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Bravenboer, Darryll (2012) The official discourse of fair access to higher education [article].  
Widening Participation and Lifelong Learning, 14 (3) . pp. 120-140. ISSN 1466-6529 [Article]  
(doi:10.5456/WPLL.14.3.120)

Published version (with publisher's formatting)

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# The official discourse of fair access to higher education

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**Abstract** Despite significant public investment in the sector, selective universities in the UK have made little if any progress in widening participation over the last ten years. There are also increasing incentives for universities to become more selective in the context of government-driven higher education market competition. At the same time, while some universities may view the pursuit of academic excellence as incompatible with widening participation, key policy documents have consistently included descriptions of a variety of strategies designed to promote wider and fairer access. This paper is concerned with how the idea of fair access has been constructed within official higher education discourse. A method of ‘constructive description’ is employed to analyse the discursive strategies at play within selected governmental texts. The analysis indicates that the primacy of institutional autonomy in the official discourse of fair access operates to exclude descriptions of a ‘common currency’ of merit and potential, which may leave potentially unfair admissions practices unchallenged. The paper proposes a change in ‘mind set’ from universities operating as exclusive ‘gate keepers’ admitting students, to that of the inclusive recognition of applicants’ merit and potential. This may have significant implications for admissions policy, particularly in the light of the shift away from traditional models of funding towards empowering individual or employer ‘buyers’ in the higher education market.

**Key terms:** fair access; widening participation; higher education; official discourse.

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## Introduction

During the last decade there has been a significant amount of activity in the higher education sector designed to raise the participation rate of under-represented groups and to ensure that the system for providing access is fair. In the UK this has included the establishment of the Office of Fair Access (OFFA) to monitor and approve ‘access agreements’ as well as funding initiatives such as Aimhigher, intended to raise the aspirations of disadvantaged young people, and Lifelong Learning Networks (LLNs) to open up vocational progression routes into higher education. Early in this period, the UK government’s Admissions to Higher Education Steering Group (AHESG) also commissioned a report entitled *Fair admissions to higher education: recommendations for good practice*, known as

the Schwartz Report (AHESG, 2004). A central concern of this report was fair approaches to the assessment of the merit and potential of applicants following the ‘public debate about the criteria that universities and colleges should apply in deciding which applicants to admit’ (AHESG, 2003:5).

However, there is evidence that the Schwartz Report may have had minimal impact upon the admissions practices of selecting UK universities. For example, the Supporting Professionalism in Admissions (SPA) programme managed a review of the extent to which the Schwartz Report’s principles had been implemented by the higher education sector. The findings concluded that:

Selective institutions ... on the whole welcomed the Schwartz Report because it did not necessitate reform but was seen as confirming their belief that what they were doing was in line with the principles of fair admissions ... In terms of its overall impact many institutions suggested that the Schwartz Report was not a major influence on the development of their admissions policies and process. (SPA, 2008:12–17)

However, despite this view, the lack of progress in widening participation in selective universities was also being identified in official governmental documents. For example, the Panel on Fair Access to the Professions (PFAP) report, *Unleashing aspiration: The final report of the Panel on Fair Access to the Professions*, identified that ‘only 16% of students at the Russell Group universities are from lower socio-economic backgrounds’ (PFAP, 2009:89). Most significantly perhaps, data commissioned by OFFA (Harris, 2010:112) indicated that while the participation rate of young people from the bottom 40% by income in higher education across the sector had risen from 11.8% in 1994/5 to 16.5% in 2009/10 (a rise of 4.7%), it had not risen at all in the most selective universities. The participation rate for the most selective universities (by Universities Clearing and Admissions Service (UCAS) tariff entry requirement) in 1994/5 was 2.7% and despite the public funding of significant activity designed to widen participation across the sector, the participation rate in 2009/10 for these institutions remained at 2.7%. In other words, as Harris puts it:

Disadvantaged young people are much less likely to enter higher tariff institutions than advantaged young people, in some cases as much as 15 times less likely. (Harris, 2010: 95)

Recent UK Department for Business, Innovation and Skills (BIS) documents such as *Higher ambitions: The future of universities in a knowledge economy* (BIS, 2009) and *Higher education: Students at the heart of the system* (BIS, 2011) have also highlighted the lack of progress in widening participation by selective universities and have proposed a variety of strategies to ensure that access is fair. However, it is possible that despite the official discourse of fair access represented

in governmental policy documents, the promotion of widening participation may be seen as incompatible with the mission of selective institutions that promote academic excellence.

## Academic excellence and access

The OFFA analysis above identifies a strong alignment between research-intensive institutions (such as members of the Russell Group and the 1994 Group in the UK) and being highly selective. Recent changes to the funding of higher education in the UK that provide unlimited places for individuals with high qualification entry profiles (having grades equivalent to A-level 'AAB') (HEFCE, 2012) arguably also provide a strong incentive for more universities to become more selective. At the same time, more UK universities have been admitted to membership of the most highly selective mission group – the Russell Group (Shepherd, 2012), which may perhaps also be an early indicator of a move towards the sector as a whole becoming more selective and 'elite'.

