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Unleashing the ‘undergraduate monster’? The second-order policy effects of the 1988 Education Reform Act for higher education in England

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ABSTRACT

What impact did the 1988 Education Reform Act (1988 ERA) have on higher education from the perspectives of professors working in the sector at the time? How did it reshape the sector’s structures? How did it contribute to the conditions that have unleashed the so called ‘undergraduate monster’? These questions are addressed in this paper. I draw on semi-structured interviews with 14 professors working in universities in England to explore their perceptions of the changes from a system of polytechnics/universities to pre- and post-1992 universities. In doing so, this paper provides unique insights into second order policy effects created by the 1988 ERA for the sector. The data lead me to argue that the 1988 ERA made the introduction and increases in higher education tuition fees possible, further entrenching inequality in the composition of the student body in different types of Higher Education Institution (HEI).

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Introduction

The 1988 ERA stands out in the minds of those involved at the time as a fundamental turning point in educational development in the United Kingdom (UK). The Act represented a culmination of efforts spanning the decade prior to its legislation. Indeed, the seeds of the Act were arguably sown by Labour, in a speech known as the Great Debate by the new Labour Prime Minister, Callaghan, at Ruskin College in 1976. Following Callaghan’s defeat in 1979, the implementation of the Act was taken forward by the Conservatives from 1979 until 1987. As Chitty (1989) noted, members of the Labour party had taken the view that greater centralisation of power in education was necessary and conversely, not all Conservatives were at the time in favour of such centralisation.

In a speech at the Conservative Party conference in 1987, Kenneth Baker, the then Secretary of State for Education, claimed that the Act would ‘open the doors of opportunity’ to our children (Drury 1992). Baker used ‘brutality’ to resolve a number of outstanding

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problems in the relationship between local government and services (Barker 2010). For example, in the further education sector (for 16- to 18-year olds) the Further Education Funding Council (FEFC) was introduced and for higher education the Higher Education Council for England (HEFCE) was introduced. These changes represented a shift in emphasis in who could control and manage further and higher education and how it would be funded.

The 1988 ERA initiated the establishment of a National Curriculum and standardised schemes of work/examinations in state schools. Baker also used the 1988 ERA to tackle the issue of teachers' pay disputes and he set up the pay review panel to replace the Burnham committee. This led to the withdrawal of goodwill, and negotiations related to teachers' salary were aborted. Baker imposed a solution by way of a review body. These changes to compulsory, further and higher education represented a fundamental shift.

The partnership between local and national government was broken. Local government was excluded from decision-making. Central government took enormous power to regulate and control school-based education and introduced self-managing schools, resembling a business model (Ball 2007). The changes were a product of a long history of central government's disaffection and dissatisfaction towards local authorities. Whilst there is continuity between the 1988 ERA and previous legislation, it nevertheless opened a huge door to privatisation of education that was barely ajar until then (Ball 2007). The subsequent legislation in 1992 introduced the concept of 'new' so-called post-1992 universities that were former polytechnics to the established pre-1992, Russell Group and civic university sector. All of this was possible because of the transformation of both Labour and Conservative party thinking about the structure of education, which had taken place in the 1980s.

In this paper, I draw on the professional experiences and perceptions of 14 professors working in English HEIs at the time of Act and immediately thereafter to examine their views on the implications for their sector. The purpose of this paper is to use these contemporary voices to remember how they experienced the second-order policy effects of the 1988 ERA. I aim to establish the argument that ERA is an economic policy innovation that was not simply a response to a growing trend and bulge in demand for higher education (Mandler 2020) but rather a fundamental shift in direction towards a market-based model.

The paper contributes knowledge to our understanding of the 1988 ERA's second-order policy effects in relation to higher education. Drawing on the voices of these experts, I examine their experiences of working in the sector at a time when the decline of local authority control within higher education was consolidated. The data lead me to argue that the shift and devolution of the balance of power from LEAs to HEIs paved the way for the transition of polytechnics into universities, in a move to meet the demand for higher education from students of all backgrounds (Mandler 2020). However, the change also set in motion the introduction of tuition fees and arguably reinforced a new formation of a two-tier higher education sector between pre- and post- 1992 institutions. In keeping with an exploration of second-order policy effects, the paper provides some reflections on the social justice implications of these changes for students.

