Educational Choices, Transitions and Aspirations in Europe

Systemic, Institutional and Subjective Challenges

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Evidence from England

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Introduction

It is now widely assumed in England – by academics and social commentators alike – that, as a result of the introduction of a wide range of market reforms over the past few decades, English students have become *consumers* of higher education (HE). In this chapter we draw on two sources of data to interrogate critically these assumptions in relation to both students' choice-making processes and experiences of degree-level study. Firstly, we analyse the extent to which students are constructed as consumers in contemporary policy documents, including the white paper *Success as a Knowledge Economy: Teaching Excellence, Social Mobility and Student Choice* (DBIS, 2016), which provides the basis for the Higher Education Bill which has recently passed through the UK Parliament. Secondly, we consider the extent to which these constructions are shared by students themselves, using data from focus groups in a diverse sample of English higher education institutions (HEIs). We explore whether students contest these constructions and/or offer their own alternatives. The structure of our chapter is as follows: we first discuss the background to the research by outlining key facets of the higher education system in England and some of the main theoretical debates that are pertinent to our study. We then briefly describe our research methods before going on to present our findings in some detail – comparing the degree of congruence between policy constructions and student understandings. In our conclusion, we discuss some of the systemic challenges that emerge from our data.

Background

The English education system

In England, there are currently approximately 1.84 million higher education students, studying in one of 131 providers (Universities UK, 2016). Over the past ten years, the application rate (among 18-year-olds) has risen considerably from 27 per cent in 2006 to 37 per cent in 2016. It is important to note, however, that there is some variation across the four nations that make up the UK:

the application rate is lower in Wales and Scotland (32 and 33 per cent, respectively, in 2016) and higher in Northern Ireland (48 per cent) (ibid.). The majority of students studying in UK higher education are doing so on a full-time basis, although the proportion of full-time students differs quite considerably by level. In 2014–15, for example, while four-fifths of undergraduate students studied on a full-time basis, for postgraduate taught courses, only just over half of the cohort were studying full time (ibid.). Across the sector, a relatively large number of students come from outside the UK: 13 per cent of undergraduate students and 38 per cent of postgraduates in 2014–15. Students from other European Union countries comprised a third of all non-UK students in this year, while just over 20 per cent came from China (ibid.).

The vertical stratification of HEIs is more marked in England (and the rest of the UK) than in many other European countries, and this often corresponds closely to the exam grades required of prospective students. Distinctions are commonly made between three main groups of HEIs: 'Russell Group' universities (a group of 24 large and high-status research-intensive universities); 'pre-92' institutions ('older' institutions, which are research focussed and acquired university status before 1992 but which are not members of the Russell Group); and 'post-92' institutions (lower-status institutions, many of which are former polytechnics and which acquired university status only after 1992). There are, however, various other types of HE provider, which cater for a minority of HE students. Around 8 per cent follow degree-level courses within further education colleges, for example, and approximately 2 per cent in 'alternative providers' (independent private organisations that are not in direct receipt of public funding) (HESA, 2016). Since 2012, English students have been required to pay relatively high fees: most English HEIs charged tuition fees of £9,000 per year from 2012–16, with many increasing their fees in September 2017 to the maximum allowable of £9,250. Students are entitled to a tuition fee loan and a means-tested maintenance loan, both of which are income-contingent – that is, graduates are currently required to start repaying the loans only when their income reaches £21,000 per annum.