Universities that are research intensive may tend to define themselves in terms of their emphasis on academic excellence and also may tend to select students that they believe will maintain the institution's reputation for such excellence. As Crow has argued in proposing a 'New American University' these 'leading institutions tend to be exclusive – that is they define their excellence based on exclusion' (Crow, 2008:38). Marginson (2004 and 2006) has also argued that in the higher education economy 'elite' institutions compete for 'high value' students to reproduce the status of the institution. This can mean that conceptions of widening participation and lifelong learning can be perceived to be out of place in an institutional culture based on academic excellence (Feutrie, 2008). Similarly, where the quality of an institution is defined competitively in relation to notions of 'success' benchmarked against global league tables, this can be perceived as being in conflict with increasing equitable access (Gidley et al., 2010).

However, at the same time there have also been significant international policy drivers promoting the benefits of widening access to higher education. For example:

The clear message of the European Commission's 2001 declaration 'Making a European area of lifelong learning a reality' is 'that traditional systems must be transformed to become much more open and flexible, so that learners can have individual learning pathways, suitable to their needs and interests, and thus genuinely take advantage of equal opportunities throughout their lives'. We have moved progressively from a concept of lifelong learning as a 'second chance' education for some learners, to the ongoing provision of learning opportunities for all. (Feutrie, 2008:11)

In Australia there has been a statutory requirement for all publicly funded universities to report on their progress in providing access to higher education for

specific groups identified as under-represented since 2005 (Ferrier, Heagney and Long, 2008). These kinds of public policy initiatives are in operation in many parts of the world (Ferrier and Heagney, 2008); they seek to regulate the admissions practices of universities and can, as such, be thought of as being in tension with an institution's autonomy in academic matters. This tension can be particularly heightened when publicly regulated access policy is seen as being in conflict with a university's mission to maintain and promote academic excellence by selecting what are considered to be the most able students. However, in contrast, there have also been longstanding calls for an effective challenge to 'traditional approaches to admissions and to the conventional culture of higher education' (Woodrow, 2000:7). For example, Lewis has argued that the 'deficit' model of widening participation:

fails to recognise that there is a need for institutions to change rather than expecting Widening Participation activity to reshape individuals until they conform to an idealised pattern of a typical student. (Lewis, 2008:49)

Similarly, in the UK there are contrasting discourses concerning the significance of low widening participation rates in selective universities. On the one hand, the UK government has described wider and fairer access as requiring:

major change in the culture of our higher education system ... greater diversity of models of learning: part time, work-based, foundation degrees, and studying while at home. (BIS, 2009:9).

However, at the same time other UK government supported research by the Sutton Trust concluded that:

the differences, by type of school or college, in participation rates on the most academically demanding courses can be largely explained by differences in the number and patterns of applications from different types of school or college. (Sutton Trust and BIS, 2009:3)

On the one hand, selective universities might argue that it is entirely 'fair' for them to make academic decisions about who to admit to their courses using established methods that are effective in recognising academic excellence and maintaining academic standards. This, they might also argue, is a matter of their institutional academic autonomy as enshrined in UK law. The evidence from the Sutton Trust might also be cited as indicating that the lack of students from disadvantaged backgrounds is a function of the pattern of applications they receive, despite their best efforts to raise the aspirations of talented but disadvantaged potential applicants. On the other hand, it could be argued that the stark lack of progress in widening participation in selective universities is indicative of 'reproductive' admissions practices that fall well short of providing 'fair' access. It might also be argued that a tacit 'deficit model' of widening participation in selective universities serves to position the lack of progress in widening access as principally an applicant issue. This avoids the consideration of the potential need for change in institutional

admissions practices and in the accessibility of the kind of higher education available. This paper is concerned with how official higher education discourse has operated to construct the idea of fair access in the context of this potentially contested or perhaps conflicted terrain (Butcher, Cornfield and Rose-Adams, 2012). In doing this it will include the analysis of three of the official texts mentioned above: the Schwartz Report (AHESG, 2004), *Higher ambitions: The future of universities in a knowledge economy* (BIS, 2009) and *Higher education: Students at the heart of the system* (BIS, 2011 – hereafter described as the ‘White Paper’).

## Theoretical and methodological approach

The analysis presented will constitute a ‘constructive description’ (Dowling, 2009) of the three ‘official’ texts identified above as socio-cultural objects or artefacts. The textual object constructed here (this article as text) is also constituted as an artefact rather than a representation, and as such, it does not seek to produce a representation of ‘reality’. Dowling (2009) distinguishes between a ‘forensic’ approach to the analysis of texts, which might seek a ‘discovery’ or ‘critique’ of the world ‘as it really is’ and constructive approaches such as ‘constructive description’ or ‘deconstruction’. Constructive description emerges from the author’s transaction with an object text and is reconstructed in the reader’s transaction with the author’s text as an artefact. There is no attempt to discover the ‘genuine’ or ‘real’ nature, value or purpose of fair access to higher education. Nor is there an attempt at critique of existing practice by identifying the shortcomings of the text in relation to the realisation of an educational principle. The analysis will constitute a reading of the three official texts identified as instances of socio-cultural action that are historically contingent and constituted by the strategic formation, maintenance and/or destabilising of oppositions and alliances within the higher education discursive field.

