programme for Government commitment. The outcome of this commitment is not yet known. Providing that there is an assurance that these changes will not lead to major alterations in the pattern of existing funding for medical undergraduate education in Scotland, and therefore to the financial sustainability of the existing medical schools, then we would be supportive of the legislative change.

Any major change to the funding landscape in the area of undergraduate medical education could impact severely on the University of Glasgow and on the financial sustainability of existing Scottish Medical Schools, and would need to be considered.

We also note the reassurance that the University of St Andrews has no intentions of operating as a fully privately funded medical school, in line with the way that the provision of teaching for all other degree subjects is funded at the University.

## Annex D - University of St. Andrews

The University of St Andrews requests the reinstatement of its ability to award degrees in medicine. The consultation sets out well the University of St Andrews' situation vis-à-vis the 1966 legislation. In response to the consultation we highlight the following:

- Legislation and present disadvantage for St Andrews

The University of St Andrews is committed to working with other Universities and the NHS to do our part to help create 'a more sustainable medical workforce and encourage more people into a career in healthcare, whatever their background' as Section 11 of the Consultation sets out. The Coronavirus crisis has shown the value of our NHS and building a sustainable future is a priority for us all.

The 1966 legislation preventing St Andrews from awarding degrees in Medicine today, did not originally intend to stop St Andrews from offering such degrees; see paragraph 9 of the Consultation. The historical legislation is now fundamentally unfair as such a prohibition does not exist for any other Scottish university. It was originally introduced by the Universities (Scotland) Act 1966 that saw the re-organisation of Scotland's Universities when the University of Dundee was founded with a medical school that has thrived ever since.

The staff in the School of Medicine in St Andrews are buoyed by the potential to have the same opportunities available as to other medical schools in Scotland through the reinstatement of St Andrews' degree awarding powers.

- ScotGEM, the contribution to grow the number of GPs in Scotland and St Andrews

The University of St Andrews together with the Universities of Dundee and the Highlands and Islands is delivering Scotland's first graduate entry programme for medicine (ScotGEM) for which 55 entry places are funded by the Scottish Government. The ability to award medical degrees is a requirement for awarding jointly the MBChB degree by the Universities of St Andrews and Dundee. ScotGEM plans to graduate its first student cohort in 2022. Medicine in St Andrews is rated for its excellence by its students, [see NSS results 2019](#), and this is a major attractor to the ScotGEM programme as students start their programme at St Andrews.

If St Andrews were unable to award the MBChB as part of ScotGEM, the degree would be awarded solely by the University of Dundee, which would not be the expectation of the students and would likely reduce the attractiveness of the programme to students. This would have a negative impact on the

programme, on both Universities, Dundee and St Andrews, and on the planned outcomes to grow the numbers of generalist practitioners through an efficient four-year graduate entry medical programme tailored to meet the contemporary and future needs of the NHS in Scotland while focused on rural medicine and healthcare improvement.

- Clinical Research at St Andrews

Clinical Research at St Andrews is small but set in the wider context of high quality science on the North Haugh of St Andrews, which includes the disciplines of Physics, Chemistry, Biology, Computer Science and Mathematics. Medicine's research approach has been to engage in a truly interdisciplinary and collaborative manner with these schools, along with other universities in Scotland. Much has been achieved. The University has pioneering work in Artificial intelligence and digital image processing<sup>3</sup>, Data-driven clinical trials in primary care<sup>4</sup>, Novel Diagnostics in infectious disease<sup>5</sup>, and Cell Biology relevant to understanding human disease,<sup>6</sup> to highlight a few. Results of work from all these projects are of direct impact and relevant to Scotland and the way we approach health care.

Our clinical research strategy is to build on these strengths. The School of Medicine's success is recognised in the University's overarching strategy which includes health as a priority. In addition, the University has committed to the establishment of an interdisciplinary institute for the early detection of disease, the Sir James Mackenzie Institute<sup>7</sup>. This brings together the Schools named above but with a heavy emphasis in Physics (photonics), mathematics (modelling) and computer science (artificial intelligence).

A School of Medicine's area of research is within clinical medical disciplines and most medical schools in the UK made a return to Unit of Assessment 1 (UoA1) in the Research Excellence Framework (REF) 2014, a position that is unlikely to be much different in REF 2021.

The School of Medicine at St Andrews also made a return to UoA1 in 2014 and in terms of outputs was mid-table pulled down by environment and impact. Strenuous efforts have been made to address this with focus on select areas of research (see point 3), and the establishment of innovative impact cases. The assessment of the environment, however, is limited by the

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<sup>3</sup> <http://med.st-andrews.ac.uk/medicine/15m-new-artificial-intelligence-centre-for-scotland-to-innovate-and-transform-healthcare/>

<sup>4</sup> <http://med.st-andrews.ac.uk/medicine/new-blood-test-trialled-on-12000-scots-catches-lung-cancer-early/>

<sup>5</sup> <http://med.st-andrews.ac.uk/infection/gillespie/>

<sup>6</sup> <http://med.st-andrews.ac.uk/cellular/>

<sup>7</sup> <http://med.st-andrews.ac.uk/medicine/sir-james-mackenzie-institute-for-early-diagnosis-launch/>

perception that St Andrews School of Medicine is not a clinical school. This also impacts on our strategy to recruit clinical academics, who can see this as impacting their career considerations. Re-establishment of the primary medical qualification (PMQ) would allow St Andrews to pursue clinical research on an even footing with other medical schools within UoA1 type disciplines.