Background context

Whilst much is known about the impact on schools, less is known about the second-order policy effects of the 1988 ERA for higher education. Ball (2006, 51) defines first and second-order policy effects as follows:

first order effects are changes in practice or structure (which are evident in particular sites and across the system as a whole). And second order effects are the impact of these changes on patterns of social access and opportunity and social justice.

Following Ball's definition of second-order policy effects, the purpose of this section is to briefly consider some of the significant changes to higher education in England since 1988. The aim is to show that, whilst the 1988 ERA did not directly implement some of the changes outlined below, it created the conditions for second-order policy effects within higher education that made the changes possible. I also argue that the 1988 ERA is a good example of a new policy that can be seen to 'feed off and gain legitimacy from the deriding and demolition of previous policies (see Ball 1990) which are thus rendered "unthinkable"' (Ball 1998, 125).

The 1988 ERA reflected a vision for state education that was motivated in large part by the economic and political challenges of that time. There was a sense amongst the Conservative Party that employment unions had too much power over the workforce and the comprehensivisation of education had diluted the stratification and quality of state education (Barker 2010). To redress the balance, it has been argued that Thatcher's government's (1979–1990) 'enactment of the 1988 education legislation is consistent with the authoritarianism of social policy and centralist rule in an era of Thatcherist free-market enterprise-ideology' (Drury, 1992: 38). In keeping with this ideology, following the 1988 ERA, LEAs lost some of their power, as polytechnics were removed from their area of responsibility (Brighouse 2012). The shift in the LEA's roles and responsibilities resulted in a situation where 'Local authorities lost powers with respect to polytechnics, some colleges of higher education and teacher training colleges, causing a significant loss of functions' (Ventura 2019, 36). The 1987 White Paper that informed the 1988 ERA, was less to do with higher education and more to do with local government reform, where the aim was to weaken the power held by local authorities.

Despite these structural changes, admission to universities was increasing. There is no doubt that the expansion of universities to encompass polytechnics improved the diversification of the student body with increasing numbers of 'non-traditional students'¹ accessing higher education. But the shift from a higher education sector in England serving 2% of the population in the 1950s, to an increasingly massified sector by the early 2000s, where approximately 43% of 17- to 30-year-olds were enrolling for a university course (Chowdry and Emerson 2010) created financial strain within the sector. To meet the demand for higher education whilst maintaining cost thresholds low enough for students to access courses, tuition fees of up £1000 were introduced in 1998, rising slowly and incrementally to £3290 by 2007 (Mandler 2020). After the financial crash of 2007, the UK government withdrew much of the public funding available to universities and this forced them to increase student fees. Almost immediately following the legislation of 2012, fees increased from £3290 to £8500–£9000 per year of undergraduate study across all universities, regardless of their league table position (author ref).

When HEIs increased their student fees so significantly and rapidly, perhaps unsurprisingly student expectations of their courses changed. Students were becoming increasingly astute at choosing courses that returned value for money in relation to contact hours, tutorials, and staff/student ratios (author reference). Students were viewed as, and viewed themselves as, consumers (Naidoo and Whitty 2014; Bunce, Baird, and Jones 2017). This change in perceptions, particularly amongst non-traditional students, contributed to an atmosphere of heightened expectations for study support directed towards academic staff. HEIs, notably post-1992 institutions, were struggling to exist financially and found themselves at the mercy of student demands for more contact time and tutor support, often with fewer material resources available (author reference). Cohort groups increased in size to improve financial sustainability resulting in tensions between student expectations and the reality they experienced once they had enrolled and started their courses (Kandiko and Mawer 2013).