The method employed to analyse these texts identifies oppositions and alliances that emerge in the reading of each text. A discursive space is constructed from the binary variables that are constituted by the oppositions and alliances identified. This method provides a means to map and describe the strategic dynamics and modalities that operate to construct specific descriptions of higher education practice (such as fair access) within the selected official texts.

The description of a text as predominantly aligning with one mode of action (or strategy) implies a corresponding relative opposition to other possible modes but does not imply that this description is necessarily confined to one mode to the exclusion of others. Texts can also deploy more than one and potentially all strategies available within a given discursive space. For example, we can consider the binary variable of low/high pressure that operates to describe a weather system, as illustrative of the dynamic relations between oppositions. In a weather map low-pressure areas are dynamically implicated in high-pressure areas – the dominance

of one entails the weakness of the other somewhere else on the map constituted by the relative density of air at a particular moment. In a similar way, the analyses presented here seek to construct descriptions of the dynamic relations between textual objects identified in terms of their strategic distribution and/or exclusion.

The methodological approach adopted in the analysis of each text can be summarised by the following steps:

1. Localising and bounding of the text in the higher education field as an object of analysis
2. Identification of oppositions and alliances within a reading of object text
3. Construction of modes of action by recontextualising identified oppositions and alliances
4. Analysis of the dynamics of the strategic distribution and exclusion of textual objects in relation to the discursive space constructed as modes of action

A fuller description of this methodology can be found in Bravenboer (2009b). To introduce this method we can first consider the ‘modes of access to higher education’ that emerge in the reading of the *Higher ambitions* and White Paper texts.

## Modes of access to higher education

Both *Higher ambitions* and the White Paper describe a range of strategies to make access to higher education wider and fairer. For the purposes of constructing a discursive space for analysis, the ‘fairness’ of access has been described as relating to the binary variable of impartial/partial approaches to determining access. Here impartial approaches to determining access would include methods of assessing merit and potential that are both valid and reliable (as recommended by the Schwartz Report). Partial approaches to determining access would be non-valid and/or non-reliable. With regards to widening access, the binary variable has been drawn in relation to whether participation is ‘closed’ or ‘open’. Participation is closed where any form of selection is deployed to limit access to higher education. Participation is open where it is not dependent upon meeting selection criteria (as practiced by The Open University). The correlation of both of these binary variables creates a discursive space with four possible modes of action (see Figures 1 and 2).

First, the ‘admissional mode’ describes where approaches to determining access are impartial and participation is closed. Here participation in higher education is closed to those that have been admitted following an impartial selection process. Second, the ‘privileged mode’ describes where approaches to determining access are partial and participation is closed. Like the admissional mode, participation is closed in the privileged mode but the criteria determining access is inequitably applied. In both of these modes institutions are operating as ‘gatekeepers’,

closing participation to those that have met either impartial or partial criteria for entry. Third, ‘recognitional mode’ describes where approaches to determining access are impartial and participation is open. Here institutions do not operate as gatekeepers but seek to provide means to open the ways in which individuals can gain impartial recognition for learning at higher education level. Lastly, the ‘excepted mode’ describes where approaches to determining access are partial but participation is open. Here the partiality of approaches to determining access is not related to selection criteria but rather where the form of higher education provided disadvantages access for some individuals or groups. As such, certain individuals or groups are ‘excepted’ from accessing higher education. For example, recent changes in university funding in the UK have meant that Open University students need to enrol on a programme that leads to a recognised qualification and study at 25% of full-time ‘intensity’ to be eligible for student loans. Previously, Open University students could access individual modules at much lower fee rates and consequently might not have required a student loan. The consequence may be that those who might wish to undertake individual modules without enrolling for a full qualification are ‘excepted’ from access to higher education.

Admissional mode	Privileged mode
<p data-bbox="225 929 602 962"><b>Impartial/Participation closed</b></p> <ul data-bbox="225 981 648 1567" style="list-style-type: none"> <li data-bbox="225 981 648 1105">• Raising ambitions and aspirations for disadvantaged young people                      Aimhigher, school/university partnerships and better IAG</li> <li data-bbox="225 1119 648 1171">• Inclusion of wider contextual factors to further validate examination results  <b><i>Institutional autonomy/ professionalism</i></b></li> <li data-bbox="225 1258 648 1406">• OFFA Report on the most selective universities                      Better targeted use of Access Agreement monies to promote fair access for talented young people</li> <li data-bbox="225 1421 648 1567">• Flexible routes into higher education                      Foundation Degrees, advanced and higher apprenticeships, two year degree programmes, part-time courses</li> </ul>	<p data-bbox="698 929 1047 962"><b>Partial/Participation closed</b></p> <ul data-bbox="698 981 1126 1171" style="list-style-type: none"> <li data-bbox="698 981 1126 1034">• Exclusion of wider contextual factors in consideration of examination results  <b><i>Institutional autonomy/ professionalism</i></b></li> <li data-bbox="698 1119 1126 1171">• Lack of progress by the most selective universities in promoting fair access  <b><i>Institutional autonomy/ professionalism</i></b></li> </ul>