We are committed to the highest quality clinical research and have had some notable successes over the past 5 years, as can be seen also in the rise in the rankings from 17 to 8 in the Complete University Guide<sup>8</sup>, but it is certain that until we become a PMQ awarding School with clinical status, we will be unable to compete on an equivalent basis. Examples of this include not being allowed to hold SCREDS lecturers, the non-nodal/teaching Board status of NHS Fife and the consequential inability to sponsor clinical trials or attract the same level of NHS infrastructure funding.

Re-establishment of the PMQ in an unfettered manner would allow St Andrews to participate equally with the other PMQ awarding Universities in Scotland in medical research which is known to have benefits to patient outcomes as well as the economy.

- Local impacts – NHS partnerships and St Andrews

St Andrews is committed to making sure that these developments have a positive impact for everyone living in Fife through our work. Research shows that academic partnerships with the NHS:

- Deliver better care - patients who are part of clinical research studies have better health outcomes and this is achieved through working with academic partners;
- Help retain NHS staff - research active Health Board areas are more able to attract staff and retain graduates which is especially important in rural areas;
- Help grow the economy - Medical Schools are integral to an areas capacity for economic growth, through engagement with the life sciences agenda.
- Strengthen the delivery of health provision in the local economy - St Andrews model of clinical placements for undergraduate education has developed away from a traditional tertiary hospital provider to a model that

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<sup>8</sup> <https://www.thecompleteuniversityguide.co.uk/league-tables/rankings/medicine>

is based mainly in primary care and the community, which has benefits for patients.

Without St Andrews having degree awarding powers, the message for NHS Fife has been that it cannot have teaching board status. This has quite significant impact upon their funding from CSO. It also means that NHS Fife are not able to act as a sponsor of clinical trials. St Andrews is therefore in a position where its cognate NHS Board is not able to be equivalent to other Boards until the St Andrews PMQ is reinstated. This impacts on NHS Fife's ability to recruit and retain excellent clinical staff who wish to have research as part of their work plan and reduces the pool of NHS staff willing to engage in our research and teaching locally.

Students we train currently graduate elsewhere. Those who want to pursue a research career after graduation are very unlikely to return to St Andrews, preferring the university of their final graduation as the locus of their postgraduate research training. This has implications for other academic schools in St Andrews that would benefit from better access to clinicians, data and samples such as Biology, Physics, Mathematics & Statistics, Chemistry, Computer Science, Psychology and Neuroscience, Geography and Sustainable Development.

This also means that currently our key impacts are not local, our research activity is benefitting internationally or elsewhere in Scotland more than locally in NHS Fife, resulting in well qualified people leaving the area.

- We have a major contribution to make locally but are committed to working with partners across Scotland including the Highlands, Tayside, Dumfries and Galloway through ScotGEM and we have reached out to Borders, Forth Valley, and Lanarkshire for other plans in development and submitted to Scottish Government.
- The University currently has no plans or ambitions to offer degrees in Midwifery or Dentistry.
- The University of St Andrews does not believe there to be negative impacts on others through the reinstatement of the ability of the University to award degrees in Medicine.



**Annex E - University Of Dundee**

No, the University of Dundee believes that Parliamentary approval should be sought for the alternative option set out in paragraph 22 of the consultation, such that the prohibition is only lifted to the extent of enabling the University of St Andrews to award a Medical Qualification (PMQ) in respect of the ScotGEM programme.

The proposal would increase the number of potential providers of higher education in Medicine, Dentistry and Nursing/Midwifery in Scotland. This would have the effect of spreading the number of student places identified through Scottish Government workforce planning across a larger number of providers. Given existing providers can meet current demand and have capacity to expand their programmes in the event additional numbers are required, adding a further provider would be inefficient and represent poor value for public money. Existing provision in Medicine, Dentistry and Nursing/Midwifery is coherently distributed across a number of institutions in East and Central Scotland and is readily accessible to potential students. The proposal therefore runs counter to the Scottish Funding Council's core objective of delivering a coherent and sustainable system of higher education.

The ScotGEM programme was originally conceived as a joint programme delivered by the University of St Andrews and the University of Dundee, with the final degree to be awarded by the University of Dundee. However, prior to submission of the final proposal to the Scottish Government, the University of Dundee agreed to a revision of the application such that the final degree would be awarded jointly by both institutions. It did so on the basis that it would support the University of St Andrews to seek reinstatement of these degree awarding powers solely for the purposes of ScotGEM.

The alternative option set out in the consultation is therefore consistent with the basis upon which the University of Dundee entered into its partnership with the University of St Andrews and submitted the ScotGEM application.

The consultation document essentially proposes that: *“The 1996 Act requires to be amended to allow the University to award a Primary UK Medical Qualification (PMQ) to Scottish Graduate Entry Medicine (ScotGEM) MBChB students, jointly with Dundee University. It is, however, proposed that the prohibition on all types of degrees under Schedule 6 is repealed.”*

The argument for doing so appears largely to be that it is just simpler to modify the law in this way rather than doing it once to award the joint degree, then again at a later date if St Andrews were to be awarded license to develop their medical school under the Scottish Government's Programme for Government (or other means).

ScotGEM was specifically designed to address the critical shortage of doctors in primary care and in particular in remote and rural areas. In all other aspects the situation is unchanged in Scotland since 1966, namely the buildings (Teaching Hospital) are still in Dundee and therefore the question must be asked: what has changed that makes it appear sensible for Scottish Government to support full and independent degree awarding powers to St Andrews University?