The increase in rising student fees is a deeply entrenched problem for England. According to the Sutton Trust report of 2016 (Kirby), university students in England are graduating with higher levels of debt than their counterparts in the rest of the United Kingdom (UK) and in English-speaking countries of America, Canada, Australia, and New Zealand. The report indicates that the significant increase in tuition fees to £9,000 together with the abolition of the maintenance grant now means that a graduate student is typically likely to face total debts of more than £50,000 with interest. The report shows the number of students from disadvantaged backgrounds entering higher education increased from 13.6% in 2009 to 18.5% in 2015 (Kirby 2016).

But the trends in England are reflected in other country contexts. Indeed, the so-called neoliberal transformation (Olssen and Peters 2005) that has taken place in higher education in England:

... is a global phenomenon. In the Americas, Europe, Russia and its former colonies, the Middle East, Africa, South Asia and Australasia, higher education is being re-branded as a private investment and the university repurposed to generate profit and economic growth. (Vernon 2011, 1)

Due to this neoliberal shift in external context, academics and students are faced with 'very similar conditions across the world' and these include the increases in tuition fees and the associated student debt. Despite the similarities, it argued by Vernon (2011, 1) that England's higher education sector has been 'privatised further and faster than anywhere else in the world'. It is the pace and scope of the changes to the structure and delivery of higher education in England since the 1980s that marks England out from other countries.

English universities have had 'a fixed yearly allocation of student places'; however, the UK's Coalition Government (2010–2015) proposed allowing institutions to recruit 'unlimited numbers of the best-performing students' (Vasagar 2011, 1). This change channelled students '-particularly those with low grades- into a low-cost model of higher education' which polarised higher education into 'traditional universities versus a low-cost alternative' (Vasagar 2011, 1). In consequence, many 'candidates from lower socio-economic backgrounds felt constrained to choose lower-cost provision' (Vasagar 2011, 1). The tiered university system also affected home and European Union (EU) students because the universities recruited more students from overseas

based on the fees they pay; up to £20,000 per year for undergraduate courses (Clark and Bentley 2010).

Beyond financial concerns, the issue of status and reputation of different institutions is worth considering. Since the 1988 ERA and 1992 Act, the university hierarchy has continued with elite Russell Group universities at the top and below, the other, self-described groupings (Brighouse 2012, 53):

First there were the so-called new universities of the 1960s, then the colleges of advanced technology, followed by the polytechnics and finally the former colleges of education and higher education. There have been some private universities too. Perhaps the most significant success in the university sector in terms of expanded access and high standards has been the Open University.

The changes to the higher education sector in terms of structure and finance have done little to reduce the structural problems of a tiered education system. More prestigious pre-1992 institutions still favour recruiting middle-class students over and above working-class students (Reay, Crozier, and Clayton 2010). There are social justice issues stemming from the debates about degree value in England that are well noted elsewhere (Bathmaker et al. 2016). Whilst new HEIs do not necessarily represent an inferior teaching and learning offer (although cohort sizes tend to be larger), the value of these degrees impacts entry into the labour market. The debates highlight the stratification of graduate future earning potential, noting that the same courses when studied in higher compared to lower status institutions typically lead to different earning capacity.

Following the 1988 ERA, the higher education sector, along with state education in England, became ever more competitive and comparative and an already divided and differentiated sector became ever more strongly established.

The context sketched out above reveals inequalities embedded in the higher education sector in England as it expanded to meet demand from students and to match the government's ideological thinking about consumer-based education (NAO 2017: Silverio, Wilkinson, and Wilkinson 2020). Through the introduction of fees, the existence of the class system in England and the shift in power away from LEAs, the context for higher education had changed to a more competitive model. To examine these tensions and second-order policy effects of the 1988 ERA, I have drawn on a plural conceptualisation of social justice and outline below how I understand this framework.

Ozga (2002, 8) contends that social justice in education is to do with:

[...] the potential that education offers both as a vehicle for improving life chances and opportunities, and as a means of enriching and enhancing the business of living.

Viewed from this perspective, social justice offers the promise of emancipation from structural inequality. When deploying this theoretical perspective, most researchers are seeking incremental change over time that can 'assess whether education policy is getting better or worse in social justice terms, or both at the same time' (Thrupp and Tomlinson 2005, 549).

