


Be Connected: Higher education Winter 2024/25

14 February 2025  Bettina Rigg

Welcome to Be Connected, our quarterly update for higher education institutions.

We aim to provide content that offers you real value together with relevant, useful information from our national team of legal experts.

In this edition we have updates, support and resources covering:

- [Sector developments](#).
- [Legal and regulatory developments](#).
- [Employment](#).
- [Case law](#).
- [Support and guidance](#).
- [...and more!](#)

Don't forget, Be Connected is your space. Please help us to help you by providing your feedback and letting us know what you would like to see featured in future editions.

[Get in touch and let us know](#) →

Sector developments

Predictions for 2025: Restructuring and financial sustainability

A legal migration white paper and a revised international education strategy may have an impact on the recruitment of international students and researchers alike, which both remain fundamental in securing income and maintaining research excellency.

The Office for Students will be appointing a new permanent chair and adopting a new strategy, which will have an impact on its approach to, and potential interventions in securing the resilience of the sector, and an orderly market exit of any failing providers.

We'd welcome government interventions in the following areas:

An insolvency regime for providers that are outside of the scope of current insolvency legislation (such as Royal Charter institutions or statutory HE corporations) to provide greater clarity for creditors of any struggling providers.

Changes to VAT rules, facilitating the provision of shared services between providers.

Changes to the competition law framework, enabling stronger collaboration between providers to achieve efficiencies.

[Read more](#) →

Predictions for 2025: Research, industry and innovation

We are looking forward to the full implementation of the government's planned investment in R&D, life sciences and innovation accelerators.

Together with our clients, we will keenly await the details of the various programmes and funding streams for academic research, industry partnerships and spin-out.

The appointment of a new chief executive to UKRI may also shape the agenda and strategy of this funding body.

[Read more](#) →

Predictions for 2025: Devolution and regional regeneration

“How can science and tech innovation boost regional economic growth?”

This is the subject of an ongoing inquiry led by the Science, Innovation and Technology Committee in the House of Commons.

As significant local employers, purchasers of services and goods, educators of the next generation workforce, and often owners of large estates, universities will be key actors in local and regional regeneration schemes and revised devolution schemes.

[Read more](#) →

Legal and regulatory developments

Government seeks to ease the burden on universities regarding free speech obligations

On 15 January 2025, the government confirmed plans to scrap key provisions of the Higher Education (Freedom of Speech) Act 2023 that were of particular concern to the higher education sector, given the costs that could have forced them to divert cash away from education budgets.

The most notable of these is the scrapping of the statutory tort, which had the potential to expose universities to particularly costly and time-consuming legal disputes. The government has also decided to remove some of the duties placed directly on students' unions, which were unnecessarily burdensome and costly.

[Read more](#) →

Charity law updates

We review the events of 2024 and share some key takeaways for charitable organisations and look to the developments expected during 2025. We're anticipating new protections for your trustees' privacy, new obligations to prevent fraud, and updates to the codes of governance and fundraising practice.

[Read more](#) →

Are you prepared for the new Procurement Act?

The Procurement Act 2023 comes into effect this month, on 24 February 2025. The Act brings significant changes to the way in which contracts are procured.

It's crucial that your organisation prepares in advance to comply with the new rules when making purchases. If you haven't already, you'll need to update your policies and procedures in readiness, so that you can procure services compliantly.

That's where we can help. Our team of procurement specialists can support you by providing strategic guidance to ensure you're fully compliant and proactive as the new rules come into play. We've also prepared a comprehensive suite of resources which will enable you to prepare, saving you time and avoiding costly mistakes.

[Read more](#) →

ECCTA: Additional implementation dates from Companies House

Companies House has recently given an indication of when further changes under the Economic Crime and Corporate Transparency Act 2023 (ECCTA) will be implemented.

The overarching aim in the long term is that anyone setting up, running, owning or controlling a company in the UK will need to verify their identity to prove they are who they say they are. From 25 March 2025, individuals should be able to voluntarily verify their identity.

[Find out more](#) →

Employment

Doubling employment claim time limits

The UK government is amending the Employment Rights Bill to extend the limitation period for bringing employment claims from three months to six months.

