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An unfinished experiment: ambiguity and conflict in the implementation of higher skills policy

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Abstract

The higher skills policy of the U.K New Labour government emerged from the recommendations of the Leitch Review of Skills, and was implemented in England between 2007 and 2010. The policy aimed to encourage higher education institutions to engage with employers and employer representative bodies to design and deliver higher education provision that reflected the needs of employers. Using key policy documents and evidence submitted to a select committee inquiry, aspects of ambiguity and conflict in the implementation of this policy are explored. This focuses on three specific areas where disagreements amongst parties, or with government, were observed, and ambiguities of policy means and objectives. Although conflict amongst interested parties is evident, this was not extensive within the higher education sector as the policy was not seen as relevant to all institutions. The demonstrable ambiguity enables the policy to be absorbed and made appropriate to the norms and culture of the higher education sector. The experimental structure of the policy, while always ambiguous, lost its rationale with the change of U.K. government in 2010.

Keywords: higher skills, implementation, ambiguity, conflict, policy experiment

Introduction

The assumed relationship between improved skills supply and economic growth still pervades skills policy in England (DBIS 2010, 4-5; Payne and Keep 2011). Prominent politicians, businesses and union leaders have argued that more ‘higher level skills’ are needed in order to drive the economy (Leitch 2006, 62; Brown, Green, and Lauder 2001), and that reform should concentrate on the supply of skills. These arguments have predominated despite evidence which exposes the problematics of focusing primarily on education and training reform without a more concerted approach to improving skills demand and utilisation in the workplace (Keep, Mayhew, and Payne 2006; Payne 2008a; Lloyd and Payne 2006). Although a recognition of the importance of employer demand for skills has gradually emerged at a United Kingdom level (UKCES 2010a, 8-9) and was also reflected in greater industrial activism towards the end of the New Labour government (Keep 2011; DBERR 2009), the policy interventions necessary to deliver more radical change are hindered in England by the absence of social partnership structures that could underpin skills formation, and the political difficulties of advancing greater regulation (Lloyd and Payne 2006).

Arguments ‘for skills’ were made during the New Labour era in the Leitch Review and the subsequent implementation plan (Leitch 2006; DIUS 2007), and in publications that aimed to engender partnership between employer and higher education institutions (i.e. CBI 2008). Critical voices have been marginal in public debate in England. There have been suggestions that ‘skills’ policy solutions cannot make progress without changes in workplace practice and industrial strategies (Payne and Keep 2011; Coffield 2000), and without profound change in political and economic systems (Rikowski 2004; Ainley 1993). The emphasis on skills supply can be seen as an expression of the ‘state theory of learning’ (Lauder et al. 2011) and the

‘education gospel’ (Grubb and Lazerson 2005), which portray education as the silver bullet that will deliver national competitiveness and prosperity for all within a knowledge economy.

In 2008 the New Labour government published *Higher Education at Work: High Skills High Value* which set out a framework for the implementation of policy that would bring together higher education institutions, government agencies, employer representative bodies and employers to deliver the higher skills objectives of *World Class Skills: Implementing the Leitch Review of Skills in England* (DIUS 2007). In *World Class Skills*, the government had accepted the Leitch recommendation that by 2020 ‘more than 40% of all adults’ should have higher education qualifications (DIUS 2007, 9), and outlined expectations that the Higher Education Funding Council for England (HEFCE) would ‘substantially expand’ support for employer engagement at higher education institutions (2007, 12). The Leitch Review had recommended that the ‘priorities of higher education institutions’ be ‘rebalanced’ to ‘make available relevant, flexible and responsive provision’ with some funding for higher education becoming ‘demand-led’ to meet employer needs (Leitch 2006, 21, 68). However, the government implementation plan was more equivocal, with a commitment to ‘encourage HE institutions to collaborate with employers in delivering training that meets employers’ needs’ (DIUS 2007,36) in tandem with ‘stronger interaction between HE institutions and SSC’s (Sector Skills Councils)’ (2007, 51), the bodies responsible for representing the skills requirements of employers in specific sectors. *Higher Education at Work* asserted that it is ‘people currently in the workforce’ who need ‘to acquire higher-level skills’ (2008, 6), and that ‘new ways of working’ are necessary ‘to meet the potential market from employers and employees’ (2008, 7) but did not prescribe approaches to engaging employers. Simultaneously, the HEFCE introduced capacity building incentives for institutions to engage with employers and build workforce development partnerships as part of the Transforming Workforce Development Programme (DIUS 2008; Kewin et al. 2011).

