Sheffield Hallam University

Increasing and widening participation in the market: system differentiation at the institutional/sectoral level

MCCAIG, Colin <http://orcid.org/0000-0003-4364-5119> and RAINFORD, Jon

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Abstract

The English sector is characterised by an expanding and increasingly differentiated set of HE providers and an ever more diverse student body. As a consequence, HE providers are as differentiated in their WP approaches as they are in every other aspect of the business of higher education, and this has led to tensions between why and how they should go about the business of widening participation. Are HE providers driven by the desire to enhance social justice or merely responding to regulatory pressure? This chapter discusses how changing market regulatory regimes have interreacted with, and often conflicted with, institutional missions as they try to respond to the dual policy imperatives discussed in earlier chapters: the economic, human capital expansionary dynamic, and the desire to enhance social justice through access to the HE system.

Keywords:

system differentiation; retention and success; institutional level; regulatory growth; access agreements; variable bursaries; the Open University

The expansion of higher education systems generally necessitates a widening of participation, and this is especially so in systems, like the English one, where access to higher education has long been rationed by social class (Archer, 2007; Reay et al 2005; Mangan et al 2010). Expansion in a marketised system also inevitably leads to differentiation, for example between institutional types, student types and to meet the differing needs of user groups (e.g. the state, employers). In the English system, differentiation increasingly reflects a pre-existing linear hierarchy of institutions based on age, prestige and status, with the current system coming together in recognisable form only after the 1992 Further and Higher Education Act when the 40 universities were joined by around 30 Polytechnics, around 20 Specialist Institutions and many former Higher Education Colleges and Teacher Training colleges. More recently these have been augmented by a proliferation of new alternative providers (see Chapter Nine) encouraged to market by successive White Papers and legislation (DBIS, 2011; 2016; Higher Education and Research Act, 2017). Such a vertically differentiated system, superimposed on existing status-hierarchy, necessitates a differential approach to access and participation as diverse providers address governmental encouragement of growth within the framework of access and participation regulatory targets in ways commensurate with their specific missions. HE providers are as differentiated in their WP approaches as they are in every other aspect of their work, and this has led to tensions between why and how they should go about the business of widening participation (discussed in Chapter Five). Are they primarily driven by economic necessity in an ever-competitive market, or for the benefit of under-represented groups themselves? This chapter explores how changes to market regulatory regimes and institutional missions shape what can and is done to widen participation by different types of HE provider.

The scope of what WP is has also undergone changes over time. Particularly since the introduction of a tuition fee regime in which students fund the full costs of tuition (from 2012/13), institutions have been exhorted to increase the 'retention and success' of students, shifting the focus of WP from inputs to outcomes (BIS, 2011; OFFA, 2011), indeed expenditure on this now exceeds that on access outreach. The Office for Students (OfS, established by the Higher Education and Research Act, HERA 2017) takes a close interest in the progress of such students and the institutions that discursively 'fail' them, as measured by their eventual earnings capacity (Longitudinal Educational Outcomes data, based on tax receipts). In this market, applicant-consumers are encouraged to peruse the metrics OfS produces and 'shop around' for lower cost provision that matches their low entry grades and (presumably) the lower graduate premium they will enjoy for attending such lowly institutions. WP policy, and its practice within institutions, is thus closely entwined with aspects of market differentiation (Bowl, McCaig and Hughes, 2018). The chapter concludes with an attempt to answer the questions: whose interests does this market serve; and which groups are most likely to lose out in such a differentiated system? What, if reduced to a market, is HE for? Does, in fact, the 'tail' of market positioning now wag the 'dog' of the our HE system?

Introduction

The need for expansion of the HE system, as this volume has already set out, predates the marketisation process, begun in the late 1980s. The more recent state-mandated drive to encourage providers to widen participation, particularly since the 1992 Further and Higher Education Act and 1997 Dearing Report, and the impact that this has had on the market, is the focus for this chapter. Whilst status, prestige and subject offer have always differentiated institutions, the marketisation agenda has created a more complex differentiation visible in distinct approaches to widening participation by institutions depending on their position in that marketplace (McCaig, 2011; 2015). This has led to questions about why institutions should widen participation; is it an economic necessity in an ever-more competitive market, the pressure of regulatory exhortation and incentives or for the benefit of under-represented groups themselves? Given this differentiation, it is this market logic of choice and the role consumers play in the relative success or failure of providers that reinforces the ideological drivers of policy. Yet, whilst policy is often thought of as 'coherent and rational' (Trowler, 2014: 14) its enactment is often much less coherent and can be subject to subversion and selective implementation at an institutional level. It is upon this institutional level of the HE Policy Enactment Staircase (Fig.1, Chapter 1) and the tensions that exist at this level of policy enactment that this chapter will focus.