Prior to higher education, English students will have attended primary schooling (between the ages of 4 and 11), secondary schooling (from 11 to 16), and two years of further study, typically for Advanced Level qualifications (from 16 to 18) (see Figure 11.1). Since 2015, all 16- to 18-year-olds have been required to be enrolled in some form of education or on-the-job training (through an apprenticeship, for example). Around 7 per cent of students attend a private school; the rest are educated in the state system. Over recent years, the UK government has sought to introduce greater diversity into the schools system to encourage parental choice and increased competition between institutions. Thus, within the state system, pupils can attend 'independent' schools that are directly funded by the government but which have significantly more freedoms than other schools (e.g. they do not have to follow the national curriculum and can offer their own terms and conditions to staff) or those that remain under local authority control, which do not have such freedoms.
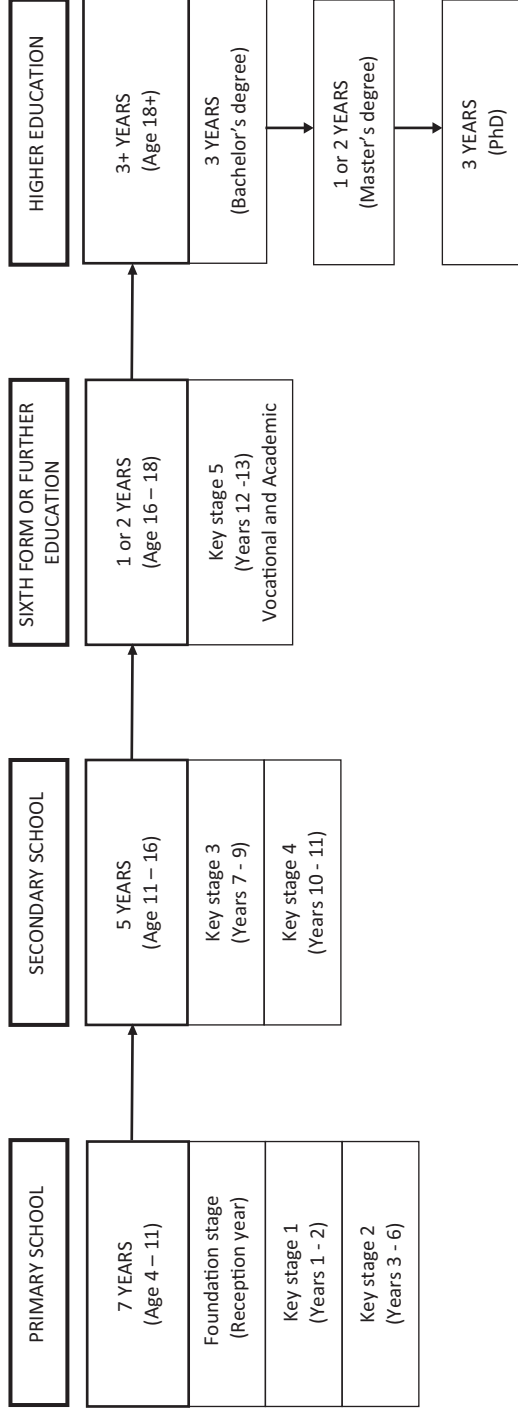
PRIMARY SCHOOL

7 YEARS
(Age 4 – 11)

Foundation stage
(Reception year)

Key stage 1
(Years 1 - 2)

Key stage 2
(Years 3 - 6)

SECONDARY SCHOOL

5 YEARS
(Age 11 – 16)

Key stage 3
(Years 7 - 9)

Key stage 4
(Years 10 - 11)

SIXTH FORM OR FURTHER EDUCATION

1 or 2 YEARS
(Age 16 – 18)

Key stage 5
(Years 12 -13)
Vocational and Academic

HIGHER EDUCATION

3+ YEARS
(Age 18+)

3 YEARS
(Bachelor's degree)

1 or 2 YEARS
(Master's degree)

3 YEARS
(PhD)

Figure 11.1 Schematic presentation of the English education system

While most of these schools are not allowed to select students on the basis of their ability, selection with respect to religious practice is allowed in schools which have a particular religious character. Academic selection is, however, allowed in some parts of England, which operate a grammar school system (here, students can opt to sit an exam at the age of 11, which determines whether they will be offered a place at a grammar school). For further information on grammar schools, see Ingram's chapter in this collection.

In many ways, both compulsory education and higher education in England face similar challenges. Research over many decades has shown the persistence of inequalities by both social class and ethnicity. Both grammar schools and faith schools typically over-recruit students from middle-class backgrounds (Allen & West, 2011; Coldron et al., 2010). Moreover, students from working-class backgrounds typically attain less highly than their middle-class peers at school and are less likely than them to progress to higher education (even for those with an equivalent level of education). Working-class students are also less likely to be found in high-status universities (Boliver, 2013). Similarly, average attainment in compulsory education differs considerably by ethnicity, with students from Chinese and Indian backgrounds achieving the highest results and those from Black Caribbean and Pakistani groups the lowest (DfE, 2015). There are also differences by ethnicity in access to higher education, with Black and minority ethnic students under-represented within elite institutions, for example (Boliver, 2016). More progress has been made in relation to gender, however. Although there remain some significant differences in participation at subject level (for example, young women are much less likely to pursue post-compulsory physics than their male counterparts; Archer et al., 2016), in general, women are now no longer under-represented in higher education and typically attain as well as if not higher than men at both school and university (Skelton & Francis, 2009; Leathwood & Read, 2009). Differences do, nevertheless, persist in earnings after graduation, with women continuing to earn less than men. Similar differences in earnings are also evident in relation to ethnicity and social class (e.g. Lee, 2015).