The insights of implementation studies suggest that relationships between actors have considerable impact on policy outputs and outcomes (Pressman and Wildavsky 1984; Barrett 2004; Matland 1995). In the higher skills policy context, the tensions of higher education policy interface with the systemic complexity of the English learning and skills infrastructure (Keep 2006; Coffield 2000), creating conditions for ambiguity and conflict. Policy implementation required a degree of co-operation between higher education institutions and external bodies to develop provision led by employer demand. This can be seen as part of a controversial process of repositioning higher education to serve the needs of arbiters of knowledge validity situated 'outside' the academy, reflecting a shift towards 'mode 2' knowledge (Gibbons et al. 1994) and the ongoing re-invention of the relationship between the higher education institution, industry and the state (Delanty 2001; Fuller 2003). Whereas the higher education policy environment is characterised by powerful ideologies of institutional autonomy and entrepreneurialism that can influence policy outcomes (Tapper and Salter 1995; Barnett 2003), despite the potential for brutal cuts (Taylor 2005), skills policy in the U.K. has been characterised by a stream of initiatives and reorganisations that have repeatedly failed to meet their stated objectives (Keep et al. 2006; Payne and Keep 2011).

This article examines ambiguity and conflict in the implementation of New Labour's higher skills policy, providing an interpretation for its experimental character. Matland's (1995) model of policy implementation is used to identify inherent ambiguities and potential conflicts in the policy. This is followed by an examination of written evidence submitted to a select committee inquiry, and the identification of three principal areas of contention amongst actors engaged in the policy environment. Significant levels of ambiguity can be detected, and this may suggest a process of ensuring that the policy is acceptable and legitimate within a higher education sector that has developed its own capacity, independent of the initiatives of individual institutions, to absorb, resist and rework policy to the mutual advantage of most,

if not all, of its members (Watson 2002, 2012). This leads to an explanation as to why an experimental approach to implementation was preferred.

Higher skills policy – potential opportunities for conflict

Matland (1995), in his outline of the ambiguity-conflict model of implementation, provides a discussion of the forms of policy implementation that operate where there is conflict surrounding policy objectives or the means by which the policy is implemented. Drawing on Dahrendorf's (1958) analysis of social conflict, Matland specifies three key factors that need to be present for conflict to arise, describing these as 'an interdependence of actors, an incompatibility of objectives, and a perceived zero-sum element to the interactions' (Matland 1995, 13). In short, where different parties need to work together and do not see a mutual benefit, or agree on a vision, then conflict can arise. The implementation of higher skills policy entails co-operation between various actors, with *Higher Education at Work* stating that 'We want to see universities working with RDAs, SSCs and local employers to develop the higher level skills that a particular business needs in a particular sector in a particular place' (DIUS 2008, 7). Co-production of policy outputs, in the shape of institutional-employer partnerships for the development and delivery of higher skills provision, was therefore presented as fundamental to the essence of the policy. Although 'incompatibility of objectives' may not arise at the political or macro level, as the political parties appear to be largely in agreement with major business organisations and the union movement (Coffield 2004; Lloyd and Payne 2006; TUC 2010), this may occur at the meso and micro level, particularly between higher education institutions and employer representative bodies, in terms of the form of policy outputs, and the costs and detail of implementation.