<p><b>Recognitional mode</b>  <b>Impartial/Participation open</b></p> <ul style="list-style-type: none"> <li>• Flexible routes into higher education                      Workplace-based courses, employer-responsive provision</li> <li>• National Credit Framework                      Promoting progression into and through higher education, short credit-based courses</li> </ul>	<p><b>Excepted mode</b>  <b>Partial/Participation open</b></p> <ul style="list-style-type: none"> <li>• Educationally disadvantaged, disadvantaged backgrounds, 'bright and gifted but disadvantaged'</li> </ul>
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**Figure 1:** A discursive map of modes of access to higher education in *Higher ambitions*

<p><b>Admissional mode</b>  <b>Impartial/Participation closed</b></p> <ul style="list-style-type: none"> <li>• New careers service and quality assured careers guidance</li> <li>• Support for low income FT and PT students</li> <li>• New National Scholarship Programme</li> <li>• OFFA 'active and energetic challenge' to implement Access Agreements</li> <li>• UCAS review of application process including Post Qualification Application</li> <li>• Use of contextual data the broaden access while maintaining excellence – a cautious mention</li> </ul> <p><b><i>Institutional autonomy/ professionalism</i></b></p>	<p><b>Privileged mode</b>  <b>Partial/Participation closed</b></p> <ul style="list-style-type: none"> <li>• Lack of progress by the most selective universities in promoting fair access</li> </ul> <p><b><i>Institutional autonomy/ professionalism</i></b></p> <ul style="list-style-type: none"> <li>• Unrestrained recruitment of AAB+ students</li> <li>• Exclusion of contextual data</li> </ul> <p><b><i>Institutional autonomy/ professionalism</i></b></p>
<p><b>Recognitional mode</b>  <b>Impartial/Participation open</b></p> <ul style="list-style-type: none"> <li>• Employer or charity sponsored HE</li> </ul>	<p><b>Excepted mode</b>  <b>Partial/Participation open</b></p> <ul style="list-style-type: none"> <li>• Those from 'disadvantaged backgrounds' and under-represented groups</li> </ul>

**Figure 2:** A discursive map of modes of access to higher education in the White Paper

## A constructive description of fairer access

In 2009 the UK government published its description of the strategic direction of higher education in *Higher ambitions: The future of universities in a knowledge economy* (BIS, 2009). As indicated above, this text proposed that ‘a major change in the culture of our higher education system’ (BIS, 2009:9) was required to bring about wider and fairer access, and a chapter of the text was dedicated to this aspiration.

The text proposed four main strategies. First, it described ways to help students ‘set their sights on university’. This would include improving information, advice and guidance, raising the ambitions and aspirations of young people from disadvantaged backgrounds. It was also proposed that this would require effective partnerships between universities, colleges, schools and the professions. Second, more work was proposed to ensure that universities were appropriately ‘recognising capability’ and specifically that ‘The use of appropriate contextual criteria can help to ensure that high-potential candidates are not missed by the system’ (BIS, 2009:35).

Third, the text recognised that the progress made in widening access for those from under-privileged backgrounds was not reflected in the most selective universities and proposed that OFFA should provide advice to institutions about better targeted use of the income associated with approved Access Agreements. Lastly, the text describes the need for ‘more flexible routes into higher education’, including more part-time and work-based courses aimed particularly at mature students or those from non-conventional backgrounds. However, the text also makes it very clear that ‘The principle of university autonomy means that Government does not interfere with any university’s admissions procedures’ (BIS, 2009:35).

The emphasis on partnerships between universities, colleges, schools and the professions may indicate a move to widen the issue of access beyond university admissions policies. However, the emphasis on information, advice and guidance as a means of ‘raising ambitions and aspirations of young people’ does not require, in itself, any ‘major change in higher education culture’ and may be reproducing a ‘deficit model’ (Lewis, 2008) of wider and fairer access.

## Fairer access at the heart of the system

The 2011 UK government White Paper, *Higher education: Students at the heart of the system* (BIS, 2011), described strategies to bring about ‘a diverse and responsive’ higher education sector in the light of the recommendations in the Browne Report, *An independent review of higher education funding and student finance* (BIS, 2010). The White Paper included key proposals for opening up the higher education market. The emphasis on direct contracted funding to higher education institutions was to be significantly replaced with ‘Student Number

Controls' on the places that were eligible for student support in the form of loans. Loans would cover tuition fees of up to £9,000 for undergraduate provision where an approved OFFA Access Agreement was in place. 'Core' and 'margin' markets were to be introduced, with the proposal that 20,000 'margin' places be made available, on a biddable basis, for universities and colleges whose average tuition fees was at or below £7,500. At the same time the White Paper proposed 'unrestrained recruitment' of candidates who had achieved AAB or above grades at A-level or equivalent. The White Paper also proposed removing barriers for private providers and further education colleges making taught degree awarding powers and university title more accessible. Lastly, it was also proposed that where employers and charities offer sponsorship for higher education places, that these would be outside of Student Number Control limits.