The Consultation paper argues that this is to allow St Andrews University to be “on an equal footing with the other bidders in the PfG process”. But the 2019 Programme for Government is specifically designed to increase medical student numbers in order to address capacity issues in the future. Given that St Andrews has no teaching hospital, how would the ability to award a medical degree and bid for a medical school actually contribute to this? Here it is notable that the closest District General Hospital, Victoria Hospital in Kirkcaldy currently takes a large number of students from Dundee University, while Fife GPs also deliver significant teaching in primary care for both Dundee and ScotGEM students. If medical students from a new St Andrews School of Medicine were instead to use the resources, as the only nearby options for clinical training, we envisage a 25% reduction in training capacity for Dundee and as such this proposal would not deliver on either the medical training requirements of the country or the goals of the 2019 PfG. We would also point out that while Dundee has 85% Scots-domiciled students, a high percentage of those in St Andrews are from the rest of the UK, Canadian or students who go to Manchester as part of a joint initiative, and so increasing capacity in St Andrews at the expense of Dundee would run counter to Scottish Government’s concerns about national retention.

It is also worth pointing out that the collaborative ScotGEM programme was largely borne out of the expertise of the University of Dundee. St Andrews had no experience of delivering a clinical programme as its biomedical teaching was largely traditional and lecture based. Innovative aspects of ScotGEM such as the Agents of Change model and Longitudinal Integrated clerkships, were developed using Dundee’s expertise and outstanding reputation in teaching. In this context, St Andrews at no time indicated they were considering applying to develop their medical school capability and the current application to Scottish Government has been made without consulting Dundee. This may very well negatively impact the delivery of ScotGEM.

The proposal also allows St Andrews University the ability to award degrees in Midwifery and Dentistry which will be in direct competition to the University of Dundee (and other providers). Many of the same arguments raised about medicine also apply to these subjects.

Some additional points:

Further developing a medical school with degree awarding powers in St Andrews will materially affect the University of Dundee’s very successful track record and question its viability.

Scottish Government proposes to expand medical training by developing a new medical school, a proposal that was not supported by the existing four medical schools in Scotland.

Scotland can be proud of having existing medical schools of outstanding international reputation that already graduate 50% more students per million of the population than medical schools in the rest of UK.

The School of Medicine in Dundee has directly addressed the needs of NHS Scotland by recruiting greater than 80% Scots-domiciled students, consistently meeting Widening Access targets, increasing the General Practice component of the curriculum to 25%, developing innovative approaches such as the longitudinal integrated clerkships in primary care, developing innovative partnership programmes such as ScotGEM that directly address the future needs of remote and communities, and by retaining nearly 90% of its graduates in Scotland for their Foundation years.

We believe there is a significant risk that unless Scottish Government take a coordinated, geographical approach to allocation of Health Boards to partner medical schools, a marked increase in student numbers across Scotland or the development of a new medical school will likely increase the complexity and burden of undergraduate teaching on a strained NHS workforce.

We have recognised that, irrespective of their socioeconomic background, Scottish medical graduates are more likely to remain in Scotland if they have been Scots-domiciled prior to their undergraduate training. The Dundee MBChB programme has consistently recruited at above Scottish Government target levels for Scots-domiciled students and for the 2019/20 intake had the highest percentage of Scots-domiciled students in the UK (86%).

The School of Medicine in Dundee is committed to promoting entrance to its programmes via non-traditional routes, to engage in work to attract and support disadvantaged students and to increase the proportion of entrants from Scottish postcode areas classified as deprived, recognising that by doing so we are ensuring the NHS in Scotland is better reflective and understanding of the broader needs of all of its patients in the future. The school has consistently met or exceeded its targets, which as a percentage of intake, are the highest in Scotland. Within the 2019/20 Gateway cohort 36% of students are from SIMD20 postcodes and 27% are young carers. Students with disability are also represented. Some 31% of ScotGEM entrants are SIMD20 or SIMD 40.

## **Annex F – University Of Aberdeen**

We recognise the anomalous nature of paragraph 17 Schedule 6 to the Universities (Scotland) Act 1966 (“the 1966 Act”) that prohibits the University of St Andrews from awarding undergraduate degrees in medicine, undergraduate and postgraduate degrees in midwifery and surgery, and undergraduate and postgraduate degrees and licences in dentistry.

Our decision is that we do support the legislative change subject to the separation of this from a decision about a new medical school. This is based on the understanding the only medical degree St Andrew wishes to award is the ScotGEM PMQ, jointly with Dundee University.

We are less confident about supporting a linked proposal for a new medical school at St Andrews. This is especially relevant given the major changes in NHS clinical pathways and clinical training opportunities in the post COVID19 recovery period and thereafter. As there are likely to be fewer face to face training sessions available for students, the quality of the learning experience for all Scottish medical students and clinical placement opportunities for other health care professions will be affected. Additional students seeking clinical placements could cause major problems existing students. We are also concerned about the added complexity faced by NHS clinicians working with multiple curricula and assessments from different Universities at a time of enormous pressure and uncertainty in the health service.

Further expansion of medical student places to meet workforce needs can be accomplished most rapidly and with the least disruption by expanding places in the existing programmes. The impact of extra students on an established curriculum is easier to manage because each set of placements for a particular MBChB programme has some redundancy built into it which could if necessary accommodate a few extra students. Additionally, clinicians in Scottish hospitals and GP practices are generally used to supporting MBChB curricula from one or at the most two universities. A new medical School will require NHS colleagues to support an additional curriculum each with its own paperwork/time tables which could put additional pressure on an already overstretched service.

**Annex G - Edinburgh Napier University**

With regards to the consultation on reinstating the ability of the University of St Andrews to award certain degrees and licences, Edinburgh Napier University has no objection or further comments on this proposal.

## **Annex H - University of the Highlands and Islands**

On behalf of the University of the Highlands and Islands in response to the above consultation and specifically:

Question 1 Do you agree that the Scottish Ministers should seek the Parliament's approval to repeal paragraph 17 of Schedule 6 to the Universities (Scotland) Act 1966 and therefore reinstate the ability of the University of St Andrews to hold qualifying examinations and award degrees in medicine and midwifery, as well as degrees and licences in dentistry?