Context: market parameters

It is important to note that despite an ideological drive to allow market forces to dictate the size and shape of the HE sector, in practice the English HE system can best be described as a neoliberal (rather than free market) one, in which significant interventions are made by government to make the market act in different ways to meet its wider policy aims (McCaig, 2018). Therefore, alongside privileging institutional autonomy within policy, the market is subject to increasing levels of regulation in relation to WP, for example to widen the pool of

applicants as the system expands to meet perceived demand for highly skilled labour on a more equitable basis. The increased regulation and reliance on data-informed policy through the Office for Students since 2018 has the potential to create tensions between the positionality of institutions, the concerns of institutional managers and practitioners, and government policy. While the advent of the OfS has increased the regulatory power of the state, even under the Office for Fair Access, dubbed a 'toothless authority' (Jones & Thomas, 2005), the regulator had a degree of leverage. Les Ebdon, then Director of Fair Access explained that he:

> …had to turn up at various universities or have lengthy telephone conversations with vice-chancellors to say, "we are publishing a list in a week's time and your institution is not going to be on it because your proposal is unacceptable". (Else, 2017)

Ultimately, however, no institution was denied the permission to charge the variable fee by OFFA and even with the more onerous OfS regulations there is no existential threat to an established HE provider's ability to charge the higher fees simply because they have failed to increase the proportion of BAME or low-income students enrolled; this is where providers' legal autonomy over admissions through the setting of entry requirements trumps the state's access exhortations. So, while for many years there has been a significant regulatory pressure to comply with a national policy agenda, HEPs cannot be compelled to expand, to change their subject offerings or to address their entry requirements. Indeed, such autonomy has long been enshrined in law, most recently in the Higher Education and Research Act (HERA, 2017). In order to unpick these tensions, this chapter explores the evolution of marketised expansion and focuses upon how this has become entwined with and shaped the business of WP at the sharp end. It does this in reference to the competing imperatives set out within the introduction to the volume: the economic imperative (in the form of institutional business models) and the moral 'social justice' imperative.

The differentiated market and the drive to widen participation

In any higher education marketplace where full information is not clearly available (for example, with regard to the benefits that may come from undertaking study in a given subject at a particular institution), consumers will look for alternative indicators, such as prestige. The construct of 'prestige' in effect acts as a proxy for information about quality in the minds of consumers and media commentators (Brown and Scott, 2009). Prestige is, by its very nature, restricted to a few institutions, but many more can make use of other qualities such as a reputation for meeting the needs of a diverse student body, serving the needs of local employers, or by focussing on opportunities for locally based under-represented groups. This means, in effect marketing the institution in WP or social justice terms, much as other types of businesses attempt to market themselves as more socially aware, ethical or 'greener' than the competition.

Evidence from the English HE sector indeed suggests that HEPs have become adept at changing the nature of their engagement with widening participation in the marketised context following the 2004 HE Act. Some of this has manifested as institutions reinforcing

their position as diverse access institutions, others repositioning themselves as welcoming to underrepresented groups in at least some subject areas; often these efforts are targeted at specific groups, sometimes in order to satisfy their own recruitment shortfalls. Critical discourse analyses of early OFFA access agreements (McCaig and Adnett 2009, building on methods developed by Fairclough (1993)) showed that the targeting of non-mandatory (i.e., not targeted by family income) financial support and outreach varies by mission group increased over time, confirming that institutions were using statements about WP policy and positionality to alter the characteristics of their intake. Indeed, the DfES baseline assessment of institutions' planning ahead of the post-2004 Act fee arrangements (and while the first wave of access agreements were being developed) had already found that many were targeting underrepresented groups in an attempt at institutional repositioning (Temple, Farrant and Shattock, 2005, para 4.2, 4.3).