This radical rethinking of the way in which higher education provision would be supported by the state also included some key proposals for 'improved social mobility through fairer access'. The White Paper provided clear descriptions that:

Analysis by OFFA shows that the relative chance of people from low-income backgrounds studying at the most selective third of universities has worsened. (BIS, 2011:56)

The key proposals described in the White Paper included the establishment of a new careers service and quality assurance framework for careers guidance, a new National Scholarship Programme and more support for low-income full-time students. In addition, UCAS would be reviewing the application process including post-qualification applications. OFFA would be strengthened to provide 'More active and energetic challenge and support to universities and colleges' (BIS, 2011:60) and 'to ensure the delivery of commitments made in Access Agreements' (11).

However, the White Paper also makes it clear that this will not include a challenge to institutional academic autonomy:

The Director [of OFFA] will continue to have a duty to protect academic freedom, including an institution's right to decide who to admit and on what basis. (BIS, 2011:11)

## The distribution of textual strategies in *Higher ambitions* and the White Paper

The strategies deployed within these official texts have much in common, focusing primarily on the 'admissional mode' (described above) and seeking to enhance the impartiality of approaches to admissions decisions. For example, *Higher ambitions* describes raising ambitions and aspirations for underprivileged young people through school/university partnerships and better information advice and guidance (BIS, 2009:32–3). The White Paper similarly describes the introduction

of a new careers service, quality assured careers guidance and the provision of key information to inform application decisions (BIS, 2011:27). Such strategies are positioned as removing the potential barrier of poor information and guidance, encouraging wider access and raising aspirations. However, the emphasis on informed consumer choice in the admissions process does not in itself require any consideration of the methods of assessing an applicant's merit and potential. As such, these strategies may have little impact upon the impartiality of admissions practices.

Other common 'admissional mode' strategies include proposals relating to the role of 'wider contextual factors' in admissions decisions. *Higher ambitions* describes the inclusion of wider contextual factors as an additional and valid means to assess the potential demonstrated through examination results (BIS, 2009:35–36). The White Paper also cautiously describes the potential use of contextual data to broaden access while maintaining excellence:

[T]here is good evidence that for some students, exam grades alone are not the best predictor of potential to succeed at university. The Government believes that this is a valid and appropriate way for institutions to broaden access while maintaining excellence, so long as individuals are considered on their merits, and institutions' procedures are fair, transparent and evidence based. (BIS, 2011:58)

However, in both texts decisions concerning the use of contextual information remains a matter of individual institutional autonomy. As a consequence, the potential exclusion of wider contextual information is operating in the 'privileged mode', as admissions decisions that do not consider this information where it is valid are applying partial approaches to selecting applicants.

Both texts also recognise that there has been a lack of progress in widening access in the most selective universities, which position these descriptions squarely within the privileged mode. The 'admissional mode' strategy that is positioned within *Higher ambitions* to address this lack of progress asks the Director of OFFA to advise the UK government on ways to 'to ensure that measures for wider access are prioritized' by universities (BIS, 2009:36). The White Paper also describes OFFA providing 'active and energetic challenge' to selective universities to implement their approval Access Agreements (BIS, 2011:60).

Both texts also include descriptions that can be read as exemplifying the 'excepted mode'. *Higher ambitions* describes the need to provide access for the 'bright and gifted but disadvantaged'. Similarly, the White Paper describes the need to enable those from 'disadvantaged backgrounds' to access higher education. In both cases, the proposed measures to address this largely operate in the 'admissional mode' as described above. However, there are some descriptions in both texts that are operating in the 'recognitional mode'. For example, *Higher ambitions* includes proposals to significantly broaden the ways in which people can gain recognition

for higher-level learning. This includes more work-based, employer-responsive provision, including higher apprenticeships and short, credit-based courses facilitated by the growth of use of the Higher Education Credit Framework for England (BIS, 2009:39). Similarly, the White Paper describes how employer- or charity-sponsored higher education might be treated differently in terms of the Student Number Controls that limit access to places that bring eligibility for student loan support. The potential involvement of employers in decisions that determine access to higher-level learning operates to open opportunities for participation but may also operate to limit participation where courses are ‘closed’ to those employed by a specific organisation.

## A constructive description of the Schwartz Report

This constructive description includes both the *Consultation on key issues relating to fair admissions to higher education* (AHESG, 2003) and *Fair admissions to higher education: recommendations for good practice* (The Schwartz Report) (AHESG, 2004) texts as objects for analysis.

In 2003 the UK government commissioned the review into the methods that higher education institutions use to assess the merit of the applications they receive following the ‘... public debate about the criteria that universities and colleges should apply in deciding which applicants to admit’ (AHESG, 2003:5). The Schwartz Report describes five high-level principles it recommends that higher education institutions consider to address the problems in admissions identified by the Report. They include: transparency; selecting for merit, potential and diversity; reliability, validity and relevance; minimising barriers; professionalism (AHESG, 2004:33–42).

Concerning the principle of ‘transparency’ the text recommends that institutions should provide clear information concerning the criteria and methods used by an institutions in assessing merit and potential including the extent to which wider contextual factors are included. In describing the principle of ‘reliability, validity and relevance’ the text acknowledges that both quantitative and qualitative methods of establishing merit and potential can be relevant to admissions processes. The text also identifies a range of potential barriers that are ‘irrelevant to admissions requirements’. Lastly, the principle of professionalism in admissions is described as requiring clear institutional responsibilities for managing admissions, the allocation of appropriate resources and appropriately trained admissions staff. The Schwartz Report also includes a table (in Appendix 9) that relates ‘Problems, Principles and Recommendations’.