I can confirm that the University of the Highlands and Islands is happy to support the proposal as set out in Question 1. Although our own view, in relation to midwifery specifically, is that there are currently sufficient providers or potential providers for that discipline as it is currently defined, we note that the disciplines encompassed in the proposal are all, in any case, controlled subjects. I would also note that the University of the Highlands and Islands is also one of seven bidders in the separate PfG process to consider options for a new Scottish medical school.

We are happy however that the University of St Andrews should, through this proposal, be able to operate on an equal basis with other universities in relation to any current or future developments.

Sincerely



Professor Crichton W. Lang  
Principal and Vice-Chancellor (interim)  
University of the Highlands and Islands

12<sup>th</sup> June 2020

**Annex I - Robert Gordon University**

As indicated we do not object to the application submitted by St Andrews University.

## **Annex J - British Dental Association**

### **Follow-up response received 06 July 2020:**

BDA Scotland has no objection in principle to amending what appears to be an anomalous piece of legislation from over 50 years ago, however we have some concerns about the possible implications should St Andrew's decide it wants to offer dental degrees, as noted in our formal response.

Members also asked that we highlight concerns about a potential inequalities issue in relation to access to education. If there is to be a more diverse Scottish medical profession, and we understand that St Andrews do want to award an undergraduate medical degree, then a university somewhere like the West of Scotland or Paisley or Falkirk for example, would, in our members opinion have been a more sensible choice. These areas have existing local district general hospitals that would benefit from the support of undergraduate medical training, as would the local population in these deprived areas.

We would finally note that in relation to dentistry and future unintended consequences, the most recent dental school opening in Aberdeen did not increase the number of dentists in training as there was a reduction in undergraduate numbers at both Dundee and Glasgow.

### **Formal response received 18 June 2020:**

The British Dental Association (BDA) is the professional association and trade union for dentists practising in the UK. BDA members are engaged in all aspects of dentistry including general practice, salaried primary care dental services, the armed forces, hospitals, academia and research, and include dental students.

The BDA welcomes the opportunity to respond to this consultation which asks the question:

Do you agree that the Scottish Ministers should seek the Parliament's approval to repeal paragraph 17 of Schedule 6 to the Universities (Scotland) Act 1966 and therefore reinstate the ability of the University of St Andrews to hold qualifying examinations and award degrees in medicine and midwifery, as well as degrees and licences in dentistry?

A mixed response was received from committee members, although all members welcomed plans to extend the number of undergraduate doctors in training. The majority of members voiced their concerns that Scottish Ministers should seek the Parliament's approval to repeal paragraph 17 of Schedule 6 to the Universities (Scotland) Act 1966, for the following reasons:

#### **1. Sections of the consultation paper**

Paragraph 6 states there was no major teaching hospital in the St Andrews area in 1966 when the act was established. This situation is unchanged.



There is no large population centre at St Andrews to warrant a medical school.

Members were concerned and questioned that this proposed change could be a stepping-stone to awarding postgraduate degrees in dentistry instead, with placements at the Dundee School of Dentistry? It was considered that this would be lucrative if aimed at the large number of US students that study at St Andrews, but possibly detrimental to the Dundee School of Dentistry

Paragraph 6.26 states discussions with officials from the other four universities about reinstating the ability to award degrees in medicine were positive but there is no mention about discussions regarding dentistry and midwifery, and what the outcome of those were.

If St Andrews “has no intention” of providing dental degrees, they would still be able to start oral health science degrees, which might undermine therapist/hygienist training at centres across Scotland: Dundee, Edinburgh, Glasgow Caledonian University, University of the Highlands and the School of Hygiene in Glasgow. A further reason not to repeal paragraph 17 of Schedule 6 to the Universities (Scotland) Act 1966.

Paragraph 7 confirms St Andrews currently offers a BSc in medicine and postgraduate medical degrees by research (paragraph 8). This remains unchanged.

BDA Scotland believes that to help address health inequalities in Scotland, training of doctors should be undertaken in Scotland in areas of socio-economic deprivation. This would meet the aim of the Scottish Government commitment to “.... encourage more people into a career in healthcare, whatever their background.”

BDA Scotland suggests that a health-inequalities impact assessment should have formed part of the decision process on where to provide the graduate entry on the ScotGEM programme.

Paragraph 20 states that the University has no intention of offering degrees in midwifery and dentistry. This confirms that wider repeal of the act is unnecessary.

Members questioned if there was any benefit of being able to award a dental degree when St Andrews does not provide dentistry as a degree course?

## 2. Geography and Proximity to Dundee Dental School

Members were of the view that it appears St Andrews wish to have this change granted because they are the only university where it is prohibited.

Concerns were noted that St Andrews is in close proximity to Dundee which already has an excellent School of Dentistry, and it is hoped the suggestion would not make the Dundee School surplus to requirements.

It was highlighted that the cost of setting up a medical, midwifery and/or dental school, so close to Dundee would be prohibitive, should that be a consideration.

St Andrews does not have a teaching hospital. Members questioned whether it would be proposed that resources be taken away from the University of Dundee, for example hospital placements?

### 3. Private Business Model

Members were suspicious and asked the question, “was there a plan to set up a private dental school?”

### 4. Timing of the Consultation

Members commented that the timing of this consultation was insensitive being issued at the time of a national pandemic where there was widespread uncertainty and anxiety, not just amongst the dental profession, and that it was a distraction, leading to suspicions as to the motive.