As noted above and in the previous chapter by Selby, HEFCE actively encouraged greater diversification and positionality as part of an increasing acceptance that not all institutions can or should try to offer the same range of higher education programmes or expect to provide the same kind of teaching and learning environment (HEFCE, 2000). David Robertson traced this understanding back to the breakdown of what he termed the 'old bargain' between universities and the state during the 1990s (by which institutions were funded and left largely alone to pursue their own aims) and its replacement by a 'new bargain' of reduced funding per student and of institutions having to present themselves discursively in a policy environment increasingly concerned about national economic needs and the meeting of national education and training targets (Robertson, 1997). Writing before the introduction of tuition fees, state-funded outreach programmes, variable fees and OFFA bursaries, Robertson foresaw the increasing importance of social justice in a learning market that obliged institutions to think, perhaps for the first time, about WP and its relationship to their 'unique selling point' in the HE marketplace. The link between institutional diversity and widening participation was made explicit in Strategic Aim J of the HEFCE Strategic Plan 2000-05, which set out the intention to:

> Maintain and encourage the development of a wide variety of institutions, with a diversity of missions that build upon their local, regional, national and international strengths and are responsive to change, within a financially healthy sector. (HEFCE, 2000).

This diversity was intended to create 'a higher education sector …. with the capacity to meet the varying needs and aspirations of those it serves: students, employers, purchasers of HE services, and the wider community'. Not only was this to 'secure the best fit with the needs and wishes of stakeholders, both current and future' but it should also 'itself help to shape and raise aspirations and expectations' (HEFCE, 2000, para 12). These aims for the higher education sector presuppose marketing behaviour among institutions manifested by offering differentiation on several levels:

> A diverse HE service should be able to provide choices of curriculum offer; choices as to the mode, pace and place of delivery; choices regarding the physical and intellectual environment available; and choices between a range of different institutional forms and missions (HEFCE, 2000, para 14).

The introduction of variable tuition fees and the requirement for institutions to put in place access agreements lodged with OFFA (following the Higher Education Act, 2004) thus created the opportunity for institutions to portray WP and outreach work as key elements of their institutional mission. In such an environment OFFA access agreements can be seen as marketing tools for institutions that differentiate them from others of a similar type, an opportunity to present student support strategies in a competitive environment. The first set of OFFA guidance notes stated that:

> Institutions are required to use some of the money raised through tuition fees to provide bursaries or other financial support for students from underrepresented groups, or to fund outreach activities to encourage more applications from under-represented groups. An access agreement will provide the details of bursary support and outreach work (OFFA, 2004).

Access agreements were not specifically designed to intentionally strengthen the market in higher education: the Secretary of State, Charles Clark, "hoped that price should not affect student choice of whether to go to university, where to study or what course to take" (Callendar, 2009a). However, given the way that institutions chose to apply the requirement to offer bursary support to students, with a large and growing proportion of non-needs based bursaries offered by usually selecting institutions on top of the basic mandatory £310 bursary, the resultant variation in bursaries meant that the market effect was strengthened, albeit as an unintended consequence (Callendar, 2009a, 2009b). Access agreements were only one marketing tool available to institutions; changes to admissions policy since the Schwartz Report of 2004, (see Adnett, et al 2009; Supporting Professionalism in Admissions: 2008) and their own WP policy development can also be seen as part of institutions' concerted efforts to project a social justice, WP focus.

This is all to be expected in a competitive marketplace such as English higher education: marketing theory would anticipate such competitive strategies as institutions seek to establish or consolidate their position. For the 'right image' it is important for institutions to be firmly located in a 'choice set' such as selective research orientated institutions or as accessible-to-all WP institutions (Gibbs and Knapp, 2002). Location within one or another choice set theoretically makes it easier for consumers to make application or acceptance decisions. Therefore, at less prestigious institutions we might expect policymakers to re-engineer processes such as admissions (e.g., by taking account of the home or school context of applicants) and outreach policies and seek the continuous development of its student transition and support environment. Other institutions might identify which of its programmes are in 'mature' markets with high demand (e.g., history, physics) and which are potential 'growth' markets (e.g. social policy, health and social care, computing) and adjust

their offers accordingly (Gibbs and Knapp, 2002). A selective institution's access agreement may emphasise excellence and high entry standards, but still offer merit-based scholarships to encourage entry to shortage subject areas, e.g. engineering, again as anticipated by the DfES baseline study (Temple, Farrant and Shattock, 2005) and confirmed by subsequent critical discourse analyses (Graham, 2013; Bowl and Hughes, 2013; McCaig, 2015).