Social justice theory has been associated with an enduring focus on discrete strands that view distributional², relational³ and associational⁴ justice, as individual goals, that can be easily separated (Fraser 1998). Following this line of argument, if opportunities are fairly distributed, then social justice can be claimed. However, this simplification

obfuscates the inequality that occurs when only a single strand of social justice is addressed. As Fraser (1998:, 5) reminds us ‘The normative core of my conception [...] is the notion of parity of participation. According to this norm, justice requires social arrangements that permit all (adult) members of society to interact with one another as peers’. Through this lens a plural definition is needed to provide not only opportunity, but the associated conditions of enablement to allow for participatory parity. Only once these conditions are achieved can social justice work to alleviate structural injustices in the social world.

In this paper, I follow a plural view of social justice drawing on Gewirtz and Cribb (2002:, 499), who define it as ‘having a variety of facets’, allowing for a multi-dimensional approach to instigating complex social change. This complex approach has ‘enlarged’ the social justice agenda to draw these strands of justice together and to encompass cultural understandings. An enlarged, multi-dimensional approach to justice ‘has a variety of facets’ which ‘might sometimes be in tension with one another’ (Gewirtz and Cribb 2002, 502). To address the issue, they argue for a context specific, multi-dimensional approach. Thrupp and Tomlinson (2005) similarly suggest there is a need to consider how context mediates possibilities. Thus, I drew on a contextualised, multi-dimensional approach when designing the interview aide memoire and, in the process of analysing the data, to understand how the 1988 ERA’s second-order policy effects created possibilities for social in/justice for non-traditional students.

The study

Over a nine-month period, I carried out semi-structured interviews with 14 professors who have worked in English higher education. The convenience and purposive sample was drawn from my professional contacts and I utilised a snowballing approach to locate other willing participants. The sample criteria included academics who had been working in higher education since or within two years of the 1988 ERA. Participants are based in a range of institutions across the UK (pre-1992, including Russell group institutions, and post-1992 universities) and across a small range of subject areas as highlighted in Table 1.

Table 1. Participant demographic information.

Pseudonym	Type of HEI	Subject field	University location (present/most recent post)
Mary	Pre-1992	Natural and applied sciences	London/South East
Tony	Pre-1992	Arts & humanities	London/South East
Rosie	Pre-1992	Natural and applied sciences	London/South East
Flora	Pre-1992	Social Sciences	London/South East
Rachel	Pre-1992	Social sciences	London/South East
Noel	Pre-1992/Russell Group	Social sciences	London/South East
Monica	Pre-1992/Russell Group	Social sciences	London/South East
Grace	Post-1992	Social sciences	London/South East
Hope	Pre-1992	Social sciences	London/South East
Carol	Post-1992	Social sciences	Northern England
Jack	Post-1992	Social sciences	Northern England
Daniel	Post-1992	Social sciences	South West
Bryan	Pre-1992	Social sciences	Midlands
Carly	Pre-1992	Social sciences	Northern England

All participants had experienced a variety of different management and leadership, research, teaching and knowledge exchange roles and responsibilities since starting their careers in higher education. I achieved some limited regional spread with nine participants based in London and the South East and five spread across the Midlands and North of England. In constructing the sample, I sought diversity rather than representativeness in relation to these multiple criteria. This is consistent with the 'long-established tradition of post-positivist qualitative, narrative analysis' (Priyadharshini and Robinson-Pant 2003, 96; Herman and Vervaeck 2019), with a central concern for understanding how individuals negotiate their experiences within specific national, sectorial and institutional cultures. The aim was to explore the participant's perceptions of differences, if any, that existed in the enactment of the 1988 ERA as it related to, and within the context of, higher education.

My qualitative study utilised semi-structured interviews that lasted for approximately 1 h each. All interviews were digitally recorded and professionally transcribed. I analysed the interview transcripts using NVivo and Straussian coding (Strauss 1987) techniques to identify emergent thematic data categories and concepts. The study complies with the ethical protocols set out by the British Education Research Association (BERA) (2018) revised ethical guidelines. I created a consent form, which sets out the conditions of participation, including anonymity of identity, deletion of audio files once fully transcribed, the right to withdraw at any time and the right to not answer questions throughout the research process. Anonymity was a condition of the ethical approval I received to carry out this work and was welcomed by participants. It has been addressed in this work by removing any identifying factors and through the use of pseudonyms.