The contemporary English higher education student

While various studies have generated detailed knowledge about the ways in which students go about making decisions about higher education and, in particular, the enduring influence of social class on university choice (e.g. Abrahams & Ingram, 2013; Brooks, 2003; Reay et al., 2005), we know less about the extent to which students conceive of themselves as consumers in this process. Some scholars have asserted – on the basis of the fee reforms outlined earlier and also the increasing marketised nature of the English HE sector – that students have assumed the perspective of consumers (e.g. Naidoo & Jamieson, 2005). Indeed, Molesworth et al. (2009) contend that the inculcation of a consumer identity has brought about a more passive approach to learning, in

which students place much more emphasis on their rights than their responsibilities and on *having* a degree rather than *being* a learner. Moreover, Williams (2013) has argued that universities have come to be perceived by students as just another service provided by the state to which all should be entitled. This sense of entitlement, she maintains, enshrines their understanding of themselves as consumers. However, in contrast to other scholars, she suggests that this shift is not a result, primarily, of the introduction of higher fees and market principles. Instead, she argues that it is the consequence of the distancing of universities from education – that is the use of higher education, by governments, to achieve various political and social objectives (such as social mobility). She writes, 'The problem for higher education is that when widening participation, as an end in itself, becomes a key goal of universities there is little sense of what people are being recruited to participate in and, perhaps more importantly, why' (146).

Nevertheless, to date, there have been relatively few studies that have drawn on empirical evidence to ascertain whether students do, in practice, see themselves as consumers and the extent to which this frames both their choice-making processes and the manner in which they engage with their higher education course. Two notable exceptions are the studies by Nixon et al. (2016) and Tomlinson (2016). These, however, reach rather different conclusions: Nixon et al. argue, on the basis of their data collection in one English HEI, that consumer discourses had been readily taken up by students, with many identifying strongly as 'omniscient consumers' (i.e. paying customers, whose views need to be taken into consideration in all situations). Tomlinson, however, points to rather more heterogeneity; he maintains that while the 'student-consumer' was a position that was widely recognised by his respondents, it was not one to which they universally subscribed. Indeed, the students involved in his research adopted one of three different positions. Firstly, some rejected consumerism altogether, on the basis that it undermined their understanding of the student and was associated with values that they perceived to be in tension with the overall goals of academic development. Secondly, others had, in contrast, taken on an 'active service–user attitude' – believing that universities had to be held to greater account at both institutional and programme levels for the activities they offered given the considerable personal costs to students of participating in HE. Finally, the third and largest group adopted what Tomlinson calls 'positioned consumerism', in which they had internalised the discourse of student rights and entitlements but distanced themselves from the position of a consumer. This group believed that they had greater bargaining power in how HE was delivered but balanced this against a sense of personal responsibility for their own learning.

In this chapter, we build on the studies of Tomlinson and Nixon et al. to explore, in more detail, how English students studying at three different institutions engaged with the idea of consumerism. In addition, we consider the extent to which their understandings are consonant with those advanced in contemporary English HE policy.

Methodology

We draw on two main sources of evidence in the subsequent discussion: an analysis of English policy documents and focus groups conducted with English undergraduate students (both of which form part of a larger project, which explores the construction of higher education students across Europe – see www.eurostudents.net for further details). In relation to the former, 16 policy documents were selected, four from each of four key policy actors (speeches by government ministers responsible for higher education and key strategy documents published by the government, unions [staff and student] and graduate employer organisations). These were chosen on the basis that they were deemed to be the most significant available at the particular point in time of selection (December 2016), and many relate to the higher education legislation that was being proposed by the government at that time. A full list is provided in Table 11.1.