Morality and social justice in the competitive market

Widening access and success is both a moral position and a necessity of operation within the system of higher education. National widening participation policy in the market context both aimed to diversify the student body and create a diversity of institutions (Archer, 2007). In an era of competitive differentiation between institutions, social class inequalities within more selective providers have endured (Boliver, 2011), reinforcing the differential advantage of those already seen as 'prestigious'. The market's reinforcement and reification of differentiation between institutions can be seen to translate into differential perceptions of the kinds of students that attend these institutions., and thus who would be the 'right sort' of individual to fit those institutions'. All of which necessarily which works against the principle of widening access in all institutions to a wider population (Bathmaker, 2015). McCaig and Adnett (2009) cited many examples of access statements used as marketing tools to promote institutions' self-interests; in the case of pre-1992 institutions these interests were couched in the context of the (slightly defensive) need to maintain the UK's reputation for international excellence (which of course unfortunately meant they were unable to lower their entry requirements); conversely, post-1992s, unable to select from among those with highest grades, necessarily made a virtue of their reputations as open and welcoming institutions that could genuinely widen participation to the disadvantaged (McCaig and Adnett, 2009).

While compliance with access regulation is necessary to maximise revenue from Home and EU students, there is also an international dimension to the business of higher education. Institutions are increasingly positioned in multiple fields of higher education (Naidoo, 2004), each of which form their own discrete market, and are part of a global geopolitical system (Hazelkorn, 2018). These fields, act as a 'force that mediates and at the same time reproduces fundamental principles of social classification' (Naidoo, 2004: 458). Increasing globalisation has led to more institutions regarding themselves as positioned within international fields; understandable given the huge premium chargeable to international students. This complex positioning places a number of factors such as: international reputation in terms of both research and teaching, national market positioning and the national regulatory requirements to widen access in tension with each other. This shapes the varying importance afforded to widening participation by different types of provider. Where institutions focus more on their reputations or international market position, they are likely to minimise their focus on access. Indeed, UCAS acceptance data shows that the most prestigious of English providers, Oxford and Cambridge, have long resisted the general trend to expand home undergraduate numbers at all, let alone for reasons of addressing access inequality (McCaig and Lightfoot, 2019).

Thus marketisation is closely entwined with the concept of injustice (Young, 1990). Despite the 'binary principle' (Collini, 2012: 30) being abolished in name 30 years ago, the divide endures in thinking about higher education, most notably in the Augar Review and the Conservative government's plans to shift the balance of spending from 'academic' higher education to (much cheaper to deliver) 'vocational' further education – exemplified by the Levelling Up the United Kingdom White Paper (DLUHC, 2022) which hardly makes reference to higher education or universities and speaks of 'skills' with no reference to the level of study required to achieve them. Partly due to the key role higher education plays in social reproduction, Croxford and Raffe (2015) argue that hierarchies of institutions are rigid and self-perpetuating, and many people still refer to the post-92s as ex-polytechnics, framing them as a different kind of institution, more likely to respond to economic demands, for example changing labour market needs. While institutions theoretically compete within a single market (an illusion promoted by linear league tables of institutional ranking), in reality resources (particularly research funding) and symbolic power are unequally distributed (Archer, 2007) and expansion of higher education is seen to have increased, rather than reduced, inequalities and stratification (Reay et al., 2005). As a result, in practice different institutional types tend to compete with others of the same type rather than in a single, undifferentiated hierarchy. The dual function of HE providers as both centres of knowledge and as bestowers of credentials for employment reinforces differential privilege, with higher status institutions facilitating access to certain professional careers (Bathmaker et al., 2016). In introducing top up fees in 2004, new Labour were keen to extend the power of the market and saw a diversity of institutions with different strengths providing increased choice to students as desirable (Archer, 2007). This was accepted by the more selective institutions because it would allow them to embody their symbolic power - prestige - in the form of a higher 'sticker price' than other HE institutions. This market logic also underpinned the 2012 increases in tuition fees, again welcomed as a way to differentiate institutions by price (Collini, 2012) and continued to feature in policy that fed into the HERA 2017 (DBIS 2015; DBIS 2016). Non-prestigious institutions, by definition, are obliged to compete in recruitment terms of for applicant-consumers with lower entry qualifications who also tend to be geographically less mobile.