Restructuring higher education

A key change noted by participants was the change from a system of polytechnics and universities to pre- and post-1992 universities. There was a shared perception from all of the participants that although it was in many ways a positive change, something important had been lost when polytechnics transformed into post-1992 institutions. According to Daniel:

I think one of the major shifts that I saw was the transition of polytechnics into universities [...] for example in 1992 I went to a big party held by the vice chancellor of the Polytechnic, to mark the transition to becoming a University. Now whilst we were all delighted and it seemed like a positive shift, I think in retrospect it's much more mixed actually. I think that what that did was redefined the university, if I can put it that way, it redefined what a university was or could be.

The redefinition of the parameters of what constitutes a university has contributed to further entrenching a tiered system between elite, so-called pre-1992, including the prestigious Russell Group, universities, and new, post-1992 universities that were converted from polytechnics. The change contributed to the new universities becoming known as teaching-intensive universities with varying degrees of success at developing and sustaining successful research cultures (Belfield, Britton, and van der Erve 2018).

The mixed higher education sector has resulted in differing perceptions amongst employers, prospective students and their parents in terms of the value conferred by a

degree, dependent in part on the status of the institution. As noted above, a degree from a higher status, research-intensive institution, has generally positive consequences for labour market entry and earnings (Kromydas 2017). This qualification status and labour market value inequity points to a second-order policy effect that has contributed to multi-dimensional social justice tensions that sit at the heart of the massified sector (Belfield, Britton, and van der Erve 2018). Following the passage of the 1992 Higher and Further Education Act, which can be seen as an addendum to the 1988 ERA, higher education was more accessible to students from diverse social backgrounds. But in terms of admissions, non-traditional students still remain clustered in post-1992 universities and middle-class students dominated pre-1992 universities (Bunce, Baird, and Jones 2017). Thus, whilst the distributive elements of social justice – that is the ‘principles by which goods are distributed in society’ (Gewirtz 1998, 470) – had been satisfied (assuming a fair distribution), the relational and associational aspects have not been addressed. The problem, as Young (1990, 18) notes, is the distributive paradigm ‘assumes a single model for all analyses of justice; all situations in which justice is at issue are analogous to the situation of persons dividing a stock of goods and comparing the size of the portions individuals have’. In practice, this model assumes that ‘individuals or other agents lie as nodes, points in the social field, among whom larger or smaller bundles of social goods are assigned’. Even now, it remains the case that the great majority of non-traditional students are enrolled at lower status post-1992 universities (ref).

A further unique function of polytechnics was to ensure their educational provision matched the needs of the local labour market. They were embedded within their communities and worked in tandem with employers to develop the workers required by local industries. As Daniel noted:

The real difference between say the University and the Polytechnic was that the Polytechnic had a local authority link, very strong local authority link, and was part of an attempt to respond to the needs of the economy. It was a sort of part of a web of planning, responding to industrial, commercial change, responding to employers to some extent, but also responding to communities.

There was a different sense of purpose underpinning the role of polytechnics, acknowledged in existing literature, that emphasises ‘liberal vocationalism’ (Silver and Brennan 1998). This refers to course content that ‘more directly reflected the occupational destinations of students’ (Brown and Scase 2005, 29). In this way, polytechnics had a dynamic role to play in delivering education at a local level to serve labour markets.

Flora similarly noted the role played by polytechnics in preparing students for local labour markets. She also commented on the shift to an inclusive university sector, which resulted in all institutions having to admit a full range of students in terms of socio-economic status, gender and ethnicity:

I think the polytechnics before they became the post-1992 universities, had a very clear mission around being very work oriented and employability orientated, and they took a broader spectrum of students because of that. And they did, I think, a fantastic job around that. They were all very positive about becoming universities because then there was going to be apparently parity of funding for them, and they saw their lot as improving, but in some ways it took away from their distinctiveness.