### 5. No Objection

The small number of members who did not object to St Andrews University having the technical right to award such degrees, without the necessary teaching hospitals suggested that other provisos would have to apply. BDA Scotland June 2020

**BDA Scotland  
June 2020**

**Annex K - The Academy of Medical Royal Colleges and Faculties In Scotland**

Thank you for seeking the views of the Scottish Academy.

This consultation seeks views on reinstating the ability of the University of St Andrews (“the University”) to hold qualifying examinations for or granting undergraduate degrees in medicine, as well as undergraduate and postgraduate degrees and certificates in midwifery and dentistry, by removing a legislative barrier which is not in place for any other UK higher education institution.

The Academy is supportive of removing this prohibition and congratulates the University in its work to set up the ScotGEM MBChB course jointly with the University of Dundee.

Other comments received related to ensuring new medical school capacity was balanced by access to the necessary clinical teaching exposure and also enhanced the capacity to recruit from rural and deprived areas, preferably for Scottish domiciled students as there is evidence that they will be more likely to live and work in the areas that we know have the highest need for medical manpower.

Dr Miles Mack

Scottish Academy Chair

3/6/2020

**Annex L - Clackmannanshire and Stirling Integration Authority**

In response to your consultation regarding an amendment to the Universities (Scotland) Act 1966: reinstating the ability of the University of St Andrews to award certain degrees and licenses; please see below Clackmannanshire & Stirling Integration Authorities response.

Clackmannanshire & Stirling Integration Authority agree Scottish Ministers should seek the Parliament's approval to repeal paragraph 17 of Schedule 6 to the Universities (Scotland) Act 1966 and therefore reinstate the ability of the University of St Andrews to hold qualifying examinations and award degrees in medicine and midwifery, as well as degrees and licences in dentistry.

University of St Andrews currently awards the Primary UK Medical Qualification (PMQ) to Scottish Graduate Entry Medicine (ScotGEM) MBChB students, jointly with Dundee University. The amendment will ensure University of St Andrews is able to award medical degrees and result in the University being on an equal footing with the other bidders in the Programme for Government (PfG) process to develop proposals for a new medical school.

This amendment will also support the development of a medical workforce for Scotland across a choice of universities.

I trust this response meets requirements of the consultation.

Yours sincerely

**Councillor Les Sharp**  
**Chair of Clackmannanshire & Stirling Integration Joint Board**

**Annex M - British Medical Association**

The BMA is a professional association and trade union representing and negotiating on behalf of all doctors and medical students in the UK. It is a leading voice advocating for outstanding health care and a healthy population. It is an association providing members with excellent individual services and support throughout their lives.

The BMA welcomes the opportunity to comment on this consultation and agrees that paragraph 17 of Schedule 6 to the Universities (Scotland) Act 1966 should be repealed, allowing the University of St Andrews to hold qualifying examinations and award degrees in medicine.

ScotGEM (Scottish Graduate Entry Medicine) students enrolled to their programme of study with the clear expectation that their degrees would be jointly awarded by the University of St Andrews and the University of Dundee. For a number of ScotGEM students, this joint award was an important factor in their decision to apply and had it not been on offer, they may have applied to another institution.

The University of St Andrews is the only academic institution in the UK that is legally barred from awarding primary medical qualifications. Many other institutions are of course unable to offer degrees in medicine because medicine is a controlled subject with strict rules around student intakes, as well as a requirement for GMC accreditation of courses of study. The ongoing legal bar affecting the University of St Andrews therefore serves no modern purpose if indeed legislation was ever an appropriate tool to prevent competition in this area with the University of Dundee. The BMA therefore sees no disadvantage in repealing this section of legislation and believes doing so is the right course of action and a matter of basic fairness to ScotGEM students.

While it is our understanding that the ability of ScotGEM students to qualify as doctors is not at threat as their degree could be awarded solely by the University of Dundee, this is not the degree that ScotGEM students believed they were embarking on and the BMA would regard a Scottish Government decision not to seek to repeal this section of legislation as a breach of faith with these students.

While this consultation is not directly related to plans for a new medical school, it does acknowledge that this is the wider context in which this potential repeal is being considered and repealing this bar would remove one obstacle to a bid from the University of St Andrews. While we offer no comment on the merits of any initial proposals that have been made, the BMA would emphasise the importance that when a decision is made on plans for a new medical school that proposals are judged against the impact on existing medical education, availability of clinical placements and that foundation places would increase also so that posts are made available for all graduates who wish to work in Scotland. In addition, it would be important to consider the implications for workforce planning and retention of students as newly qualified doctors in Scotland. We would welcome the opportunity to comment further on potential criteria against which proposals may be judged at the appropriate time.

## **Annex N - Aberdeenshire Health and Social Care Partnership**

As part of Aberdeenshire Health and Social Care Partnership workforce planning, we aim to work closely with further education sectors on our workforce issues.

There is a recognised national problem in recruiting to some specialisms in both health and social care services. We have been experiencing some challenges recruiting to posts for different parts of Aberdeenshire for various reasons. In some cases, there has been less of an attraction in applying for posts situated in our remote and rural areas. Therefore, the Partnership supports the work delivered by our North East of Scotland schools, colleges and universities to attract applicants to the area and increase our workforce capacity and size.

Collaborative work is being delivered between the University of Aberdeen, Robert Gordon University and the North East Scotland College (NESCOL) in designing courses with incentives to attract applicants and students to the North East. They have been reviewing some of their courses - engaging with future school leavers and developing courses which are more relevant to the change in times.