Markets 101: how supply and demand actually work in English HE

Despite increasing marketisation, the student number cap (most recently applied between 2009/10 and 2015/16) kept the system functioning as a 'quasi-market' (Whitty, 1997). Within quasi-markets there is an element of competition between providers, but not free choice on the part of the potential student or provider where places are restricted (Bowl and Hughes, 2014). Following the tuition fee rise to a maximum of £9,000 per year by the new Coalition government in 2011, attempts were made to change applicant and institutional behaviour by removing the cap on numbers for high attaining students (AAB or above at A-level for 2012-13 and ABB or above for 2013-14), albeit within a fixed number cap for each institution – thus reducing the places on offer below these tariff thresholds (DBIS 2011, Executive Summary paras 6-8; (Hillman, 2014). However, research for the Higher Education Academy (HEA 2014) found that two years after this change the system-

wide student demographics had not significantly altered (most of those applicants with the highest entry grades were already attending the most selective institutions, HEFCE, 2011), nor had differential fees begun to emerge. Demand for places across the whole sector remained higher than the number of places supplied, and as demand held up, so did the average tuition fee charged, which remained stubbornly close to the £9k maximum fee at £8,263 in the second year of the new fee regime, 2013/14 (McCaig, 2018). The fee level was of critical importance to the funding model for the revised repayment system, which assumed the system would be affordable (i.e. graduate repayments would cover government loan outlay) at an average fee level of £7,500 (HEA 2014).

In recognition that this attempt to create a real price differential based on 'quality' had failed, within two years the policy was abandoned and for 2015-16 entry the cap was removed for all entrants (HM Treasury, 2013). This created in effect a demand-led system that would be allowed to expand until supply finally began to exceed demand, following which, in theory, average tuition costs would fall and the system approach affordability as 'recruiting' institutions began to compete on price (DBIS 2015, Executive Summary para 19; McCaig, 2018). Even within a demand-led system a fee distribution matching the distribution of entry requirements (the 'dual price' scale noted in McCaig and Lightfoot, 2019) has yet to emerge, not least because the enduring role of degrees as a positional marker in credentialing future employees was a key contributing 'pull' factor from the human capital perspective; another was continuing high demand from school leavers realising that HE - regardless of the institution studied at - would enhance their life and career prospects. It turns out that, in a differentiated market, the highly-demand 'quality' higher education was distributed far more widely across the sector than Ministers supposed.

From the institutional perspective, providers may not have not fully embraced a market logic due to the fallacious presumption of market neutrality and equal choice for all (Forrester and Garratt, 2016). Some research suggested that choice is bounded (Archer, 2007; Reay et al., 2005; Stuart, 2012) and in many cases highly localised in nature (Donnelly and Gamsu, 2018). Therefore, effective free choice in the market is restricted to a certain group of applicant-consumers, the mobile middle classes with sufficient entry requirements (in the form of UCAS tariff points) who have fewer constraints on what is economically possible (Archer, 2007). While the deferred-repayment system and associated increase in loans opened the market to suitably qualified working class and minority ethnic students, these rarely cover the full cost of living as clearly exemplified in research with students estranged from their families (Bland, 2018) and thus effective choice is constrained for some social groups.

However, given that many WP students often opt to study locally for financial or cultural reasons, preferring to commute to their local post-1992 as the only viable HE option given their, on average, lower UCAS tariff grades; therefore, this denial of 'free choice' may not have been felt as such by those apparently denied it. Notably, during the Covid-19 campus closures, commuting and mature students reported higher levels of student satisfaction than their younger peers, mainly because their student experience was less dependent on close proximity to campus, city-centre night-life and the social opportunities provided by Student Union societies. Pedagogically, where they had family responsibilities to juggle and long commutes to avoid, they were less deterred by online delivery of teaching and learning (UPP Foundation, 2021).

The denial of the traditional middle-class 'rite of passage' option to leave the familial home to study in a distant city (the 'personality development' mode of HE attendance found to be almost unique to the UK by Gellert, 1991, 1993) may not, in fact, be inhibiting demand at the system level (latest UCAS data suggests it has never been higher among most WP cohorts, (Rowley, 2022)). Working class and minority ethnic students, often balancing part-time work and family responsibilities with their academic work (in other words, accessing HE as most Europeans do), do not apparently aspire to the more traditional mode of attendance, although they will apply to selective institutions where there is such an option in their locality (Mangan et al., 2010) and, of course, if they expect to achieve the required grades. These patterns persist post-graduation, with graduates from post-1992 providers and from most minority ethnic groups far more likely to remain in their home region than more mobile pre-1992 and white graduates (Kollydas and Green, 2022). Given the importance of graduate retention to regional economic prosperity, such patterns of behaviour are likely to satisfy the national policy aims of maximising the utilisation of human capital, especially in the context of the emerging 'levelling up' agenda and White Paper (DLUHC, 2022).

