



THE ARCHBISHOP
OF CANTERBURY

Office for
Students



**Memorandum of Understanding
between
The Office for Students
and
The Archbishop of Canterbury
Dated: 29 March 2023**

Introduction

1. The purpose of the Memorandum of Understanding between the Office for Students and the Archbishop of Canterbury is to confirm a shared understanding of the relationship between the two Parties.
2. This Memorandum of Understanding is not a statutory or contractual document, but both Parties agree to abide by it so far as it is reasonably possible. It will cease to have effect if either Party notifies the other that it no longer subscribes to it, and will not bind any successor bodies unless transfer is agreed and the Memorandum is reissued under the name of the successor. The Memorandum is not addressed to or intended to create any rights for any third party.

Parties to the Memorandum of Understanding

The Office for Students

3. The OfS was established by the Higher Education and Research Act 2017 (HERA) and its responsibilities include:
 - Establishing and maintaining a register of English higher education providers
 - Preparing and publishing a regulatory framework that includes initial and ongoing conditions of registration
 - Granting (and revoking) degree awarding powers and university title
 - Assessing the quality and standards of higher education provided by specified higher education providers
 - Monitoring financial sustainability of individual providers and reporting annually on patterns and trends in financial sustainability
 - Providing grants, loans and other payments to eligible higher education providers
 - Compiling and making available higher education information about providers and their courses and publishing this information
 - Providing information and advice to the Secretary of State responsible for higher education.

4. Informing these functions are the OfS's general duties to have regard to the need to:
 - protect the institutional autonomy of English higher education providers
 - promote quality, and greater choice and opportunities for students, in the provision of higher education by English higher education providers
 - encourage competition between English higher education providers in connection with the provision of higher education where that competition is in the interests of students and employers, while also having regard to the benefits for students and employers resulting from collaboration between such providers
 - promote value for money in the provision of higher education by English higher education providers
 - promote equality of opportunity in connection with access to and participation in higher education provided by English higher education providers
 - use the OfS's resources in an efficient, effective and economic way.
5. The OfS also has a legal duty to follow the principles of best regulatory practice (so far as relevant), including the principles that regulatory activities should be transparent, accountable, proportionate and consistent, and targeted only at cases in which action is needed.

The Archbishop of Canterbury

6. By virtue of the Ecclesiastical Licences Act 1533, the Archbishop of Canterbury has the power to award academic degrees. In practice (although not by reason of compulsion) these have fallen into two main categories –
 - a. the conferral of academic degrees on worthy recipients without completing a course or undergoing examination
 - b. the conferral of academic degrees on those who complete an appropriate course of study or an appropriate programme of supervised research, presently the Lambeth Programme for Research Degrees in Theology.

Relevant legislation

7. Section 3 of the Ecclesiastical Licences Act 1533 gives the Archbishop of Canterbury the power to grant academic degrees.
8. The Archbishop of Canterbury is named as a recognised body in The Education (Recognised Bodies) (England) Order 2013, which is a statutory instrument made under the Education Reform Act 1988. Recognised Bodies include bodies that grant degrees by or under an Act of Parliament.
9. Section 55 of the Higher Education and Research Act 2017 states that nothing done under part one of the Act is to affect the right of the Archbishop of Canterbury, or any other person, by virtue of the Ecclesiastical Licences Act 1533 to grant a degree where the recipient is not required –
 - a. To complete an appropriate course of study or an appropriate programme of supervised research, or
 - b. To satisfy an appropriate examination, test or other assessment.

Power to confer academic awards

10. The Office for Students recognises that, by virtue of the Ecclesiastical Licences Act 1533, the Archbishop of Canterbury has the power to grant academic degrees.

Lambeth Research Degrees in Theology

11. Within the legal framework created by the Ecclesiastical Licences Act 1533 Archbishop Randall Davidson established the Lambeth Diploma examination in 1905 as a means of allowing women access to a theological qualification and thus to ministry. A further extension opened the examination to men, and in 1990 Archbishop Robert Runcie established the MA degree by thesis. In 2007 Archbishop Rowan Williams extended the scheme again, this time into the provision of higher research degrees, MPhil and PhD. The goal was to encourage theological scholarship through disciplined study programmes involving research that could help to resource the mission and ministry of the Church for the future. The MPhil and PhD awards have been developed in a form which provides easy access for students, especially those who might in some way be disadvantaged by the conventional university system. These are presently called Lambeth Research Degrees in Theology. The management of this educational provision is the responsibility of the Council of the Archbishop's Examination in Theology and an Academic Board which has superintendence of admissions, supervision and examination.
12. The Lambeth Programme for Research Degrees seeks to maintain equivalence to and comparability with degrees offered at the same level in publicly financed English higher education institutions. To this end its academic structures and practices have been developed with close attention to the requirements for degree awarding bodies and sector-recognised standards as set out in the OfS's regulatory framework, as appropriate to the scale and character of the Programme.

Registration

13. Registration with the OfS allows a higher education provider and its students to access a range of benefits¹, subject to the provider meeting the OfS's conditions of registration.
14. Without registering, the Archbishop of Canterbury does not have access to the benefits of registration, and does not have regulatory oversight by the OfS. Should he wish to access these benefits in future, he would need to apply for registration and demonstrate that he meets the conditions of registration.

Publication

15. This Memorandum of Understanding will be published on the respective websites of the OfS and the Lambeth Programme for Research Degrees in Theology.
16. The Archbishop of Canterbury may also publish this Memorandum of Understanding on other websites.

¹ Depending on the category of registration, the benefits include: eligibility for public grant funding; access to the student support system; and eligibility to apply for a tier 4 sponsorship licence from the Home Office. Further information is available in the OfS's Regulatory Framework.

17. The Archbishop of Canterbury may refer to the fact that he is not required to register with the OfS in order to award degrees.
18. Unless the Archbishop gains registration in future, it should not be stated or implied that the Archbishop is on the OfS register, has undertaken the registration process, or is regulated by the OfS.

Terms of this Memorandum of Understanding

19. This Memorandum of Understanding takes effect from 30 March. It will continue in force until revoked in writing by either Party or superseded by a future Memorandum of Understanding.

Updates to this Memorandum of Understanding

20. Either Party may propose amendments to this Agreement at any time, but to become effective an amendment requires the agreement of the other Party. Amendments will come into effect on a date to be agreed by all parties.

Liaison

21. The OfS and a representative of the Archbishop of Canterbury will communicate at least once a year to identify and discuss relevant issues of interest to either party and consider whether any amendments to this Memorandum of Understanding are necessary.
22. Each Party shall nominate a primary officer and other named contacts to represent its organisation in relation to this Memorandum of Understanding and related joint activity.
23. Changes to the primary officer and other named contacts should be notified to the other party at the earliest opportunity. At the time of signing this understanding, the nominated contacts are:
 - For the Archbishop of Canterbury, the Reverend Canon Kim Hitch, Lambeth Awards Officer, Lambeth Palace, London, SW1 7JU
 - For the Office for Students, David Smy, Director of Monitoring and Intervention, Office for Students, Nicholson House, Bristol, BS34 8SR

Signed



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David Smy, Director of Monitoring and Intervention
for the Office of Students

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The Reverend Canon Dr Jessica Martin

Director of the Archbishop's Examination in Theology/Lambeth Research Degrees in
Theology

for the Archbishop of Canterbury