The communities and local economies that were served by polytechnics had to direct students to universities after 1992. This contributed to a situation where, as Fiona noted, ‘we’ve all got to deal now with a much broader spectrum of students, and I think most universities are less clearly defined in terms of their mission really’. The mission statements that drive the remit and identity of polytechnics were diluted when they became post-1992 universities.

Reeves (1993, 270) draws attention to the equality implications of the changes, noting ‘the removal of the polytechnics from LEA control, their incorporation and funding by the Polytechnics and Colleges Funding Council will also have affected equality of education provision in both the further and higher education sectors’. Reeves (1993, 270) points out that ‘while previously, the institutional funding arrangements for advanced and non-advanced work might not have been so marked, it was now inevitable that some rationalisation and redistribution of courses and resources between two sectors would take place’. The consequences of these changes remain largely anecdotal due to the dearth of research examining ‘how much of further education’s changing relationship with higher education was the result of the 1988 ERA, or merely a consequence of longer-term strategies for expanding the numbers entering higher education’ (Reeves 1993, 270). If we consider the motivations for change, Simon (1988) suggests these were political and about reducing the power held by local government. Halpin et al. (1988, 482) caution against this view, suggesting it obfuscates ‘the very serious deficiencies in the (LEA) service’ experienced by some children across England’.

Setting aside for a moment the motivation for change, there were clear impacts arising from the structural changes to the role of LEAs in terms of their remit. These changes resulted in their diminished decision-making involvement in schools, further education colleges, and universities. The impact was felt first-hand in schools according to Grace, but that in turn arguably impacted on the knowledge and understanding held by students entering higher education. She noted:

The big problem in relation to social justice from my point of view was prior to the 1988 ERA, there were some very exciting local education authority policies on race and education, and they all, they were completely chopped after 1988 because the local authorities ... because their power and influence had totally diminished.

The loss of LEA equality and inclusion policies and resultant teaching and learning on race (also gender, class and disability) (Crozier 2009) has arguably had a negative impact on the experiences and knowledge held by undergraduate students. For example, many non-traditional undergraduate students’ have limited understanding of these complex issues of inequality and the interplay between them, despite their often first-hand experiences of such issues.

Daniel commented more directly on what he perceived to be the impact of the reduced involvement of LEAs across the whole education sector, noting that ‘although it was mostly about schools, the 88 Act did consolidate central Government control in the whole field of education, and reduced the idea of local authority control’. Daniel went on to note that:

If you go back before the 1988 ERA, especially ten or twenty years before that, the Department for Education was a very weak part of government, but I would say rightly! Because

educational matters were largely delegated to local authorities. Now the 88 Act is one of several things that have revolutionised that and you know there are positive and negative outcomes of that, but it does mean that the ideal of local democracy is at school level, instead of town or regional, parish or whatever it might be, it's at school level, and it's a bit of a shadow of its former self. And the secretary of state has enormous powers, absolutely enormous powers. So it's an important part of that story.

The ideological motivations for change informing the 1988 ERA were part of wider *laissez-faire*, neoliberal changes to the labour market in England. These changes included deregulation of industry, reduced union power, reduction in state provision of services and the emergence of new forms of employment, particularly in the service and technology sectors (Ball 2007). The aim was to provide more autonomy to private companies and to strengthen competition between them. In relation to higher education, the removal of LEA powers was, according to Daniel and Bryan, part of a movement to decentralise the LEA power base. Daniel commented that 'the shift that you get in 1992 with polytechnics allowed to apply to be re-named as universities, is part of the same trend of centralisation away from any kind of local democratic control'. Similarly, Bryan noted:

The whole of the 1988 ERA, [...] was about smashing the powers around central government [...] and that was much harder to achieve with universities. But you know the debate about tenure ... it suddenly became hey you've got all these dozy dons collecting vast salaries and they ought to be dealt with and you know there was suddenly insecurity introduced and the funding had the potential to get people to bow. I think that was what happened in the 88 Act.