The root causes of the problem with lower access to selective HE among the least-advantaged actually lie mostly on the supply side: the geographical distribution of high tariff providers and their selectivity – behind the 'pay wall' of institutional autonomy. This precludes any serious efforts to actually widen participation beyond the legal compulsion not to discriminate on the basis of the Equalities Act (2010) which, of course, doesn't include social class as one of its protected characteristics. As Bekhradnia (2003) pointed out in his discussion of the distinction between widening participation and 'Fair Access', it is perfectly possible to widen participation without it being necessarily fair or equitable (e.g. by the use of quotas to favour poor or BAME applicants), and equally perfectly possible to have fair (non-discriminatory) access without widening participation where institutions refuse (as is their legal right) to lower entry requirements.

While routinely conflated in policy discourses, WP and Fair Access are really very different enterprises carried out – and justified in access statements - in very different ways and by different types of HE providers. This by definition plays out in the ways that institutions target their outreach, marketing and recruitment, and the benefit they feel from engagement with state-funded collaborative programmes such as Aimhigher and Uni Connect. Post-1992s are always most likely to gain additional applications from young cohorts in their region that either were unlikely to consider progression to HE at the end of

their compulsory education or, even if they were, would be less likely to achieve the entry grades required by the selective pre-1992 institutions. For this latter group of institutions, the pressure from the wider sector and the OfS' regulatory system has always been to increase their enrolment of students from the relatively small pool of low-income and (some) BAME cohorts that, despite the known disadvantages, do manage to achieve those grades. However, as noted in Chapter Two of this volume, OfS targets in this area are far from punitive, with access gaps for the most selective institutions not expected to be closed until 2038/39 (OfS, 2021). In effect, actual 'widening participation' is easier for post-1992s than 'fair access' is for selective pre-1992s, and this is inevitably reflected in how outreach and marketing are enacted and resources deployed at institutional level (see the following Chapter Five).

Risk and differentiation: a new regulatory landscape

In recognition of this reality, the general direction regulation since the advent of OfS in 2018 has been 'risk based', which in practice means that – according to its first Director for Fair Access and Participation, Chris Millward - that providers have far more leeway to develop their own differential access priorities and set their own (non-benchmarked) targets than under the previous OFFA regime:

> Access regulation has been focused on individual institutions addressing inequalities within their existing patterns of provision, rather than changing it to meet the needs of students of all ages, and to support local and national prosperity. (Millward, 2022, 37)

This differential approach acted to reduce reliance on the main sanction theoretically available to the Director of Fair access in the OFFA regime:

> By positioning the approval of an access and participation plan as an ongoing condition of registration …. OfS could approve a plan whilst applying escalating monitoring, specific conditions and sanctions, enabling more proportionate intervention than the 'nuclear button' of refusing a plan, which had been threatened but never deployed. (Millward, 2022, 29)

Guidance from the Secretary of State to OfS in February 2018 confirmed that:

> '…. we will be looking for the OfS to push providers to set challenging targets for themselves within their plans and so drive further improvements across the sector…. (cited in Millward 2022, 23-24)

These were intended to further individualise attitudes towards access and participation inequalities and strengthen institutional autonomy through 'a more honest and rigorous self-assessment of the inequalities for students in each university or college' (Millward, 2022, 29)

The new five-year timescale for institutions to meet these self-set targets were couched as:

> the basis of a 'something for something' agreement between the regulator and the sector: more time and lower burden for institutions, but greater ambition and outcomes in return. (Millward 2022, 27)

The regulatory trend towards providing information for consumers later extended to judgments about course quality, through the assessment of performance in the Teaching Excellence Framework (TEF) (DBIS 2016 White Paper). However, its use in TEF has not been without its critics who questioned whether student satisfaction is related to teaching quality (Gunn, 2018). Alongside this focus on feedback, there was also a drive for increased pre-entry information to facilitate more informed student choice. Ultimately, this choice was framed as being related to higher education as primarily a driver for social mobility and the White Paper proposed additional resources to support OFFA in the regulation of access agreements in addition to a national scholarship scheme to provide additional financial support to students from low-income backgrounds.

The increase in funding and investment in OFFA represented by the *National Strategy for Access and Student Success* (HEFCE and OFFA, 2014) which also reinforced the importance of student support for progression and good outcomes, first highlighted in the 2011 White Paper (DBIS, 2011) (Bowl and Hughes, 2014; McCaig, 2015). There was a competing need to recruit students and to ensure that young people were given the support to access higher education provision most suitable for their own individual ambitions, which in turn, may not match those framed as desirable institutions or policy makers. For example, the 2016 White Paper made much of the 'success' alternative providers had in WP terms, evidenced by the fact that they tend to take on more students from low-income and BAME backgrounds (DBIS 2016, Chapter 1, para 1.3; Evans 2018); given how few of these providers offer degree programmes in the arts and humanities or the social sciences, let alone the physical sciences, it is difficult to see how such provision widens participation in the full sense of democratising access to all HE.