A potential 'zero-sum element' can be perceived when implementation involves tension around a 'preservation or change in the status quo' (Dahrendorf 1958, 178). Status and

influence may be at risk if actors cannot find appropriate mechanisms to pursue their agendas in a changing landscape. For some agencies, profile and influence is dependent on the ongoing dominance of the skills discourse and reform of the processes of 'skills supply'. Leitch (2006, 78-79) recommended that the Sector Skills Councils, responsible for representing employers' skills demands, exercise greater influence over educational provision, but this may entail a loss of influence for professional bodies, educational institutions and training providers. A zero sum element requires a policy strategy to mitigate potential conflict. In this case capacity building funding of approximately £103m was provided by HEFCE to higher education institutions to ease the implementation of the policy (Kewin et al. 2011, 4). This can be understood as a 'remunerative mechanism' (Etzioni 1961 cited in Matland 1995), a form of compensation for participation in processes that require change and risk at an institutional level. In addition to reducing the cost of initiating and designing new programmes, the funding was intended to fuel a wider programme of change that would deliver a 'culture shift' (DIUS 2008, 4) towards greater employer responsiveness.

Almost all higher education institutions engage employees in some form of workforce or professional development, often in close co-operation with employers. Partnerships have often proved problematic, due to different conceptions of what constitutes education and learning (Reeve and Gallagher, 2005). The occupations, professions and employers involved vary substantially in the level of prestige accorded to them by society, and thus prestigious institutions often have partnerships with prestigious employers and high status occupational groups (Gustavs and Clegg, 2005). Moreover, these institutions may see workforce development activity as a lower priority in comparison with other initiatives and this may reflect in engagement in policy processes. On the other hand, institutions with less 'reputational capital' (Naidoo and Jamieson 2005) may see potential opportunities, and threats, in the policy.

The inherent ambiguity of the policy

Ambiguity is the second aspect of Matland's model, with high levels of ambiguity combining with high conflict to produce 'symbolic implementation' and with low conflict to produce 'experimental implementation' (Matland 1995, 165-170). In circumstances of low ambiguity administrative (low conflict) and political (high conflict) implementation are likely (Ibid., 160-165). Matland stipulates that ambiguity can arise both in terms of means and goals (Ibid., 157), which will have differing impact on the character of experimentalism and symbolism, and how these will emerge during implementation.

The notion of 'higher level skills' is itself ambiguous, with the use of 'skills' to describe attributes that resemble aspects of personality, attitudes and class seen as desirable to employers (Payne 2000; Ainley 1993; Lafer 2004), and forms of applied scientific and technical knowledge considered important for industry (DIUS 2008, 34; DBIS 2010, 4). Hyland and Johnson (1998) document the varieties of ways in which 'skill-talk' became increasingly prevalent in education policy discourse from the 1970s onwards, with the use of 'skills' as a catch-all term for a range of learning experiences in formal education, training and the workplace. This ambiguity is combined with instrumentalism, as 'skills' appear to be primarily defined in terms of what dominant parties consider to be useful for enhancing workplace effectiveness. Thus 'skill-talk' is often co-located with the rhetoric of human capital, the knowledge economy, and employer complaints about the perceived inadequacies of the education system. As Payne notes, the ambiguity inherent in the notion of 'skill' has 'great ideological virtue' (2000, 362), symbolising vague notions of progress and high performance. The use of the adjective 'higher' can also add to the confusion. This tends to lead to discussion of specific levels on qualification frameworks, resulting in 'higher skills' being equated with accredited higher education in the policy discourse (i.e. Leitch 2006, 66-

68), to the possible neglect of the development of higher level capabilities through non-accredited informal and workplace learning. However it is these capabilities which appear to be the most in demand in the workplace to fuel the UK economy (UKCES 2010b). The underlying lack of clarity around the definition of ‘higher level skills’ leads to an inherent ambiguity of objectives, enabling the policy to be framed as the solution to wide range of economic and societal problems (Stedward 2003; Payne 2000).

Despite the intent of *World Class Skills* (DIUS 2007) and the overhaul to the relationship between employers and ‘providers’ recommended by Leitch (2006), the policy approach set out by government in 2008 suggested an ambiguity of means as much as goals. *Higher Education at Work* stated that the approach was ‘deliberately experimental in order to encourage the innovative capacity of higher education providers’ and explained that the role of HEFCE was to ‘test and invest in a range of approaches’ (DIUS 2008, 31). This approach was limited to three years with little indication of what might follow later, and measures of performance were in the process of development (DIUS 2008, 32). The key policy documents gave no explicit indication as to which of the over 100 higher education institutions in England should be involved, and whether some should be more involved than others. *Higher Education at Work* therefore provided no clear answer to whether ‘workplace learning be treated in the same way as ‘widening participation’ (i.e. as an objective for all higher education) or...like research (i.e. with an emphasis on excellence and selectivity)?’ (Brennan and Little 2006, 6), a question asked in a report on workplace learning commissioned by HEFCE that preceded the development of the policy.

