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University of St. Andrews (Degrees in Medicine and Dentistry) Bill

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The Bill aims to repeal a paragraph of the Universities (Scotland) Act 1966 which prevents the University of St. Andrews from awarding degrees in medicine and dentistry. This is to allow the University to award a joint degree with the University of Dundee for the purposes of the Scottish Graduate Entry Medicine (MBChB) degree.



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Summary

The Bill seeks to repeal paragraph 17 of Schedule 6 to the Universities (Scotland) Act 1966.

This paragraph prevents the University of St. Andrews from awarding degrees in medicine and dentistry.

This prohibition came about during the creation of the University of Dundee as a separate institution in the 1960s, when the clinical school previously used by St. Andrews became part of the new University of Dundee.

Since then, St. Andrews University has continued to offer a pre-clinical course which results in a BSc in medicine. Graduates can then go on to earn their full MBChB degree at one of the partner medical schools in either Scotland or England.

The Bill seeks to repeal the prohibition so that St. Andrews University is no longer prohibited from awarding medical and dental degrees. This is because the prohibition is no longer required, as the separation of the Universities was fully achieved in the 1960s. The reason for bringing forward the legislation now is to allow students of the Scottish Graduate Entry Medicine (ScotGEM) course to receive a joint degree from both institutions.

ScotGEM is being provided by St. Andrews and Dundee, in collaboration with the University of the Highlands and Islands. The first cohort of students are expected to graduate in 2022. If the Bill is not passed then their degree will be awarded by the University of Dundee only.

Some concerns have been expressed that the Bill could lead to St. Andrews setting up its own MBChB medical degree. These concerns centre on the effect this could have on recruitment and retention of school leavers and graduates in the North East, as well as teaching capacity in the region.

The Scottish Government has pointed out that repealing the legislation is not the determining factor in whether St. Andrews could establish its own MBChB medical degree and the legislation was not intended to prevent St. Andrews from ever doing so.

Background

The University of St. Andrews first offered medicine as a subject in the 17th century but initially medical degrees were only awarded to established medical practitioners. When Queen's College in Dundee merged with St. Andrews' Bute Medical School in 1897, the university could award Primary Medical Qualifications (PMQs) for the first time. Medical students had a choice of completing the first half of their studies at either school, and this relationship continued until the 1960s.

However, the Universities (Scotland) Act 1966 removed the ability of St. Andrews to grant degrees in medicine and dentistry. This was because the 1966 Act separated St. Andrews from Queen's College, which subsequently became the University of Dundee.

Because the clinical part of the medical school had been based in Dundee, St. Andrews had no clinical medical school or teaching hospital and the university lost its right to award PMQs or MBChBs (Bachelor of Medicine and Bachelor of Surgery) as a result of the separation and reorganisation of the two institutions.

Since then, students on the undergraduate course at St. Andrews graduate with a BSc in Medicine. This is often referred to as 'pre-clinical medicine' and takes three years. After graduation they continue their studies at one of St. Andrews' partner medical schools across the UK and earn their PMQ there.

The partner medical schools are:

- University of Aberdeen
- University of Dundee
- University of Glasgow
- University of Edinburgh
- Queen Mary University of London
- University of Manchester.

St. Andrews is the only medical school in the UK with this course structure.

Need for the Bill

In 2018, Dundee and St. Andrews began offering the Scottish Graduate Entry Medicine programme (ScotGEM) in collaboration with the University of the Highlands and Islands. This is the first programme aimed at attracting graduates into a career in medicine.

Instead of the usual 5 or 6 years it takes to graduate with a degree in medicine, the ScotGEM students will graduate in 4 years with their Primary Medical Qualification (PMQ) and Bachelor of Medicine and Bachelor of Surgery (MBChB).

There are 55 students each year and ScotGEM students can opt in to a 'return of service bursary' whereby they receive £4,000 for every year of NHS service they commit to (up to £16,000).

The course is aimed at graduates interested in a career in general practice and has a focus on rural medicine and healthcare improvement. This is intended to help alleviate workforce shortages in these areas. The first cohort will graduate in 2022.

Students undertaking the programme were told that they would graduate with a joint degree in Medicine from both St. Andrews and Dundee. However, without repealing the legal prohibition in the Universities (Scotland) Act 1966, students would only be able to receive their degree from Dundee University.

What does the Bill do?

The Bill was introduced on 29 September 2020 by the Cabinet Secretary for Health and Sport, Jeane Freeman MSP.^{1 2 3} The Health and Sport Committee was appointed as the lead Committee.

The Bill contains one substantive provision. This is to repeal paragraph 17 of schedule 6 to the Universities (Scotland) Act 1966 which prevents the University of St Andrews from granting degrees in medicine and dentistry:

“ The University of St. Andrews shall on the appointed day cease to hold qualifying examinations in medicine, surgery and midwifery, and in dentistry (Para 17(a)⁴)”

Although the paragraph also refers to surgery and midwifery, it is understood to be referring to medical degrees in general.

The policy memorandum to the Bill explains that this is because, historically, legislation typically referred to medical professionals practising in 'medicine, surgery and midwifery'. However, surgery is not a separate degree and midwifery is thought to be referring to obstetrics which is also part of a modern medical degree¹ .

Primary legislation is required to repeal this provision as there are no other order making powers available that could be used.