The University of Aberdeen - School of Medicine, Medical Sciences and Nutrition has shown commitment for many years towards contributing to our workforce demands and enriching employment in our local areas. The School recognises the difficulties in retaining graduates to remain in the north of Scotland and have made significant efforts to curtail this by investing in specialist and graduate courses. They have developed new clinical placements and other opportunities to experience working life as a clinician in more rural areas. They recognise the importance of reducing the chances of producing any further isolation as a profession. They have also taken the 'grow your own' approach; supporting and investing in the current workforce towards becoming more up skilled to help meet the needs of the future. The School supports students on placements in rural areas and undertakes outreach with Schools and colleges to ensure all its graduates understand the differing needs of patients and how health and social care is delivered across Scotland.

Additionally, the School noted that there were difficulties in recruitment of clinical academic staff in both medicine and dentistry and that this was a national issue that is exacerbated by our geographical situation.

At the Institute of Dentistry, funding was received from NHS Scotland to invest in dental technology and specialist dental nurse programmes, to enhance practice.

Robert Gordon University, Aberdeen has taken a strong stance in reaching out to school-aged pupils, not just to promote their courses but also to give them access and support in their decisions should they wish to consider a route into Higher

Education. The University is developing a Continuous Professional Development Framework which will allow students to study on a more flexible basis. It will allow them to study on an intermittent basis and at their own pace making it more affordable studying.

In recent years, NESCOL has made stronger links with NHS Grampian to revise standards, offering more practical experience opportunities.

### **Concerns and Risks:**

As mentioned above, there has been active effort and measures put in place to retain school leavers and graduates in the North East. Unfortunately, the Partnership continues to experience problems around workforce capacity due to a shortage of applicants and recruitment challenges.

As the Partnership work towards redesigning our workforce, we must also be mindful that other NHS sectors, our local authority partners and the third, independent and private sectors are all having increasing difficulty in recruiting to their own workforce.

Although it is not a direct responsibility of the Partnership, recruitment of GP's to fill vacancies has been challenging. We do have concerns towards the sustainability of keeping services open such as GP and Dental practices if there is a shortage of school leavers applying to study and graduates to recruit to posts in the North East.

The Partnership is of the view that the suggested amendment to the Universities (Scotland) Act 1966 legislation may exacerbate our already-existing challenges. An increase in centralising such students, graduates and professionals to the central belt may have an adverse impact on the number of applicants applying to study in the North East and adversely affect the number of future qualified clinicians to working life in our rural areas, putting additional pressure on our geographical and workforce challenges.

### **Iain Ramsay, Partnership Manager (South)**

*Prepared by Maria Chan*

*Strategic Development Officer*

*Aberdeenshire Health and Social Care Partnership*

*26<sup>th</sup> June 2020*

## Annex O - General Medical Council

Thank you for the opportunity of responding to this consultation. As you know, the GMC is an independent organisation that helps to protect patients and improve medical education and practice across the UK.

- We decide which doctors are qualified to work here and we oversee UK medical education and training.
- We set the standards that doctors need to follow, and make sure that they continue to meet these standards throughout their careers.
- We take action to prevent a doctor from putting the safety of patients or the public's confidence in doctors at risk.

The GMC operates within the legal and legislative structures of the different jurisdictions of the UK.

***Question 1: Do you agree that the Scottish Ministers should seek the Parliament's approval to repeal Paragraph 17 Schedule 6 to the Universities (Scotland) Act 1966 and therefore reinstate the ability of the University of St Andrews to hold qualifying examinations and award degrees in medicine and midwifery, as well as degrees and licences in dentistry?***

Whilst the GMC does not have a formal view on whether the relevant provision should or should not be repealed, we recognise the rationale for the Scottish Government wishing to do so. We therefore wish to be a helpful stakeholder to the Scottish Government as they pursue this objective and, subject to the normal approvals process, in supporting any future application by the University of St Andrews to be able to hold qualifying examinations and offer primary medical qualifications (including being able to jointly award ScotGEM degrees with the University of Dundee).

We have welcomed the constructive engagement the Scottish Government has held with us prior to publication of this consultation. There are a few points we wish to summarise here which we hope will be helpful to the Scottish Government as they take forward the legislative process. These relate to our view in relation to the legislative competence of the Scottish Parliament to amend this legislation, and the approval process we would follow for the University of St Andrews should this legislation receive royal assent and we receive an application.



**Legislative competence**

The Scotland Act 1998 reserves the 'regulation of the health professions' to Westminster. Section 4 of the Medical Act 1983 requires the GMC to maintain a list of the bodies and combinations of bodies entitled to hold qualifying examinations held for the purpose of granting one or more primary UK medical qualifications. Our view is that whilst lifting the restriction on the University of St Andrews holding qualifying examinations will not restrict the exercise of our discretion as to whether to add them to the list, it still very clearly relates to that particular regulatory function. We are therefore of the opinion that the proposed repeal of the restrictions within the Universities (Scotland) Act 1966 is a matter which combines both education and professional regulation. On that basis, our understanding is that the proposed legislation would require Westminster involvement.

We recognise that it is not the GMC's role to determine the issue of legislative competence. We merely set out our view here for the assistance of those considering the issue in Holyrood and Westminster. Should this legislation proceed through the Scottish Parliament and ultimately receive Royal Assent we would, of course, act in accordance with the law and consider any future application by the University of St Andrews (or a combination of the Universities of Dundee and St Andrews) in the same way as we would any other.

**ScotGEM**

I thought it would be helpful to outline to you here the approvals process that is currently being used for ScotGEM, and how this might change subject to passage of this amendment. At an undergraduate level, the GMC approve institutions that are 'awarding bodies' and not individual medical programmes, however we require all programmes leading to a primary medical qualification (PMQ) to meet our standards for delivery and outcomes for graduates. The University of Dundee is an approved awarding body.