In the same report Brennan and Little asked whether the involvement of higher education institutions in workplace learning was a ‘concern for a central higher education policy’ or ‘best left to individual higher education providers and employers’ (2006, 6), a question that

was left unanswered, as despite the acceptance of Leitch's recommendations for a coherent national strategy for skills, the extent of policy prescription for higher education remained ambiguous. *Higher Education at Work* suggested that the 'innovative capacity' of institutions was to be supported, and HEFCE introduced a 'co-funding' stream that encouraged employer contributions (DIUS 2008, 31), but it is difficult to marry this to the more directive stipulations of Leitch (2006) to 'rebalance priorities' and introduce demand-led funding (Leitch 2006, 68). This may reflect the contrasting approaches taken by government to different parts of the education infrastructure, with universities considered to have 'seniority of status' and further education colleges instructed to 'do as they are told' (Turner 2008). Fletcher (2008) draws attention to the differing tones of the annual grant letters provided to the funding councils responsible for further and higher education, and the 'dialogue and debate' that characterised the relationship between government and higher education at this time, the converse of the approach taken towards further education, at least in England (Hodgson and Spours 2011).

To take the ambiguity and experimentalism of policy documents at face value should not of course neglect the potential for ambiguity to convey subtle and powerful messages. *Higher Education at Work* mentions recognition of 'excellence in employer engagement' in comparison with 'more traditional business models' (DIUS 2008, 26), inviting engagement in this policy from those institutions that are not research intensive or aiming to grow numbers of 'traditional' full time undergraduates. A discourse of 'excellence' is invoked to suggest the possibility of esteem for this area of work, even to the extent of parity with research intensive models. This may enable differentiation within the higher education sector (van Vught 2008) through an ambiguous notion (in this case 'excellence') that can be defined and redefined to suit the institution, the sector and political imperatives (Delanty 1998).

Experimentalism may also be entirely rational in this environment. The proposed increase in higher skills provision required the consent and co-operation of a large number of organisations, many of whom the government can only influence indirectly and have significant resources that can be employed to resist policy. Moreover, no comparable policy had been attempted on this scale previously, with skills policy generally confined to further education. An experimental approach can thus be justified due to the uncertainty and novelty of the policy, with government testing the water and evaluating before formulating more detailed plans. However, how the ‘experiment’ alluded to in *Higher Education at Work* (DIUS 2008) is intended to operate was not elaborated, with no detail on what might constitute success, and how the process was to be evaluated. This may suggest that the experiment was not constructed systematically, in the structured way that Pratt (2005) outlines, or that the experiment did not have any set objectives. Indeed, it is only in the evaluation report of the Transforming Workforce Development Programme (Kewin 2011:4) that a series of ‘first order’ and ‘additional objectives’ are set out in a coherent framework, although the ‘additional objectives’ are notable for their lack of specificity. This ambiguous experimentalism may lead to what Matland terms ‘experimental implementation’, a situation in which ‘the contextual conditions dominate the process’ (Matland 1995, 165).

The Select Committee inquiry into the implementation of the Leitch recommendations – a source of insight into the policy environment