While this extension arguably aligns with the broader agenda of employment law reform, its omission from the original Bill introduced last month has raised eyebrows. Many lawyers have questioned why such a substantial change was relegated to a later stage, rather than being a centrepiece of the initial proposal.

In this article, we unpack the impact of this amendment, looking at how doubling the limitation period could affect employees and employers respectively.

[Read more](#) →

Preventing sexual harassment at work

The new 'Sexual harassment and harassment at work guidance' marks a game-changing shift in employer duties, demanding immediate action to prevent sexual harassment and protect staff.

The Equality and Human Rights Commission (EHRC) has now published its final version of the 'Sexual harassment and harassment at work: technical guidance' which makes it clear that an employer is unlikely to be able to comply with the preventative duty unless it carries out a risk assessment to identify risks, and what control measures could minimise the risks. Therefore, all universities should be conducting risk assessments.

[Read more](#) →

Case law

Legal representation in student procedures: A contractual right?

It's highly unlikely any university would want to routinely permit lawyers to represent students in disciplinary or misconduct proceedings. However, case law indicates that this is appropriate in certain circumstances, and that it may be a breach of the student contract not to permit it.

We're increasingly receiving requests for advice about when it is or is not appropriate to permit legal representation within student procedures on request. The case of *AB v University of XYZ* helpfully establishes what you should consider when determining whether it's appropriate to permit legal representation.

This case serves as reminder that fairness is an element of the student contract and in certain circumstances, universities risk breach if they do not seriously consider whether refusing representation would be a breach of fairness.

[Read more](#) →

Support and guidance

Supporting universities to meet their financial duties

Many universities are regulated by the Financial Conduct Authority (FCA) or have arrangements with third parties to cover regulation in respect of various financial services (not least consumer credit).

FCA regulation is in addition to the OfS Regulatory Framework. Issues of compliance or non-compliance with FCA requirements can have ramifications for institutions and for their individual senior personnel, especially – but not exclusively – those individuals named on the FCA Register.

Our team of experts recently ran a webinar, which is now available on-demand, so you can learn more about the potential effects of financial services regulations in relation to universities' financial strategies and performance.

[Watch now](#) →

Commercialising university research and innovation

With international student numbers in decline and home student fees often not covering the cost of teaching; diversifying and generating new sources of revenue is now more important than ever. Capitalising on research, innovation and partnering with industry will be integral to universities' growth ambitions, and that's where the innovation lifecycle comes in.

The innovation lifecycle is a resource designed to take university projects from research concept to commercial success, with step-by-step expert guidance from our experienced lawyers. With government funding available for spinouts, there's no better time to generate new revenue streams with your ground-breaking research.

[Read more](#) →

The power of storytelling (and curiosity)

Our head of education, executive coach and #EdInfluence podcast host Nick MacKenzie shares his reflections on some of the key themes that have emerged from his conversations with leaders:

"We all like a good story. They help us make sense of the world. They can diffuse challenging situations and provide context for problems."

"Reflecting on the podcasts I have recorded, one thing that I have noticed is how many of the insights from my guests I remember and use. Digging a little deeper, I realised those insights that I recalled were often the ones accompanied by a memorable story."

In this blog Nick draws on the stories shared by Professor Fiona Forbes, Sir Chris Husbands and more, to demonstrate the power of a good story when leading in education.

[Read more](#) →

Leadership insights from education influencers

Our popular #EdInfluence podcast continues to attract influential leaders from across the sector to share their personal journeys and insights with host Nick MacKenzie.

You can now hear from Professor Sir Chris Husbands, former Vice-Chancellor of Sheffield Hallam University, Jisc board member and former Universities UK board member who is currently on the HEPI Advisory Board.

Discover leadership insights from across the sector and subscribe to future episodes via [your preferred podcast channel](#).

[Listen now](#) →

Upcoming events

Catch us at the following sector events:

- [LUPC and SUPC Conference 2025](#)
- [UHR Annual Conference 2025](#)
- [Knowledge Exchange UK Conference](#)

- [Senior HR Summit 2025](#)
- [AULP Annual Conference 2025](#)

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