Financial Memorandum

The Financial Memorandum details that there are no expected costs or savings as the Bill is technical in nature.³

Key Issues

The Scottish Parliament's Health and Sport Committee issued a call for evidence on the Bill and received 11 responses.

All of the responses were supportive of the Bill but one potential issue was raised in a submission from Aberdeenshire Health and Social Care Partnership (HSCP).⁵

This submission highlighted the partnership's previous opposition to the proposal during the Scottish Government's consultation. This response had expressed concern that if St. Andrews established its own medical degree, this may exacerbate problems around retaining school leavers and graduates in the North East, where recruitment of doctors and dentists is challenging.⁶

This fear seems to have originated from the fact that St. Andrews University has submitted a proposal to deliver the '2019 Programme for Government' commitment to develop 'proposals for a new medical school'.⁷

However, in responding to the Committee's call for evidence, the Aberdeenshire HSCP states it has been reassured by the Scottish Government that repealing the prohibition is solely for the purposes of the ScotGEM programme.

This also seems to have concerned Dundee University, which has expressed a preference for a partial removal of the prohibition for the purposes of the ScotGEM programme only.

Dundee's concerns centre on the effect an independent medical degree at St. Andrews would have on teaching capacity in the area. It also stresses that 85% of Dundee students are Scottish domiciled, while a high proportion of St Andrews students are from the rest of the UK or Canada. They feel that this would undermine the retention of graduates in Scotland.⁸

However, the policy memorandum to the Bill contends:

“ Removal of the prohibition, however, 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. ¹ ”

These controls include that medicine is a 'controlled subject' which means that intake numbers are limited by ring-fenced public funding aimed at meeting workforce requirements. Non-controlled subjects are funded from the main publicly funded teaching grant awarded to institutions by the Scottish Funding Council.

In order to provide a publicly-funded degree programme in either medicine or dentistry, an institution would require the agreement and co-operation of the Scottish Government and Scottish Funding Council (SFC) regarding tuition fees. It would also require the agreement and co-operation of the Scottish Government and NHS Education Scotland (NES) to secure 'Additional Cost of Teaching' funding (ACT).

This funding is provided to NHS Scotland Health Boards to cover the additional costs of facilities and teaching, provided by NHS clinical staff, for medical and dentistry undergraduate students.

An institution which breaches the conditions of its SFC funding, such as by unilaterally deciding to offer its own degree programme in a controlled subject, would be subject to substantial financial penalties.

In addition, institutions awarding Primary Medical Qualifications (PMQs) need to be approved by the General Medical Council. The institution is then given 'awarding body' status. However, all programmes delivered by an awarding body that lead to a PMQ are also subject to the GMC's quality assurance processes.

No institution has been chosen to provide a new medical school and the development of proposals has been put on hold due to the coronavirus pandemic.

Bibliography

- 1 The University of St. Andrews (Degrees in Medicine and Dentistry) (Scotland) Bill policy memorandum. (2020, November 29). Retrieved from <https://beta.parliament.scot/-/media/files/legislation/bills/current-bills/university-of-st-andrews-degrees-in-medicine-and-dentistry-bill/introduced/policy-memorandum-university-of-st-andrews-degrees-in-medicine-and-dentistry-bill.pdf> [accessed 24 November 2020]
- 2 The University of St. Andrews (Degrees in Medicine and Dentistry)(Scotland) Bill as introduced. (2020, September 29). Retrieved from <https://beta.parliament.scot/bills/university-of-st-andrews-degrees-in-medicine-and-dentistry-bill#target1> [accessed 24 November 2020]
- 3 The University of St. Andrews (Degrees in Medicine and Dentistry)(Scotland) Bill financial memorandum. (2020, November 29). Retrieved from <https://beta.parliament.scot/-/media/files/legislation/bills/current-bills/university-of-st-andrews-degrees-in-medicine-and-dentistry-bill/introduced/financial-memorandum-st-andrews-university-degrees-in-medicine-and-dentistry-bill.pdf> [accessed 24 November 2020]
- 4 Universities (Scotland) Act 1966. (1966). Retrieved from <https://www.legislation.gov.uk/ukpga/1966/13/contents> [accessed 24 November 2020]
- 5 Aberdeenshire Health and Social Care Partnership Submission on the University of St. Andrews (Degrees in Medicine and Dentistry) Bill. (2020, November). Retrieved from https://yourviews.parliament.scot/health/universityofstandrewsmedicinebill/consultation/view_respondent?uuld=880350811 [accessed 24 November 2020]
- 6 Aberdeenshire Health and Social Care Psrtnership response to the Scottish Government consultation on the University of St. Andrews degrees and licenses in medicine and dentistry. (2020, September). Retrieved from <https://www.gov.scot/publications/consultation-primary-legislation-proposal-remove-legislative-restriction-university-st-andrews-award-degrees-licenses-medicine-dentistry-analysis-consultation-responses/pages/20/> [accessed 24 November 2020]
- 7 The Scottish Government. (2019, September 3). Protecting Scotland's Future: the Government's Programme for Scotland 2019-2020. Retrieved from <https://www.gov.scot/publications/protecting-scotlands-future-governments-programme-scotland-2019-20/> [accessed 4 August 2020]
- 8 Submissions to the Health and Sport Committee's call for evidence on the University of St. Andrews (Degrees in Medicine and Dentistry) Bill. (2020, November). Retrieved from https://yourviews.parliament.scot/health/universityofstandrewsmedicinebill/consultation/published_select_respondent [accessed 24 November 2020]

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