Focus groups with undergraduate students (of British nationality) were conducted in three English higher education institutions in March 2017. The three HEIs were chosen to represent some of the diversity in the sector in terms of institutional status and geography. They comprised: a high-status 'Russell Group' university, a mid-ranking 'older' university, and a newer and lower status institution, which gained university status much more recently. (In the remainder of the paper, we refer to them as HEI 1, 2, and 3, respectively.) One was located in the north of England, another in the middle of the country, and the third in the south. In each HEI, we conducted three focus groups, each with approximately six students. Participants were recruited through a variety of routes, including visiting lectures to advertise the project, sending emails to all-student lists, and approaching students in social spaces. Overall, a total of 52 students from a wide variety of disciplines took part in one of the groups. The sample comprised 11 men and 41 women. The majority of participants were white; only eight came from Black or minority ethnic backgrounds. In terms of indicators of social class background, 29 of the participants had at least one parent with tertiary education, whilst 17 reported having no parents educated to this level. A further six students were unsure about their parents' level of education. In the focus groups, the participants were asked a range of questions about the meanings they attached to being a higher education student. In addition, they were asked to respond to two particular constructions of HE students (one from a policy document and one from a newspaper – see Table 11.2) and make plasticine models to represent their student identity.

Policy perspectives

The analysis of the 16 English policy documents identified evidence of elements of what has typically been seen as a consumer discourse. In the ministerial speeches and government documents, in particular, there is a strong focus on the investment in higher education made by students and their families and

Table 11.1 Policy documents analysed

Type of document (and name given in article)	Full title
Speech 1	Johnson, J. (2015) *Teaching at the Heart of the System.* Speech given to Universities UK at Woburn House, Tavistock Square on 1 July 2015.
Speech 2	Johnson, J. (2015) *Higher Education: Fulfilling Our Potential.* Speech on university student admissions, given at University of Surrey on 9 September 2015.
Speech 3	Johnson, J. (2016) *The Student Journey – from Teenage to Middle-Age.* Speech given to annual conference of the Higher Education Policy Institute, Regents Park College, on 9 June 2016.
Speech 4	Johnson, J. (2016) *Universities UK Annual Conference 2016.* Speech given to Universities UK, Nottingham Trent University on 7 September 2016.
Government document 1	Department for Business, Innovation and Skills (2015) *Fulfilling Our Potential: Teaching Excellence, Social Mobility and Student Choice* London, DBIS. [Green Paper]
Government document 2	Department for Business, Innovation and Skills (2016) *Success as a Knowledge Economy: Teaching Excellence, Social Mobility and Student Choice* (Cm 9258) London, DBIS. [White Paper]
Government document 3	Department for Business, Innovation and Skills (2016) *Higher Education and Research Bill: factsheet* London, DBIS.
Government document 4	Competition and Markets Authority (2015) *Higher education. Undergraduate students: your rights under consumer law* CMA33(a) London: CMA.
Employer document 1	CBI [Confederation of British Industry] Employment, Skills and Public Services (2016) *CBI response to the 2015 higher education green paper – fulfilling our potential: teaching excellence, social mobility and student choice.*
Employer document 2	Association of Graduate Recruiters (2016) *Association of Graduate Recruiters (AGR) response to 2015 Higher Education Green Paper consultation.*
Employer document 3	National Centre for Universities and Business (2016) *A Year in Review 15–16*
Employer document 4	National Centre for Universities and Business (2016) *State of the Relationship Report 2016*
Union document 1	University and College Union (2016) *Higher Education and Research Bill: Public Bill Committee. Written evidence from the University and College Union*
Union document 2	University and College Union (2011) *High cost, high debt, high risk: Why for-profit universities are a poor deal for students and taxpayers*
Union document 3	National Union of Students (2013) *A Manifesto for Partnership*
Union document 4	National Union of Students (2015) *Quality Doesn't Grow on Fees. Fulfilling our Potential: Teaching Excellence, Social Mobility and Student Choice – NUS Responds to the HE Green Paper*

Table 11.2 Extracts used in the focus groups

Source document	Quotation
Competition and Markets Authority (2015) *Higher education. Undergraduate students: your rights under consumer law* CMA33(a) London: CMA.	'Knowing your consumer rights should help you to get the information you need when deciding which university and course to choose, get fair treatment once there, and help you progress any complaints you may have should you be subsequently be dissatisfied with your choice or an aspect of the educational service.'
The Guardian (2015) What's wrong with academics making friends with students? *The Guardian*, 26 June 2015	'The mollycoddling of students is reaching an excessive level at universities and lecturers are now increasingly expected to treat them like schoolchildren, by heavily monitoring attendance and providing more and more contact time rather than encouraging independent learning and a sense of personal responsibility.'

the importance of ensuring that higher education institutions provide 'value for money'. The following extracts are typical:

> Deciding what and where to study is a major decision. Many students invest a lot of time and money into their undergraduate education. It is important that universities give you the information you need so that you can make an informed choice about which universities and courses to apply for.
>
> (Government document 4)