Brighouse (2012) suggested that 1988 ERA disrupted the balance of powers that was created by the 1944 Education Act among central government, LEAs, schools, churches, teachers and representatives of these stakeholders. He acknowledges and criticises the Secretary of the State gaining substantial power through the 1988 ERA, noting that since the 1988 ERA, the move towards centralisation gained momentum (Brighouse 2012). The 1988 ERA gave government more power at the university level, for example, they were now determining the number of students in teacher training programmes and changing the location of these courses from colleges to universities (Brighouse 2012). Indeed, as Noel noted, there were changes to teacher education; 'the Education Reform Act you know has had obviously very, very significant bearing on this ecology for us, in terms of you know how it's redefined our relationship with local authorities'.

The changing role of the LEAs, including their diminished power in decision-making for further and higher education, had paved the way to universities opening their doors to increasing numbers of non-traditional students. These students were demanding the opportunity to pursue graduate studies in record numbers. In terms of making universities accessible to non-traditional students, the 1988 ERA did open up the sector. But a tiered system has persisted, and non-traditional students remained clustered in lower status, post-1992 new universities. The association and relational elements of social justice have not been fulfilled. Rather, the policy focus has been on the distribution of opportunities. Participatory parity is still some way off in the current configuration of higher education in England.

Unleashing the undergraduate monster?

But what did these structural and second-order policy changes mean for the higher education student body? This section considers the participants' perceptions of how the 1988 ERA contributed to the re/construction of the student body into neoliberal consumers and considers the consequences of this shift for staff.

The idea that we now have a university sector made up of strategic, neoliberal, consumer students is widely acknowledged in existing literature (Dearing, 1997; Ainley 2013; Bunce, Baird, and Jones 2017). Since the introduction of student fees, there has been a shift in learner identity towards one focused on customer service and students' expectations of their undergraduate degree have become enhanced. Because of the debt many are forced to accrue, students seek value for money and are keen to understand the relevance of their degree to their entry to the labour market (Ainley 2013; Morley 2007). Accordingly, universities try to attract students through their marketing of courses to explicitly demonstrate the potential job prospects associated with particular degrees. Through the National Student Survey (NSS 2021) students can give voice to their customer experience. Whilst the rebalancing of power and voice towards students is arguably appropriate given the fees they pay (Ainley 2013), university academic staff can feel they are obliged to support students to pass their examinations and assessment due to the enormous fees their students must pay. According to Rachel:

We've just kind of developed a system in which we've basically got the equivalent of undergraduate monsters almost. I mean it's this sort of sense of being kind of not really interested in learning, really mainly interested in themselves, you know, so it's your responsibility to make sure they get through, that if they get a poor grade, they want a better one.

Similarly, Carly acknowledged that she feels there is a lack of engagement and ownership of learning amongst some students:

A lot of people talk about the kind of way in which many students act in very strategic ... and focused on grades and ... it's kind of hard because it can sound really patronising in some senses! I still experienced it when we taught under graduates, it was like ... I'm not really interested in feedback, just tell me what I need to do to get a 2:1!

Bunce, Baird, and Jones (2017) have noted that the more students show customer orientation in their approaches to learning at university, the poorer their academic performance became. Students' disproportionate focus on their grades, but also their choice of subject, has been impacted by this situation. A good example of this is the increasing interest in STEM subjects in recent years, given the labour market demand for these subjects (Bunce, Baird, and Jones 2017; author reference).

The consequences of the 1988 ERA for academic staff centred on the second-order policy effects of structural changes within the sector. These changes have made higher education more competitive, and consumer orientated, and staff experience pressure to meet the demands of larger numbers of students who are viewed and view themselves as customers. These demands are frequently manifest in getting students through assessments at the expense of a deeper engagement with their own learning. But quite clearly this is not the fault of students, they are responding to second-order policy effects that have contributed to the financial pressures of studying and the need to secure labour market entry.