Doubling-down on social mobility and the risk agenda in the 2020s

The assumption of policymakers could be interpreted as relaxing concerns about widening access to traditional HE for such cohorts, given that alternative providers were catering for those without the necessary entry requirements – a corollary of University Minister Michelle Donelan's 2020 speech which effectively redefined social mobility:

> [T]oday I want to send a strong message – *that social mobility isn't about getting more people into university*. For decades we have been recruiting too many young people on to courses that do nothing to improve their life chances or help with their career goals. True social mobility is about getting people to choose the path that will lead to their desired destination and enabling them to complete that path. (emphasis added by authors)

The speech represented a critique of the assumptions of the 2004 HE Act, since when:

> …. there has been too much focus on getting students through the door, and not enough focus on how many drop out, or how many go on to graduate jobs. Too many have been misled by the expansion of popular sounding courses with no real demand from the labour market.

Linking access to (declining) standards, the speech went on to signal those disadvantaged students should not be providers' priority:

> And too many universities have felt pressured to dumb down – either when admitting students, or in the standards of their courses. We have seen this with grade inflation and it has to stop. We need to end the system of arbitrary targets that are not focused on the individual student's needs and goals. And let's be clear – we help disadvantaged students by driving up standards, not by levelling down. (Donelan 2020)

Linking this agenda to the ongoing drive to shift WP activity away from access and towards improving participation outcomes, the newly appointed Director for Fair Access and Participation (John Blake) in February 2022 reinforced this point:

> I have heard more often than I would like that students feel their providers fell over themselves to bring them into higher education, but interest in their needs trailed off the moment they were through the door

Reiterating the policy association between access and standards, Blake went on to introduce a rationale for a risk-based review of OfS' regulatory regime:

> I absolutely reject any suggestion that there is a trade off between access and quality – if providers believe the regulation of quality justifies reducing their openness to those from families and communities with less experience of higher education or who have travelled less common, often more demanding, routes to reach them, they should be ashamed of themselves.

The new regime would create:

> a tangible reduction in regulatory burden for the many universities and colleges that are on track to achieve the targets they have set for themselves. And an incentive for others to make similar progress in future (Blake 2022).

Hereafter the increasingly differentiated English HE sector will be regulated in a manner that better reflects the dual imperatives of expansion and social justice. However, in the new discourse of 'risk-based' regulation, it is seen as necessary to offer 'sticks' to beat providers that are unable to satisfy the requirements of the OfS (in the form of fines for those that are financially failing) as well as 'carrots' in the form of less regulation for those that may be failing to close participation gaps so long as most of their graduates are able to show up well in terms of tax receipts in LEO data. Once again, in a marketised context it is clear that

widening participation policy is subservient to institutional autonomy, seen as the sole guarantor of quality, and expansion in the name of national competitiveness is restricted to cheaper 'vocational skills' provision, and this has been further signalled by the, the Levelling Up White Paper (DLUHC 2022) and the Higher and Further Education Minister's response to Augar and reform statement (DfE 2022).

Conclusion

As Mavelli (2014) argued, although widening participation policy has been framed through both economic and social justice lenses, the economic imperative has clearly become the dominant imperative, and is often seen as primary purpose of higher education within policy documents and ministerial speeches which focus on judging quality via the use of graduate salaries and tax returns as a proxy for value and even quality (DBIS 2015; DBIS 2016; Augar Review 2019). This economic focus also seems to continue to drive the focus on raising aspirations towards 'top' universities, or 'top jobs', not for their intrinsic value but for the ability for young people to meet their potential, to be framed in terms of the greatest economic outcomes possible for both the individual and the national economy (Milburn, 2010; Loveday, 2014; Platt and Parsons, 2017; Slack, 2003; Spohrer, 2016). Hence the continued desire to expand the system, even while this is now more often couched in terms of the economy's need for higher level technical and vocational skills which can be through 'degree apprenticeships' and delivered within the Further Education system (DfE 2021; Blake 2022). Despite improving the economic success of individuals having a distinct role in social justice, this focus fails to acknowledge that economic success is only one facet of developing a 'good life' (Rainford, 2021).