The ‘problem’ that ‘most offers depend on predicted not actual grades’ is not related within the text to any ‘principle’. This is because the principles of fair admissions described are to guide the practice of higher education institutions, whereas the issue of predicted grades is identified as a systemic problem that

individual institutions cannot resolve. This does highlight the way in which the principles are constructed. Principles do not relate to the admissions practice outside the context of individual higher education institutions. Practice that is more generally described is not related to ‘principles’ of fair admissions but rather to ‘recommendations’. This is in contrast with the other ‘problems’ described. For example, the problem of ‘differing interpretations of merit and fairness’ is related to the principles of ‘transparency’ and ‘selecting for merit, potential and diversity’. In other words, the matter of ‘differing interpretations of merit and fairness’ is described as a problem to which ‘transparency’ is the solution. It would of course have been possible to oppose ‘differing interpretations’ with ‘a consistent interpretation’ of merit, but this would have been contrary to the terms of reference of the Steering Group to maintain institutional autonomy in determining academic matters.

Despite the emphasis on assessing merit, the text only obliquely describes it as the ‘ability to complete the course’. The text is more definitive when considering the ‘problem’ that ‘information used in assessing applicants may not be equally reliable and consistent’. This ‘problem’ is related to the ‘principles’ of ‘selecting for merit, potential and diversity’ and ‘reliability, validity and relevance’. In particular, the problem of a lack of reliability and consistency is related to principles of reliability and validity. Reliability and validity are defined by the text as follows:

In this context, the Steering Group defines ‘reliable’ as meaning that two people applying the same method would reach the same conclusion about the same person, and ‘valid’ as meaning that the method predicts what it is supposed to predict. (AHESG, 2004:40, n. 70)

## Modes of assessing ‘merit and potential’ to benefit from higher education

In some instances the text implies that ‘merit’ is a measurement of previous achievement (perhaps in the form of examination results) and that ‘potential’ is measured by ‘wider contextual factors’. Here ‘merit’ will be considered to be synonymous with ‘merit and potential’ as the text defines one in terms of the other. On the one hand, merit is the currency, which applicants may have in variable amounts, that is measured by higher education institutions to select one applicant over another. On the other hand, the text describes merit as that which will be defined differently by individual higher education institutions depending upon the relative emphasis on various ways of assessing it such as examination results and more holistic information about individual applicants. In other words, the way that ‘merit’ is measured determines what it is that is being measured.

The binary variables of valid/non-valid and reliable/non-reliable assessment can be employed to construct a relational discursive space within which all possible

variables concerning the modes of assessing merit can be described. Four modes of assessing merit and potential are constructed by relating these binary variables (see Figure 3). A mode of assessing merit and potential that was described as valid but non-reliable would constitute that which operated to predict what it is supposed to predict but is not reproducible when applied by another assessor. This has been described here as the endorsed mode. For example, references or personal statements are described within the Schwartz Report as being of value in assessing 'contextual factors' that may affect the judgment about an applicant's overall merit and potential. In other words, the Schwartz Report describes references and personal statements as a potentially valid means of assessing an applicant's merit. However, the report also describes a range of problems with this method that may undermine its reliability, such as a lack of consistency of approach or concerns about authenticity.

A mode of assessing merit and potential that is both non-reliable and non-valid would be diametrically opposed to fair admissions as described by the Schwartz Report, as it is to the impartial mode in the discursive space constructed (see Figure 3). Where the result of using a non-valid approach to assessing merit was not reproducible, it would also be unreliable and constitute the nepotistic mode. The Schwartz Report states that:

Admissions criteria should not include factors irrelevant to the assessment of merit. For example, this means that institutions should not give preference to the relatives of graduates or benefactors. (AHESG, 2004:38)

If an admissions tutor for a higher education programme selected an individual applicant on the basis that he knew the applicant's family and wished for one reason or another to treat this specific application with undue favour, then it would constitute a nepotistic mode of assessing merit. If, however, such non-valid practice became systemic, it would by definition be reproducible and as such reliable. The Schwartz Report states that:

Applicants should be assessed as individuals: it is not appropriate to treat one applicant automatically more or less favourably by virtue of his or her background or school/college. (AHESG, 2004:35)

In other words, the Schwartz Report describes the use of background or school/college as the means of assessing merit as non-valid when applied 'automatically'. This practice could, however, be a reliable way of making decisions about who to admit, as the practice of privileging applicants from a particular type of background, or a particular school or type of school, is reproducible. The mode of assessing merit described here as reproductive describes a reliable means of assessing merit that is non-valid. Methods of assessment operating in the reproductive mode are those that reproduce that which they purport to measure in the process of misrecognising merit and potential. However, where individual higher education institutions

entirely exclude ‘wider contextual factors’, contrary to the recommendation of the Schwartz Report, and focus on examination results alone, then it is possible that those applicants with the most merit and potential will not be selected. As the Report states:

The type of school attended affects the predictive validity of examination grades ... The evidence ... suggests that equal examination grades do not necessarily represent equal potential. (AHESG, 2004:22)

Such a method would, however, be reliable as another admissions tutor employing the same method would be likely to reproduce the same result. The Schwartz Report recommends that background alone is a non-valid means of assessing merit and potential, whereas information concerning background can be the very thing that enhances the validity of examination grades.