An inquiry examining the progress of the implementation of the Leitch recommendations, and therefore encompassing the higher skills policy, was undertaken by the Innovation Universities Science and Skills Select Committee in 2008-9 (IUSS 2008, 2009a). The select committee had invited submissions on how the Leitch recommendations would ‘affect the

broader structures of further education (FE), higher education (HE) and lifelong learning' (IUSS 2009a, 7). In order to detect patterns of conflict in the policy environment the written responses to the inquiry were analysed thematically, using a deductive framework to organise analysis followed by a more inductive approach to coding patterns of conflict (Patton 2002). Therefore the first stage was to identify themes within the submissions that specifically related to higher education, including those that concerned the role of the Sector Skills Councils in higher education, delivery structures, relations between further and higher education, and the impact on students, all of which were mentioned in the terms of reference for the inquiry (IUSS 2009a, 7), and then to undertake an initial coding process based on these themes. This was followed by a development of a second tier of codes with which to categorise the positions taken by submitting agencies in respect of these themes. This enabled the identification of areas of consensus and conflict, and where there was direct criticism of either a particular policy or the actions of other agencies. Three substantive areas of contention emerged and these are discussed below.

The inquiry received 63 submissions, including 13 from professional bodies and Sector Skills Councils, 5 from further and higher education institutions and 6 from other bodies involved with or representing further and higher education (including Universities UK, Association of Colleges, Million+ and the Humanities Subject Centres of the Higher Education Academy), 8 from Government and public bodies involved with the organisation and funding of skills and higher education, and 31 from other interested parties, including individuals, and organisations from the voluntary sector and industrial bodies representing employers (IUSS 2008; IUSS 2009b).

Million+, with members from the post-92 universities, was the only organisation advocating the interests of a sub-sectoral group of higher education institutions to submit evidence. There

were no submissions from either the Russell Group or the 1994 Group, who represent more research-orientated universities. This may indicate that the members of Million+ saw this area of policy as particularly relevant to their interests, whereas other institutions foresaw limited engagement. There were three submissions from institutions that became universities before 1992; from the Open University and Birkbeck College, London, who have high numbers of part time students in employment (Feinstein et al. 2007), and the University of Sheffield.

The role of industrial or employer representative bodies in approving qualifications

The Leitch Review recommended that higher education institutions ‘make available relevant, flexible and responsive provision that meets the high skills needs of employers and their staff’ (Leitch 2006, 68). This envisaged a role for Sector Skills Councils in approving all vocational qualifications up to Level 5 (then equivalent to postgraduate) including Foundation Degrees (Ibid., 79), and in approving ‘higher level provision offered by employers’ (p.83). Leitch also recommended that some public funding for higher education be delivered through a ‘demand-led mechanism’ (Ibid., 101), meaning the creation of greater incentives for higher education institutions to respond to the perceived or actual demand of employers for provision for their employees. Leitch asserted that this would mean that ‘employers and SSCs have to develop direct relationships with universities’ (Ibid., 81).

However, engagement between SSCs and higher education institutions is made problematic by a series of related factors. Attempts to embed the role of employer representative bodies in the U.K. have been hampered by the lack of the legal and social partnership frameworks present in other northern European countries that stipulate roles and responsibilities for all stakeholders in vocational education and training systems and engender a shared ownership of learning processes and outcomes (Sung 2010; Brockmann et al. 2008, 561). These

systemic factors are arguably at the root of confusion about the role of employer representative bodies in England, and complaints about inefficiency, and unresponsiveness from employers and education providers (Payne 2008). SSCs were originally constituted to replace the network of National Training Organisations which were ‘not seen to sufficiently understand employer needs’ (DfES 2001, 7), and thus, as part of their objectives, each SSC was to ‘build unrivalled intelligence’, and become ‘run and owned by employers’ while drawing on the expertise of ‘other stakeholders in the sector’ (DfES 2001, 9). Recent policy changes have re-emphasised the role of SSCs in employer engagement ‘to encourage collective employer ownership and investment’ in the skills needs of their sector (UKCES 2012, 5). However, many SSCs have struggled to define and deliver on the ‘employer engagement’ element of their role, with most proving unable to secure sustainable levels of funding and involvement from employers in their sectors (Payne 2008, Sung 2010). . Furthermore, SSCs and their predecessors have been primarily involved with further education and training provision, and thus have worked primarily with the qualification frameworks and curriculum processes of that sector rather than higher education, and distinctions persist between the two (Young 2006; Parry 2009). This indicates that SSCs may require substantial additional capacity to engage with higher education institutions which operate within a separate quality assurance regime and retain autonomy over programme design and curriculum development. Sung’s (2010) discussion of the situation in the Netherlands suggests that the status and capacity issues facing SSCs will not abate without a broader restructuring of the vocational education and training system, and with the councils having control over funding streams and qualification design. However, such reforms, if implemented, could drive the culture and rationale of SSCs even further from higher education, without a concomitant reform that would integrate some higher education institutions into the vocational education and training (VET) system in a similar fashion to

the arrangements in Germany, Scandinavia, or the Netherlands (Kyvik 2004; Sung et al. 2006).