> Now that we are asking young people to meet more of the costs of their degrees once they are earning, we in turn must do more than ever to ensure they can make well-informed choices, and that the time and money they invest in higher education is well spent.
>
> (Speech 1)

> More competition and more informed choice will help drive up value for money for both students and taxpayers.
>
> (Speech 2)

A notable feature of the government discourse – evident in both the written documents and ministerial speeches – is the way in which students' views (rather than any independent evaluation conducted by the government itself) are used as the pretext for requiring institutional change, as the following quotation illustrates:

> Around now, the first cohort of students to enter under the 2012 reforms is preparing to enter the labour market. They have been working hard for their final exams and made a significant investment in higher education. They are looking critically at what they get for that investment, and so

must we, as a government, on behalf of taxpayers. I am concerned that recent surveys . . . showed that only around half of students felt their course had provided good value for money.

All of us need to reflect on this and on what we can do to address such unease.

(Speech 2)

There is now a considerable body of literature that has contested the assumption that higher education should be treated as a consumer product (even if it is in practice). McGettigan (2013), for example, has argued that higher education is not comparable to a normal consumer experience in the sense that: 'repeat testing' is rarely possible; the benefits of the product become clear only later rather than during the process of consumption; and there is no genuine pricing signal (as a result of the loan system, the 'headline fee' is not necessarily what a graduate pays). Furthermore, none of the information that is currently used in England can be considered an accurate and objective measure of teaching quality (because it relies largely on measures of student satisfaction rather than learning) and a range of input measures (e.g. the money spent on library resources and the entry grades of students). Thus, McGettigan concludes, higher education remains a positional rather than consumer good 'in so far as there is a hierarchy of institutions and the value of a university place depends on its selectivity and relative scarcity' (ibid.: 60); not all university places are equally available to all who want to purchase them. Nevertheless, despite this critique, the language of consumerism – foregrounding notions of investment, choice, and value for money – is pervasive in the policy documents.

A closer reading, however, reveals some interesting tensions and contradictions. Far from emphasising the power of students to improve higher education through exercising their consumer rights, the documents construct students as largely vulnerable individuals in need of protection. Interestingly, this construction is evident in the documents produced by both the government and staff and student unions. In the extracts that follow, drawn from the government documents, the vulnerability of students is emphasised in relation to their initial decision to enter higher education (through not having sufficient information); experiences during their degree (as a result of poor-quality teaching); and entry into the labour market (because of their degree losing value through grade inflation):

Applicants are currently poorly-informed about the content and teaching structure of courses, as well as the job prospects they can expect. This can lead to regret.

(Government document 1)

For too long we have been overly tolerant of the fact that some providers have significantly and materially higher drop-out rates than others with very similar intakes in terms of demographics and prior attainment.

This applies equally at both the high tariff and low tariff ends of the sector. Such variability is not simply a statistic, nor even simply a squandering of taxpayers' money. It is worse: it represents thousands of life opportunities wasted, of young dreams unfulfilled, all because of teaching that was not as good as it should have been.

(Government document 1)

Students also suffer from degree inflation. They want their hard work at university to be recognised and for their degree to be a currency that carries prestige and holds its value.

(Government document 3)

In response to these concerns, the government proposes a series of measures to ensure that students are protected – in terms of both their course of academic study and financial investment. The establishment of an 'Office for Students' is presented as the key mechanism for ensuring this protection. Indeed, its central purpose is stated to be 'to empower, protect and represent the interests of students, employers and taxpayers' (Government document 3). The relative lack of representation of students themselves in this organisation is notable. Moreover, various critical comments about existing mechanisms of student representation (through the National Union of Students) that pervade the government documents suggest that the government believes students are not able to articulate and/or defend their own interests themselves and are dependent on (typically older) others to do so. In this way, students are constructed not as empowered consumers able to exercise significant power in a responsive market but as vulnerable young people in need of protection from others. There is a clear tension between, on the one hand, the vigorous advocacy of further marketisation (for example, by making it easier for new providers to enter the system) and, on the other hand, the implicit but clear recognition that the market reforms introduced to date have signally failed to produce empowered consumers. Indeed, the construction of students as 'infantilised', which emerged from Williams's (2011) analysis of UK newspaper articles, is reflected to some extent in the government documents and ministerial speeches.