<p><b>Endorsed mode</b></p> <p>Valid/Non-reliable</p> <ul style="list-style-type: none"> <li>• Non-standardised references, personal statements and individual information</li> <li>• Predictive A-level grades</li> </ul> <p><b><i>National admissions systems and institutional autonomy/ professionalism</i></b></p>	<p><b>Nepotistic mode</b></p> <p>Non-valid/Non-reliable</p> <ul style="list-style-type: none"> <li>• Non-relevant admissions factors                      For example, preference to relatives of previous graduates or benefactors</li> </ul> <p><b><i>Institutional autonomy/ professionalism?</i></b></p>
<p><b>Impartial mode</b></p> <p>Valid/Reliable</p> <ul style="list-style-type: none"> <li>• Published institutional admissions policies</li> <li>• National credit systems</li> <li>• Post qualification admissions</li> <li>• Revised UCAS application forms</li> <li>• To include standardised prompts for the production of personal statements and references, etc.</li> <li>• Inclusion of wider contextual factors to further validate examination results</li> </ul> <p><b><i>Institutional autonomy/ professionalism</i></b></p> <ul style="list-style-type: none"> <li>• Exclusion of non-relevant admissions factors</li> </ul> <p><b><i>Institutional autonomy/ professionalism</i></b></p>	<p><b>Reproductive mode</b></p> <p>Non-valid/Reliable</p> <ul style="list-style-type: none"> <li>• Non-relevant admissions factors                      For example, treating applicants’ automatically more or less favourably by virtue of background or school/ college</li> </ul> <p><b><i>Institutional autonomy/ professionalism</i></b></p> <ul style="list-style-type: none"> <li>• Examination results excluding wider contextual factors</li> </ul> <p><b><i>Institutional autonomy/ professionalism</i></b></p> <ul style="list-style-type: none"> <li>• Exclusion of non-A-level qualifications</li> </ul> <p><b><i>Institutional autonomy/ professionalism</i></b></p>

**Figure 3:** A discursive map of modes of assessing merit and potential in the Schwartz Report

Another kind of example of reliable yet non-valid assessment of merit and potential is where an institution does not recognise certain kinds of qualifications within the admissions process. The Schwartz Report identifies the non-recognition of some qualifying courses as a problem that needs to be addressed. While the Steering Group considers that ‘curriculum development’ is outside its remit, it does note that some institutions effectively exclude learners with vocational and other non-A-level qualifications from many of their courses (AHESG: 2004:27). However, the issue of validity here is positioned as a matter for individual institutional autonomy. The Schwartz Report does provide recommendations that institutions ‘minimise any barriers that are irrelevant to admissions requirements [including] ... the type of an applicant’s qualifications’ (AHESG, 2004:41)

Here, the recommendation to minimise ‘irrelevant’ barriers to access is not explicitly related to the validity of methods used, but it is difficult to see how an irrelevant barrier to access when employed in the assessment of merit and potential is anything but non-valid. The Schwartz Report does recommend that admissions staff are appropriately trained in accordance with the principle of ‘professionalism’ in admissions:

Training for those assessing applications is likely to include information about external issues, such as the full range of UK Level 3 qualifications, progression routes, equal opportunities, and relevant legislation. (AHESG, 2004: 42)

However, the positioning of the recognition, or otherwise, of non-A-level qualifications as a matter of the professionalism of admissions staff is a strategy that enables non-recognition of these equivalent qualifications to be described as valid. There is a clear tension in the Schwartz Report here, as it modulates between describing the non-recognition of some qualifications as a problem for fair admissions and reinforcing the institutional autonomy to do just that. In this sense, institutional autonomy could be read as, at least potentially, operating as a barrier to fair admissions. The Schwartz Report does allude to the possibility that autonomous institutions can operate unfairly in their admissions practice but the report cannot resolve this issue as a consequence of the internal rules of discourse it operates under as determined by the terms of reference of its production.

## Conclusions and implications

The good practice recommendations of the Schwartz Report are promoted in the text as a means to bring about changes in UK higher education institutions’ admissions practices to address the problems identified in the Report and to raise public confidence that the system is ‘fair’. However, the Schwartz Report’s terms of reference explicitly do not provide the discursive authority with which to establish a common currency for determining a candidate’s merit and potential to benefit from higher education. If the way that ‘merit and potential’ is measured is determined

autonomously, by individual higher education institutions, then this must have implications for ‘what’ is being measured. If applicants from independent schools with equivalent UCAS tariff points are more likely to gain places in selective universities than those from state-maintained schools and as such are not being ‘considered equivalently’ (Harris, 2010:23), this raises the prospect that ‘unfair’ (non-valid and/or non-reliable) admissions practices may be persisting:

First, there should be agreement between all parties as to what it means in this context to identify the brightest, namely those likely to be able to aim successfully at a highly selective university. Are the same criteria accepted by all concerned? Is there a tendency at times perhaps, to judge potential applicants by a wider set of social skills as well as, or even at times instead of, intellectual talent and potential? (Harris, 2010:56)