It is clear from the written submissions of the universities of Sheffield, Hertfordshire, Central Lancashire and Million+ that higher education institutions had substantial reservations about the possible role of the Sector Skills Councils in relation to qualification validity and quality assurance (Hordern 2013), and their capacity to engage with the development of higher education programmes. Million+ were concerned about prospects to link funding specifically to qualifications validated by sector skills councils, and suggested this would result in greater complexity (IUSS 2008, 191). The University of Central Lancashire observed that ‘Sector Skills Councils ...need more HEI representation and focus on higher level skills’ (Ibid., 140) and the University of Sheffield that ‘The Sector Skills Councils have had very little engagement with the HE providers, their main activity having related to pre-Level 4 awards’ (Ibid., 30). The suggestion is that the councils have limited understanding of the specificities and culture of higher education.

In return, Sector Skills Councils levelled their criticisms at higher education institutions and prevailing higher education culture and processes that can serve to exclude external input, often portraying higher education as divorced from the perceived imperatives of the economy. Energy and Utility Skills allege that ‘many universities are stuck in academic-learning process paradigms’ (IUSS 2008, 90), while the Alliance of Sector Skills Councils assert ‘there is room for improvement’ in partnering with employers (Ibid., 288). For Construction Skills, higher education is not necessarily seen as distinct from other ‘skills suppliers’, and SSCs should be empowered to take a ‘joined-up approach to FE, HE and lifelong learning’ (Ibid., 268). Skillset provide a list of ‘barriers’ that are preventing greater engagement from ‘the supply side’, which include the lack of ‘bite-size learning’ to meet

employers' needs (Ibid., 242), while SEMTA are hopeful that a 'permanent change is taking place in terms of the availability of funding for more employer-led and employer-responsive provision' (Ibid., 162).

The Alliance of Sector Skills Councils observes that 'government is increasing the amount of funding which is demand-led' and 'calls for it to be accelerated' accompanied by the 'industry endorsement of courses' (IUSS 2008, 288-9). This is echoed by Energy and Utility Skills who advocate greater sharing of HEFCE funding for programmes 'between an HEI and an employer' with workplace learning 'recognised in the funding models' (IUSS 2008:90). These changes would lead to funding for programmes flowing directly to employers and sector skills councils, and the 'kitemarking' of 'approved' provision. For higher education institutions this could be perceived as a considerable threat to autonomy, tying institutions into structures and relationships which for many might have echoes of the past (Hordern 2012, 2013). For the former polytechnics, memories of the governance structures and perceived interference of local government in the 1960s and 70s have influenced institutional culture to the extent that autonomy is jealously guarded (Pratt 1997, 282-91; Burgess and Pratt 1970, 140-1). Such institutions have often worked in partnership with employers or employer representative bodies, but in recent time have done so on their own terms. The 'academic drift' referred to by Pratt and Burgess (1974) and Pratt (1997) prizes a *modus operandi* that resists the influence of arbiters of knowledge validity that sit outside the academy. Whatever the reservations, however, it is noticeable that some institutions formed seemingly successful partnerships with sector skills councils between 2008-10 (Kewin et al. 2011; IUSS 2008, 89), although in some cases this process may have been 'smoothed' by capacity building funding.