Perhaps surprisingly, the union documents also emphasise the vulnerability of students. However, these typically argue that the cause of this vulnerability is not the failure of HE institutions to offer sufficient information to prospective students, run high-quality courses, or ensure that degree standards are maintained. Instead, they suggest that students are vulnerable because of the market reforms that have already been introduced and that their vulnerability is likely to be heightened if further marketisation occurs. Indeed, they contend:

If commercial providers are allowed a quick, low-quality, route into establishing universities and awarding degrees, those studying and working in the sector are seriously vulnerable to the threat from for-profit organisations

looking to move into the market for financial gain rather than any desire to provide students with a high quality education and teaching experience.

(Union document 1)

Thus, while much academic debate has assumed that English higher education policy has been underpinned by the straightforward assumption that students are – and should be treated as – consumers in a marketised system, this analysis problematises some of these suppositions. Through paying attention to the messiness and sometimes contradictory tendencies within policy (Ball, 2007; Shore & Wright, 2011), a picture emerges not of students as empowered consumers but as vulnerable individuals, who – as far as the UK government is concerned at least – are not able to represent their own interests but require protection by the state.

Student perspectives

Messy messages

In contrast to the assumption that students now see themselves as consumers, data collected in our focus groups support the analysis of the policy documents in as far as they demonstrate that the picture is far more complex than this. In line with Tomlinson's (2016) three categories outlined earlier, we found a range of responses to this discourse – from students who felt strongly that they should be viewed as consumers to those who were vehemently opposed to the discourse (and others who were ambivalent). Interestingly, we also noted a general feeling among many students that, whether they liked it or not, it was inevitable that they would become conceptualised as consumers. As one student in a focus group at HEI 2 commented: 'I feel like we have to be, like it's just the situation we're in, [. . .] it's like a service'. This, they told us, was due to the marketisation of HE and the fact that they were paying £9,000 a year in tuition fees. Whilst Tomlinson (2016) found that the majority of students he spoke to had engaged with the consumer discourse in one form or another, we note that some of the students in our research had not actually considered that they might be thought of as consumers or customers prior to the focus group. The extract below illustrates this sentiment:

I haven't really [thought about it before], that's why I haven't really said much because . . . I don't, that's not the first thing that I really think of if you're a student, that you are, I suppose I just think you come here to learn, I haven't really looked at it in that way. I don't really have . . . a wide opinion on it!

(HEI 1 focus group)

Many students were unhappy about the concept of consumerism and consumer rights, arguing that it was cold and impersonal. One student said, 'I don't

think that they've like given consumer rights, I think they've taken the right to education and made it cost money'. Some commented that they did not wish to be viewed as a customer by their institution as they felt it undermined the personal relationships they had forged with their lecturers. For example, when we asked the students in one focus group at HEI 2 to respond to the extract from the Competition and Markets Authority (see Table 11.2), they replied:

STUDENT: That's like so ridiculous.
INTERVIEWER: OK, why do you feel like that?
[all laugh]
STUDENT: I don't feel like it's very good, because we were just saying how good like our relationships are with lecturers, I feel like if lecturers viewed students as we're customers, I feel like they wouldn't bend over backwards for us [. . .]
INTERVIEWER: OK, why do you feel like they wouldn't if they viewed you as customers?
STUDENT: I'm not sure, I feel like if they viewed us as cust . . . I don't really. . .
STUDENT: It's very impersonal. . .
STUDENT: Yeah, very impersonal really. . .

In a similar vein, students in one of the focus group at HEI 1, when responding to the same extract, discussed whether or not they would be happy to complain about their lecturers in the same way that they would with respect to other services:

STUDENT: I'd be happy with that if you took out the consumer.
INTERVIEWER: OK. Why is that?
STUDENT: Because I think it's just as valid to just say, knowing your rights should help you to get the information you need when deciding the university and course. Just your rights, yeah, as you were saying, your rights to education, it doesn't have to be your rights for buying a product.
STUDENT: But I think they're saying that you can like officially complain [. . .] like if some, if a lecturer's like changed your lecture time or changed something like that, you have the right to sort of sue them or complain because it's not what you've paid for. So I think that's what they're trying to say like [. . .] it's a legal right, because you are buying a degree, yeah.
[. . .]
STUDENT: It feels very personal, it does feel like when you think about your individual lecturers, for you to make a complaint against someone wouldn't feel like you were making it on the grounds that they were not, that . . . it's more because they haven't met your expectations rather than because you feel like they're not worth your money, because the money is so disconnected from it all. . .
STUDENT: It doesn't feel like they're a product. . .
STUDENT: Exactly.