In mapping the strategic positioning of the recommendations described in the Schwartz Report the analysis identifies a non-explicit tension within the text between recommendations and the reinforcement of the right of individual institutions to continue practices that may be ‘non-valid’ and/or ‘non-reliable’ and as such ‘unfair’. Furthermore, the principle of ‘professionalism in admissions’, in effect, stands as an alibi for autonomously implemented institutional policies concerning the assessment of the merit and potential that may be ‘unfair’. In other words, promoting ‘professionalism in admissions’ avoids any direct challenge to ‘unfair’ institutional practices. Furthermore, as Tate, Furness and Halt (2012) have argued,

Although professional judgement is routinely used when identifying learner potential, there is no clear consensus among education professionals as to the criteria to be used when making this professional judgements. (Tate, Furness and Halt, 2012:41)

The mode of discursive interaction being promoted through ‘professionalism in admissions’ seems to be operating as what Dowling (2009) has called an ‘exchange of narratives’. This mode of interaction recognises that discourses are ‘similar’ – that is, different institutions concerned with what might constitute professionalism in admissions – but that they do not aim at closure, synthesis or resolution. In other words, various institutions might describe what they consider to constitute professionalism in admissions and these descriptions might be exchanged, perhaps facilitated by Supporting Professionalism in Admissions (SPA) conferences or events. However, as admissions practices are determined autonomously by individual institutions, the aim is to exchange these individual narratives or descriptions of professionalism or to ‘share best practice’ without necessarily seeking discursive closure (Bravenboer, 2009b).

The strategies described as operating within *Higher ambitions* and the White Paper focus primarily on the ‘admissional mode’ and very little on the ‘recognitional mode’ to address the issue of the lack of widening access to selective universities.

There may even be a shift away from this mode in the White Paper, as less emphasis seems to be placed on the need to change the kind of higher education available to make it more accessible to a wider range of individuals. Perhaps the further promotion of fair access to higher education may require a change in ‘mind set’ from universities operating as exclusive ‘gate keepers’ admitting students, to that of the inclusive recognition of applicants merit and potential? This change could have implications for any university that positions academic excellence in alignment with exclusive selection policies and practices. Furthermore, it may be that a consequence of constructing an opposition between academic excellence and inclusive access to higher education is that unfair admissions practices are reproduced in the name of institutional autonomy. It is of course feasible that legislation could be brought to bear to require that the means of assessing the merit and potential of applicants was valid and reliable. This would not, of itself, necessarily impose any restriction on the institutional autonomy of selecting universities to make academic decisions concerning admission. Rather, it would merely shift the burden of responsibility to such institutions to ensure that their admissions practices were demonstrably fair.

The Director of OFFA (until September 2012), a strong defender of institutional autonomy, had indicated that there may be a need to move to a form of common agreement between those parties involved with progression and admissions to higher education (Harris: 2010:56) to widen access to the most selective universities.

One example of this comes from the work of UK Lifelong Learning Networks, which had been funded (between 2005 to 2009) to open and construct opportunities through which learners could progress to higher education through vocational, applied, work-based or other non-A-level routes. This included work to establish institutional recognition of equivalent entry qualifications in admissions practices. One of the mechanisms developed to achieve this is the introduction of ‘progression accords or agreements’ (see Betts and Bravenboer, 2008, and Bravenboer, 2009a). These constitute localised formal agreements between institutions and organisations involved in learner progression to higher education. Progression agreements establish the recognition of (non-A-level) equivalent entry qualifications and best practice in promoting progression opportunities. There is some evidence that some higher education institutions have changed their admissions policy to embed progression agreements within institutional practices and their OFFA Access Agreements (Bravenboer, 2009a). Such approaches could be a means to move beyond the exchange of narratives concerning professionalism in admissions to formal agreements that promote fair admissions without compromising institutional autonomy.

More recently, the growth of employer-sponsored higher education such as workforce development activity (see Bravenboer, 2011, and Wilson, 2012) and higher apprenticeships (see Anderson, Bravenboer and Hemsworth, 2012) may come to creatively undermine the institutional autonomy of higher education

institutions to ‘admit’ students, as employers become at least equal players in admissions decisions. For example, the £250 million UK government funding made available for the Employer Ownership of Skills (BIS, 2012) initiative could indicate a significant shift that positions employers as the decision makers regarding potential to benefit from higher-level learning. Likewise, the Price Waterhouse Coopers Higher Apprenticeship provides opportunities for school leavers to become higher apprentices and gain professionally recognised higher-level qualifications while in employment (see Anderson, Bravenboer and Hemsworth, 2012). This initiative is positioned as an alternative to graduate recruitment as a ‘grow your own’ scheme that bypasses universities entirely. There could be a creative opportunity for enhancement as these kinds of initiatives may operate to challenge traditional university admissions practices. However, there is also a corresponding risk that widening access activity may become further marginalised within universities as the market for ‘non-AAB+’ is increasingly opened to non-university providers. The association of ‘high-quality’ with high-selectivity in admissions, driven in part by the market incentives for those institutions able to attract AAB+ students, could operate to reinforce traditional and perhaps at times unfair approaches to higher education admissions.

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