The ScotGEM programme is currently going through our Quality Assurance (QA) process to make sure our standards and outcomes are met. Although the programme is jointly delivered by the Universities of Dundee and St Andrews, under the current legal arrangements medical students that graduate will do so with a PMQ from the University of Dundee alone, as the University of St Andrews is not an approved awarding body as a consequence of the 1966 Act.

Should the relevant schedule of the Act be repealed, and St Andrews be able to award a PMQ then we would look to add '*a combination of the Universities of Dundee and St Andrews*' to our list of approved bodies for the purposes of the ScotGEM programme. This would not require any additional QA process to that currently in place other than we would need to make a recommendation to GMC

Council that this combination be added to our list of approved awarding bodies prior to the graduation of the first cohort in 2022 at the earliest.

The addition of 'a combination of the Universities of Dundee and St Andrews' would only apply to programmes jointly delivered by the two organisations, e.g. the ScotGEM MBChB. Dundee would continue to award a Dundee PMQ for its MBChB programme, and St Andrews would still graduate its BSc (Hons) students to partner medical schools to complete their PMQ studies.

Should the University of St Andrews wish to be added in its own right to our list of approved awarding bodies, for example if it wished to convert its BSc(Hons) programme into a full PMQ, then this would need to go through a separate new school process. Information on this process can be found on our [website](#).

I hope the information above is helpful as you continue to progress this work. We are happy to answer any further questions at any stage.

Yours sincerely

Nicola Cotter  
Head of GMC Scotland

## **Annex P - University and College Union Scotland**

Thank you for the opportunity to respond to this consultation and for the helpful background you provided during the consultation period.

The University and College Union (UCU) is the largest trade union in the post-16 education sector in the UK, representing over 120,000 academic and related members across the UK, and is the largest union in the higher education sector in Scotland.

The consultation document asked whether we agree that the Scottish Ministers should seek the Parliament's approval to repeal paragraph 17 of Schedule 6 to the Universities (Scotland) Act 1966 and therefore reinstate the ability of the University of St Andrews to hold qualifying examinations and award degrees in medicine and midwifery, as well as degrees and licences in dentistry.

We have shared the consultation with UCU branches in Scotland and, having considered the lack of contrary views to what is being proposed, UCU Scotland is content with the proposal that the restriction on St Andrews University be lifted but that there should be, insofar as this can be guaranteed, no future detriment from that decision to other institutions running courses in the areas of medicine, midwifery and dentistry.

## Annex Q - ScotGEM Students

The students of ScotGEM Years 1 and 2 were surveyed on whether they wanted both the Universities of St Andrews and Dundee badges on their certificate on graduation. This was to reflect the potential outcome of the proposal to reinstate the ability of the University of St Andrews to award a Primary Medical Qualification (PMQ). There are currently 108 students across Years 1 and 2 of the ScotGEM programme and 58 students responded with a 97.5% vote in favour of both university badges being on their degree certificate. There is perhaps a lack of uptake on the survey from students due to the fact that this occurred right after finishing exams and students tend to disengage with university matters to focus on relaxing and enjoying their summer holidays. One student voted for an option that was not possible and perhaps misunderstood the survey question – but the sentiment behind their answer was that St Andrews should be represented.

Students in ScotGEM are students of both universities from day one of the four-year programme. Students have the privilege to live, study and explore both St Andrews and Dundee during ScotGEM. We are often asked as a cohort whether we see ourselves as St Andrews students, Dundee students, or something else; and the answer is that most students see themselves as ‘ScotGEM students’ because we are different to most other undergraduate students. I do not know too many students who can live in Dundee, go to lectures in St Andrews, study in the library in Dundee and enjoy clinical placements in Dumfries & Galloway, Fife, and the Highlands all in the same academic year.

While student emotions were not directly surveyed, I think there would be a deep disappointment and frustration amongst the student cohort if this proposal was not accepted. Students are fully aware that there are contingencies in place and that their graduation with a PMQ is guaranteed with the University of Dundee if the proposal fails. However, I think that students fully expect to graduate from both medical schools as that is how the course was pitched to us when applying to ScotGEM and if that were not to materialise then it would be met with feelings of unfairness and a false promise. There is a sense from students, faculty and the patients we interact with that this is a unique way of teaching medicine – educating more mature students in collaboration between two universities – and we feel it should be recognised as such.

All students will be managed by the University of St Andrews for the first two years of the course and with that comes the responsibility of ensuring each student performs academically, has their wellbeing monitored and protected, and their development as a future medical professional nurtured through exposure to simulations, patients and clinical placements. The task both Universities undertake is considerable – and both will have a huge impact on each student as they progress through ScotGEM. I feel that is why the students who have responded have done so in such unanimous fashion. I think there is a general consensus that if we were to graduate with only the University of Dundee badge – as may be the case if this proposal is not pursued or approved – it would not reflect the reality and lived experience of being a ScotGEM student.

Students will have preferences over which city, university or medical school they enjoyed more when looking back after graduation as doctors, but I think none of us will be able to deny that both medical schools will have moulded us into the doctors we become – and this should be reflected in our degree certificates – and the law.

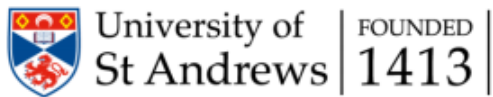
**Andrew MacFarlane – on behalf of ScotGEM Years 1 & 2**

**Annex R - Royal College of Midwives**

Yes, the Royal College of Midwives agrees that Scottish Ministers should seek the Parliament's approval to reinstate the ability of the University of St Andrews to hold qualifying examinations and award degrees in medicine and midwifery.