In this excerpt, the students appear to be questioning the impersonal nature of 'consumer rights'. Interestingly, they did not entirely agree with one another and, as can be seen, there is a discussion about whether this language is necessary to protect paying students through giving them a 'legal right'. This assumption is contested by another student who maintains that rights should be disconnected from financial transactions. Another student believed that the language of 'knowing your consumer rights' is an individualistic discourse which works to hold them responsible for the decisions they make:

> I feel like they're telling us we should like, if we don't enjoy our university then that's really our own fault because we should know our consumer rights, we should . . . and then we should have based our decision on that, [. . .] [so] if you make the wrong choice then yeah it's your problem!
>
> (HEI 3)

This connects to the governmental pressure upon schools to ensure that young people are receiving greater 'information, advice and guidance' such that they can make 'informed choices' in relation to HE. This discourse also renders the individual responsible for their own decisions, experiences, and outcomes – thus articulating with broader debates about the ways in which the 'ideology of economic individualism and individualisation as a reflexive project of identity-formation' often obscure the enduring class-based nature of structural inequalities (Ball et al., 2000: 3).

Overall then, data from our focus groups demonstrate that students do not engage simplistically with the conception of them as 'consumers' of education. Our findings in this respect connect with a recent report from Universities UK (UUK, 2017), which, drawing on data from a survey of over 1,000 undergraduates alongside smaller in-depth workshops, highlights that only 47 per cent of students consider themselves to be a customer of their university. Whilst this is no small portion, it clearly brings into question the assumption that this is the primary way in which *the majority* of students engage with HE. Furthermore, as the excerpts demonstrate, many of our students felt that the consumer rights discourse undermined the personal relationship they desired to build with their institution and lecturers. The importance of such relationships to students' learning within HE has been noted in previous research (e.g. UUK, 2017) – however, metrics intended to measure 'teaching quality' often overlook such factors entirely (Sabri, 2013).

Power

Whether students felt that they should be treated as customers or not, many of them told us that, at present, they were unable to be 'proper' consumers as they were lacking the power afforded to consumers of other sorts of services. This theme was strikingly similar to the narratives observed in the policy documents, which located students as not-fully-formed consumers due to insufficient

marketisation. The students, however, believed that this was a result of what they perceived to be their position of relative weakness in comparison to the power of the university. Whilst this sentiment cut across all institutions in our sample, it emerged most strongly at HEI 3, where students felt that they were often infantilised and not listened to. For example one student commented,

> My own frustration in the whole thing is that they see us and view us as consumers [. . .] but being a consumer to something, [. . .] I think you should have a particular amount of rights, you should have a particular say in how you think things go. And the [. . .] fact is, and I'm sure that this isn't just our university, that they will treat you in a particular way, however, when you go to challenge it, it's completely lost, or you are then treated like a child, we're not, we're paying very differently than a child, [. . .] I think institutionally they need to change it, if they're viewing us as consumers, we need to be, we need to have a lot, an active role.
>
> (HEI 3)

This quotation illustrates an interesting disconnect between the potential demands which may be made by 'the consumer', a supposedly powerful and adult voice, and the relative powerlessness of the voice of 'the child'. It also suggests that the infantilisation of students – which Williams (2011) observed in relation to media reports – may also inform interactions between HE staff and students, in some institutions at least (see also Furedi, 2017).

As well as feeling like their voices were generally silenced, others said that the discourse of consumer rights offered a 'false hope', discussing how they would never be able to enforce the rights they are supposedly given.

> I feel like as long as we are paying tuition fees, it's good for us to have those rights as consumers but I think they completely pass us by because you know like in any sort of consumer rights situation, if a student does, imagine if a student contests a university on something that's say in the handbook, and it doesn't happen and they contest it and the university will contest it back and give a reason that's reasonable. And then if they wanted to take it to court, no student has the money to take anything to court in terms of the consumer rights battles. So it's sort of there but it's sort of like a false hope for us because we, we'll never actually use the consumer rights we get given.
>
> (HEI 1)

Here, the students illustrate clearly, and in line with McGettigan's (2013) argument discussed earlier, the ways in which HE differs significantly from common understandings of a 'consumer product' and the difficulties, for many students, of operationalising 'consumer rights'.

Similarly, others discussed the problem of knowing how to protest effectively if they were unhappy with a service. They described feeling that they were stuck

between a rock and a hard place, in that 'taking their custom elsewhere' could strongly impact them as well as the university:

STUDENT: But I do think the money gives you more power in saying, I don't want to do this, or I think it should be changed because I think they have to listen to you, because you could take your business elsewhere, you could drop out, then they wouldn't get the money.

