



# Counter-Terrorism and Security Act 2015

## 2015 CHAPTER 6

### PART 5

#### RISK OF BEING DRAWN INTO TERRORISM

#### CHAPTER 1

##### PREVENTING PEOPLE BEING DRAWN INTO TERRORISM

### **32 Monitoring of performance: further and higher education bodies**

(1) In this section—

“monitoring authority” has the meaning given by subsection (4);

“relevant further education body” means the governing body or proprietor of an institution in England or Wales that—

- (a) is subject to the duty imposed by section 26(1), and
- (b) is subject to that duty because it is an institution at which more than 250 students are undertaking courses in preparation for examinations related to qualifications regulated by the Office of Qualifications and Examinations<sup>[F1]</sup>, or to qualifications awarded by bodies in respect of the award of which they are recognised by Qualifications Wales under Part 3 of the Qualifications Wales Act 2015;

“relevant higher education body” means the governing body or proprietor of an institution in England or Wales that is subject to the duty imposed by section 26(1) because it is—

- (a) a qualifying institution within the meaning given by section 11 of the Higher Education Act 2004<sup>[F2]</sup>, disregarding paragraphs (da) and (ea) of that section and the definition of “institution” in section 21(1) of that Act ], or
- (b) an institution at which more than 250 students are undertaking courses of a description mentioned in Schedule 6 to the Education Reform Act 1988 (higher education courses).

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*Changes to legislation: Counter-Terrorism and Security Act 2015, Section 32 is up to date with all changes known to be in force on or before 06 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (2) A relevant further education body or relevant higher education body must give to the monitoring authority any information that the monitoring authority may require for the purposes of monitoring that body's performance in discharging the duty imposed by section 26(1).
- (3) The information that the monitoring authority may require under subsection (2) includes information which specifies the steps that will be taken by the body in question to ensure that it discharges the duty imposed by section 26(1).
- (4) The “monitoring authority” for a relevant further education body or a relevant higher education body is—
- (a) the Secretary of State, or
  - (b) a person to whom the Secretary of State delegates the function under subsection (2) in relation to that body.

The Secretary of State must consult the Welsh Ministers before delegating the function under subsection (2) in relation to institutions in Wales.

- (5) A delegation under subsection (4)(b) must be made by giving notice in writing to the person to whom the delegation is made if—
- (a) that person is Her Majesty's Chief Inspector of Education, Children's Services and Skills or Her Majesty's Chief Inspector of Education and Training in Wales, and the function is delegated in relation to relevant further education bodies;
  - (b) that person is the [<sup>F3</sup>Office for Students] or the Higher Education Funding Council for Wales, and the function is delegated in relation to relevant higher education bodies.
- (6) Otherwise, a delegation under subsection (4)(b) must be made by regulations.
- (7) The Secretary of State must publish any notice given under subsection (5).
- (8) Regulations under subsection (6) are to be made by statutory instrument; and any such instrument is subject to annulment in pursuance of a resolution of either House of Parliament.
- (9) In this section—
- (a) “institution in England” means an institution whose activities are carried on, or principally carried on, in England, and includes the Open University;
  - (b) “institution in Wales” means an institution whose activities are carried on, or principally carried on, in Wales.

#### Textual Amendments

- F1** Words in s. 32(1) substituted (E.W.) (21.9.2015) by [Qualifications Wales Act 2015 \(anaw 5\), s. 60\(2\), Sch. 4 para. 11\(2\)](#); S.I. 2015/1687, art. 2 (with arts. 3-12)
- F2** Words in s. 32(1)(a) inserted (1.4.2018) by [Higher Education and Research Act 2017 \(c. 29\), ss. 89\(7\), 124\(5\)](#); S.I. 2018/241, reg. 2(1)
- F3** Words in s. 32(5)(b) substituted (1.4.2018) by [Higher Education and Research Act 2017 \(c. 29\), s. 124\(5\), Sch. 11 para. 35](#); S.I. 2018/241, reg. 2(s)

#### Commencement Information

- I1** S. 32 in force at 1.7.2015 by [S.I. 2015/956, reg. 4\(d\)](#)

**Changes to legislation:**

Counter-Terrorism and Security Act 2015, Section 32 is up to date with all changes known to be in force on or before 06 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- s. 32(1) words inserted by [2023 c. 16 Sch. para. 16\(a\)](#)
- s. 32(1) words inserted by [2023 c. 16 Sch. para. 16\(b\)](#)
- s. 32(5)(b) words substituted by [S.I. 2024/433 art. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 31(1)(ba) inserted by [2023 c. 16 Sch. para. 15\(2\)\(b\)](#)