The shifting of funding higher education from the state to the individual has shaped many of the changing ways higher education is thought about. The framing of 'students-as-consumers' dominates this discourse and policymakers, politicians, even providers themselves, would lead us to believe that this is how everyone conceives higher education. There is an emerging body of research that seeks to challenge this globally (e.g. Brooks 2018; Tomlinson, 2017; Patfield et al., 2021). Often in these studies, issues such as 'value for money' are revealed to be far from students' minds and as Danvers and Hinton-Smith (2021:75) so eloquently argue, 'students' affective worlds and complex lives stood at odds with policy constructions of the strategic consumer of an educational product'. Whilst focused in Australia, Patfield and colleagues' (2021) theorisation of the narratives of over 500 students highlighted that it was the higher socio-economic status students that were more likely to replicate a more consumer focused narrative than those students from more typical widening participation target groups. We might argue that this is unsurprising given the way in which the middle classes are often 'aware of the rules of the game', using their cultural capital and knowledge of the higher education system, playing it in ways to avoid losing their status in life.

Collini (2012) argues that higher education is built upon an inherent selectivity which over time has been religious, focused on specific vocations, intellectual and nearly always reinforcing social class inequalities by accident or design. This selectivity exists regardless of institutional status. In framing their (autonomous) missions, institutions are always targeting a particular type of student (Stich and Reeves, 2016). These selective positions can shift, for

instance in the 1940s and 1950s, redbrick universities, now seen as the pinnacle of selectivity, were seen as for a relatively lower class of students (Stuart, 2012). Whilst the Robbins principle was the foundation of much widening participation policy in the intervening 60 years, it too recognised the importance of selectivity within its language:

> Courses of higher education should be available for all those who are qualified by ability and attainment to pursue them and wish to do so.

(The Committee on Higher Education, 1963: 8)

Therefore, institutions are encouraged to develop an element of selectivity regardless of their market positions, defining who is 'able' and therefore influencing who wants to attend their institution. They can do this through the courses on offer, the facilities and the targeting of marketing messages and recruitment. In all of these there is an underlying assumption about who the potential students of an institution are. This selectivity is underpinned by an enduring tension between issues of quality and equality; the question of how to include a wider social base of students without lowering standards (Burke, 2012) or perhaps redefining what standards means and how HE is delivered given the wider range of subjects now studied to degree level. Even if we focus only on the students accepted for higher study, if decolonising HE curricula can lead to higher rates of retention among students of colour, would this not highlight the inappropriateness of some prior definitions of 'quality' and 'standards'? Would these not be shown to merely reflected the prejudices of a different age, a different dominant class, a different interpretation of which applicants exhibited the 'right' character and family background on their UCAS personal statements? In the absence of a serious debate about how the system (mis)defines quality, and the inability of regulators to impinge on institutional autonomy over admissions, all we are left with is the risk of academics selecting 'people like us' and the market-driven reality of senior managers maximising their corporate bottom lines by any means possible.

How much this is a real fear is questionable and the correlation between status and quality is contested (Whitty et al., 2015). Nonetheless, it is still a significant consideration by many institutions. This becomes problematic when considering the position of institutions in a global market. These global positions are often reliant on rankings in league tables which in many cases include entry qualifications as a key metric (e.g. Complete University Guide, 2018). The need to perform within national and global markets '…profoundly constrain[s] the possibilities for change and transformation' (Burke, 2012: 189). We would argue while it does place constraints on institutions, it is their autonomous choice how to position themselves and which markets to enter. We should not forget, however, as Zizek (2009) argues, markets are based on beliefs. In a hierarchical system of higher education, the belief is that the more selective an institution, the better it must be. Therefore, decreasing selectivity is essentially believed by some to devalue the institution within a competitive system: reducing selectivity can make it less desirable. Despite the denials of Ministers and Directors of Directors of Fair Access and Participation, at institutional level the most prestigious universities are constantly aware of the trade-off between access and quality in a marketised environment.

The purpose of higher education is clearly contested with its role in preparation of a workforce in tension with the value of knowledge creation for its own sake (Collini, 2012). Ideals of justice also underpin the social purpose of even the most selective universities due to their role in preparing individuals for certain professions. However, the notion of social justice is complex and contested. For some, 'social justice means the elimination of institutionalized domination and oppression' (Young, 1990: 18). While this definition is idealistic, eliminating domination in a field that is encouraged to act as a hierarchical market is antithetical to its existence, given that domination in a differentiated market is central to the identities creating tensions between equality and market success. Understandings of social justice may also be very different for the ministers, civil servants, institutional management teams and practitioners. The following Chapter Five will focus on how some of these competing definitions play out at the individual institutional level.

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