It appears that current paragraph 17 of Schedule 6 of the Universities (Scotland) Act 1966 is an anomaly that creates inequality for the University of St Andrews in providing particular courses. In the current climate, such restrictions feel unhelpful. We believe that it is important that there is greater access to medical, midwifery and dentistry education across Scotland, in order to ensure that Scotland continues to be able to provide high equality healthcare in all fields.

**Annex S – Letter from the University of St. Andrews**



Professor Sally Mapstone FRSE  
Principal and Vice-Chancellor

StA/SLM/sjm/murray160720

16 July 2020

Carmen Murray  
Workforce Development / Medical Education and Training | Health Workforce,  
Leadership and Service Reform Directorate  
Scottish Government  
GR St Andrew's House  
Edinburgh  
EH1 3DG

Email: [carmen.murray@gov.scot](mailto:carmen.murray@gov.scot)

Dear Carmen,

**Re: University of Dundee submission to Scottish Government consultation regarding reinstatement of PMQ awarding powers for the University of St Andrews**

I am writing in response to your request to set out the University of St Andrews' position in relation to some of the statements made by the University of Dundee in their respondent information form in connection with the above matter. A number of areas need to be addressed and I cover these in turn.

The University of Dundee asserted initially that the ScotGEM course was never meant to have a dual degree awarded by both Universities at graduation. In their revised submission they have moved their position to "The ScotGEM programme was originally conceived as a joint programme delivered by the University of St Andrews and the University of Dundee, with the final degree awarded by the University of Dundee". This is simply not true. There was never a plan that a joint programme would award solely a University of Dundee degree. The University of St Andrews would not have engaged with this. Indeed, St Andrews drove very much of the early development of this idea which culminated in a submission to the Scottish Government in 2016 in which it was clearly stated that there would be a joint degree awarded by both universities. This submission was signed off by both the Principals and the Deans of Medicine from the two universities. The joint degree intention was also stated to the GMC in their accreditation process and this was also accompanied by a letter signed by both Principals. Copies of the relevant documents are enclosed with this letter.

The University of Dundee go on to say that prior to submission of the ScotGEM proposal they agreed to a “revision of the application such that the final degree would be awarded jointly by both institutions”. No such revision exists, and there is no record of this course of events ever having happened. The ScotGEM programme was always a joint degree from its beginnings.

In their revised submission relating to the Universities (Scotland) Act 1966, the University of Dundee write that the revised ScotGEM submission was only agreed to on “the basis that it would support the University of St Andrews to seek reinstatement of these degree awarding powers solely for the purpose of ScotGEM”. No such condition was raised at the time of submission and we have no records of such a request. When, in the autumn of 2017, the issue of restricting PMQ awarding powers to ScotGEM was raised by the University of Dundee, the University of St Andrews made it entirely clear, and has continued to do so, that we do not agree that we should in principle only be allowed to award PMQ bearing degrees for ScotGEM. We have, therefore, never agreed to this proposition at any stage of the application, setup, and indeed delivery of ScotGEM.

Therefore, on behalf of the University of St Andrews I would contest every aspect of what is written in paragraph 3 of the University of Dundee’s submission, and support this with the evidence that the Principal of the University of Dundee signed off documents to the Scottish Government and the GMC clearly stating that this was a joint degree, and making no reference to the limitation of St Andrews degree awarding powers. If I am called to the committee stage of this bill this is what I shall say.

The submission from the University of Dundee makes a number of other points on which I wish to comment. The contribution to the development of ScotGEM they say “was largely borne out of the expertise of the University of Dundee”. This is not accurate, and their assertion that “Agents of Change” was a Dundee invention for the course is not correct – it originated from a University of St Andrews academic. Both the bid and the setup of this degree course have heavily relied on staff from the University of St Andrews, in many cases at a greater level of commitment in terms of time than staff from the University of Dundee.

The University of Dundee assert that you need a “teaching hospital” to deliver an undergraduate degree course. This is simply not correct today for courses that aim to train a majority of their graduates as general practitioners and this is, in fact, the case for ScotGEM – something the University of Dundee should be well aware of.

Concern is expressed about a new medical degree course in Scotland and presumably this is directed at any ambition that the University of St Andrews might have. I can make it clear that the University of St Andrews would only ever create a new degree course in Medicine with the support of SFC, the Scottish Government and NES. Outside the University of Dundee submission, an assumption has on occasion been expressed that the University of St Andrews would start a private medical school. I take the opportunity of this letter to refute this – there are no plans to do this. The University of St Andrews is strategically committed to social inclusion and widening access.



The University of St Andrews believes that the unique and unfair disadvantage of the 1966 legislation should be repealed to allow it to have the same opportunities as any other university in Scotland and the UK. The attempts by the University of Dundee to have our status restricted only reinforce our view that repeal of the 1966 legislation in its entirety is now the appropriate step to take to allow one of Scotland's best universities to contribute to the improvement of health in Scotland through medical education.

Yours sincerely,



Professor Sally Mapstone  
Principal and Vice-Chancellor

- Enc The original bid to Scottish Government ('ScotGEM – Final draft Mar30.pdf')
- Page 2: letter from both Deans of Medicine mentioning intention for joint PMQ
  - Page 14: letter of support from Prof Garry Taylor and Prof Sir Pete Downes

Two parts of a document sent to the General Medical Council at stage 3 of the 8-stage accreditation process

- '004 ScotGEM – Curriculum and Assessment.pdf' – page 2, mention of joint degree
- '004e Curriculum and Assessment – Documents as submitted to University Curriculum Approval processes.pdf' – page 2, first of multiple mentions of Joint Award

- cc Professor Lorna Milne, Master of the United College and Deputy Principal,  
University of St Andrews

Professor David Crossman, Dean of Faculty of Medicine and Head of School,  
School of Medicine, University of St Andrews



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