STUDENT: Yeah, yeah, true, yeah.

INTERVIEWER: And do you feel like students are doing that nowadays?

[. . .]

STUDENT: I think sometimes you are stuck between a rock and a hard place, you know between, you are paying for it, fair enough and you are paying towards their wages, but at the same time, if you drop out, as a sort of form of protest, then you don't get the degree! [. . .] So sometimes it is being stuck between a rock and a hard place, knowing how you protest effectively [. . .]

These excerpts demonstrate that, in line with the constructions found in the policy documents, the students in the focus groups expressed a belief that they were not fully fledged consumers. They argued that consumer rights were a 'false hope', merely a form of lip service to placate them. These sentiments accord with findings from the UUK report, which indicate that students did not feel that they had the same degree of agency to bargain with their university as they would with other consumer services. The report's authors note that the participants in their research 'did not feel they could "negotiate" with their university, nor "switch" their custom away' (UUK, 2017: 6). In this way they argue that students felt as though some of the key elements of being a 'consumer' were not available to them in relation to their university. Our research and the UUK report thus both give strong empirical support to McGettigan's contention that the nature of HE does not make it amenable to treatment as a consumer product.

Conclusion

Our analysis of policy documents and data from the student focus groups underlines some of the complexity in the way in which the concept of student-as-consumer is discussed by both those formulating policy and the intended recipients. In relation to policies, this is evident in some of the apparent contradictions within government documents which, on one hand, emphasise strongly many aspects of a consumer discourse (foregrounding ideas around investment, choice and ensuring value for money) but, on the other hand, also discuss in some detail the vulnerability of students and their need of protection – which is clearly at odds with the notion of an 'empowered consumer'. With respect to students, a similar degree of complexity can be seen in their differential awareness of the student-as-consumer discourse and their varied responses to it. Indeed, our work builds on that of Tomlinson (2016) by showing that alongside

the three groups he identifies (with different perspectives on consumerism) is a fourth group, which has never before engaged with the idea of consumerism in higher education. It also suggests that government campaigns to encourage students to 'know their consumer rights' – through the activities of the Competition and Markets Authority, for example – have had limited effect.

Of those who expressed opposition to the construction of students as consumers, many focussed on the interpersonal relationships between HE staff and students, believing that such relationships were both central to effective learning and antithetical to a consumerist approach. This reflects other critiques of marketisation which have pointed to the ways in which the importance of relationships to the process of learning have increasingly become erased from policy and institutional discourse. Sabri (2013), for example, notes that although the students in her own research believed that relationships with others in the classroom had a significant impact on their own learning, the major evaluation of teaching quality used in the UK, the National Student Survey, contains no questions about such relationships. By focussing, instead, on questions such as whether courses are intellectually stimulating, students are positioned as passive receivers of education, and narrow views of learning are promulgated.

As we have outlined, both the policy documents and focus group responses constructed students as lacking in power. For the staff and student unions, this was understood as a consequence of marketisation, while for the government it stemmed from *insufficient* marketisation. Some students explained their lack of power in terms of the intrinsic nature of higher education – and the imbalance in knowledge, resources, and authority between them and HE staff. Many of these believed that this imbalance could not be redressed even with thorough-going marketisation, because, ultimately, higher education was not a consumer product. Reflecting McGettigan's (2013) critique, they noted that, in most cases, it was extremely difficult for them to take their 'custom' elsewhere once they had embarked upon a particular course. Themes of infantilisation also emerged in both analyses. Just as we have highlighted a certain tension within the government documents between the idea of an empowered consumer and a student in need of protection (by older adults through the Office for Students), some of the students in our study pointed to the apparent contradiction between staff in their institution using the language of consumerism and yet treating them as children.

This analysis raises important issues for contemporary higher education policy in England. Perhaps most significantly, it suggests that processes of marketisation – which have been rolled out across the sector for the last few decades – have failed to construct the ideal 'empowered consumer' invoked by neo-liberalism. Although policy actors and students tend to have different understandings of consumerism and its desirability, they share the view that students have not been empowered and, in some cases, are vulnerable and relatively powerless. While this represents an indictment of government policy, it should also be of concern to HE staff who wish to inculcate more democratic relationships in

the classroom and elsewhere on university campuses and encourage students to take more responsibility for their own learning.

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