Conclusion

This paper has drawn on interviews with professors to explore their perceptions of the how the 1988 ERA paved the way to significant structural changes to higher education over time due to second-order policy effects within the sector. The 1988 ERA has had ramifications for higher education in terms of the structure, delivery, and costs of an undergraduate degree course. The massification of the sector has provided opportunities to an increasingly diversified student body in terms of social class background, gender, and ethnicity (author reference) and from that perspective, the 1988 ERA had a positive contribution to ensuring distributional social justice opportunities. For example, Carol touches upon the positive outcomes of the 1988 ERA in terms of widening participation as girls had to do science at GCSE, opening up more diverse further and higher education pathways to them.

But there are still persistent patterns in the sorts of institutions and courses accessed by non-traditional students. Mary, reflecting back at the end of her interview, explained that:

Your question originally about whether the Act created social justice issues for higher education [...] well it's thirty years since students should have had access ... and that the equality of opportunity and the opportunity to succeed should be the same for all students. OK, we don't have polytechnics and universities, but we have got better or more highly regarded universities. We've still got higher education institutions ranked ... they're all universities but they are definitely, definitely ranked. And so to some extent ... what was set out thirty years ago has not fully come to fruition.

The struggle alluded to by Mary was articulated by Rachel who noted that widening participation policies tend to fall short as they are inequitably applied across the higher education sector. She told me that,

I mean clearly there are institutions, I guess mostly kind of former polytechnics, that are really doing a lot in terms of widening participation, but the rest I think are basically doing it on the basis that they have to fill in their access agreement and that they have to come up with some stunts which will look as though they're doing things.

The statistics for 2020 confirm the entrenched patterns of social reproduction in terms of subject areas studied (author reference). But it was ever thus. The UK's higher education sector resembles the pre-1988 ERA period, where more socio-economically privileged students typically accessed higher status institutions and studied higher status subjects (Belfield, Britton, and van der Erve 2018). The fault lines that once existed between polytechnics and universities still exist, but in the guise of a tiered higher education sector. The consequence of this and status inequity for students confirms that the social justice agenda aimed at widening access to university has focused on distribution, but participatory parity has not been realised in the current configuration of the English higher education sector.

Notes

1. Non-traditional refers to those historically excluded and socially marginalised including women, minorities, working-class and mature students.
2. The concern is on goods; who gets what and how this is decided.

3. ‘Refers to the nature of the relationships which structure society’ (Gewirtz 1998, 471).
4. Whilst being embedded within both distributional and relational forms of social justice, can be defined in its own right as ‘both an end in itself and a means to the ends of economic and cultural justice’ (Gewirtz and Cribb 2002, 503).

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Appendix

Research project: critical policy analysis of the 1988 Education Reform Act: the implications for higher education in England

1. What is your role within the university?
2. How long?
3. Perhaps more than one role over time?
4. How long have you been working in the HE sector?
5. Do you know what the university's identity/ aim/ principles is (formally or informally)?
6. Mission statement?
7. Strategic goal/ aim/ direction of travel/ vision
8. How do you understand its identity? Change over time?
9. What do you see as the university's main role within the local community?
10. What do you see the role of the university in a global context?
11. Are there any tensions between the local and global context?
12. Can you describe any significant changes to the role and structures within your university/ universities?
13. Prompts – how long etc.
14. In the sector more broadly
15. In what ways do you think the 1988 Education Reform Act impacted on higher education? (probe around the role and structures within universities)
16. Funding
17. Widening participation/ social mobility
18. Marketisation
19. Can you think of any specific examples of the impact of the act in higher education more broadly?
20. Following from the last question, were there any discipline specific impacts? What were they?
21. How important is the university's role in reducing disadvantage?
22. Is reducing disadvantage part of your university's mission?
23. If yes, in what ways?
24. If not, why not?
25. Do you think this role has changed over time? Since 1988? If so how, if not why?

26. In what ways do you think the act created social justice issues for higher education? (Through, for example, the need to widen participation in a highly marketised sector?)
27. Do you think there might be geographical variations to the way universities have changed over time? (Any experience of North/ south divide and impacts of this?)
28. Is there anything else you think we should know about the impact of the 1988 Education Reform Act on higher education? Anything, you think, can be relevant to our project?