An added dimension of this evident difference of opinion about roles and responsibilities is the interface between the Sector Skills Councils and the professional bodies, which, although relevant only to certain occupations, have traditionally had a key role in ascribing value to qualifications (Lester 2009). The potential for tension is brought out in the submission of the Institute of Chemical Engineers, who warn that ‘Any lack of co-ordination, or any apparent competition’, between the professional engineering qualifications and the operations of the Sector Skills Councils ‘would be to the great detriment both of skills supply and of the engineering-based industries’ (IUSS 2008, 78). The Association of Accounting Technicians also believes that ‘the design of the Sector Skills Network’ is hindering Sector Skills Councils in their employer representative role, ‘and thus negates their ability to be the sole arbiters of ‘demand’ for qualifications.’ (Ibid., 81), suggesting a potential friction with professional bodies with established roles. It is also clear that many employers are unhappy with the Sector Skills Councils, with the Federation of Small Businesses expressing concern ‘over many SSCs who lack small business representation’ (Ibid., 295) and the Association of British Pharmaceutical Industries identifying ‘confusion amongst employers and education providers on the most appropriate SSC to engage with’ because of a ‘lack of clear differentiation of responsibility for scientific and technical subjects’ between Sector Skills Councils (Ibid., 38).

The mechanisms of implementation

Many of the educational institutions and their representatives point to the difficulties of employer engagement and the time and resources required to develop appropriate higher skills provision. The University of Central Lancashire requests ‘greater recognition of the upfront costs and challenges in this area’ (Ibid., 140), while Million+ emphasises the ‘hidden’ institutional costs associated with work-based learning’ and details the wide range

of programme design, support and quality assurance activities needed when working with employers (Ibid., 190). Universities UK identifies the risk involved for institutions if programmes fail to recruit students, making a distinction between employer and student demand (Ibid., 256). The University of Hertfordshire and Oaklands College highlight the problematics of ‘demand-led’ intervention in programme content, as it ‘may take years before the effects of changing curricula are translated into skilled individuals in the workplace, by which time the critical competencies for the area may well be different’ (Ibid., 130).

Two submissions draw attention to the possibility that much of funding provided to higher education institutions may not result in greater volumes or increased quality of higher skills provision. Energy and Utility Skills state that ‘Too many HEIs have been successful in procuring funding from HEFCE for workforce development projects without any evidence of explicit employer engagement’ (IUSS 2008, 90) and the Association of British Pharmaceutical Industries emphasise the scale of the funding that is targeted at ‘infrastructure for employer engagement and co-funded provision’, noting with caution that ‘It is too early to see if this funding will have any impact on engagement with pharmaceutical employers’ (Ibid., 38). This scepticism about the outcomes of the initiative may be well founded considering the caveats outlined in previous research into employer-university partnerships (Reeve and Gallacher 2005). However, for the Engineering Employers Federation it is the slow pace of implementation that is a cause for concern, while ‘our competitors have continued to move forward.’ (IUSS 2008, 55).

There may also have been an undercurrent of resentment from further education colleges and training providers in respect of the funding provided by HEFCE to higher education institutions. City and Guilds argue that the capacity building funding ‘should also be extended to the FE sector, while still allowing them the flexibility to make their own

decisions on co-operation arrangements' (IUSS 2008, 97). The potential for conflict between higher education institutions and ambitious further education colleges, who have made claims that they can deliver higher education more efficiently (Association of Colleges 2011) and with greater student satisfaction than higher education institutions (IUSS 2008, 253), is demonstrated in Million+'s assertion that the relationship between further and higher education 'should be one of collaboration, not competition' (Ibid., 192). Million+ also emphasise that 'There is a common misconception about FE capacity to deliver higher level learning with only 5.5% of HE currently delivered in FE. Higher level learning is done most effectively when done in partnership with the expertise of an HEI' (Ibid., 192). There is a different perspective, too, on the role of the Sector Skills Councils in developing and quality assuring qualifications. The 157 group of larger further education colleges declare that 'the SSCs need to press ahead with their flexible and relevant qualification frameworks with a significant number of employers and providers becoming awarding bodies' (Ibid., 59).

The skills for growth model and the interests of students

There are criticisms of the assumptions made by Leitch and government regarding the role of higher education in skills 'supply'. These reflect the tensions of embedding a 'skills for growth' model in England, to the exclusion of other models of lifelong learning (Coffield 2000). For the Humanities Subject Centres of the Higher Education Academy, Leitch's proposals 'need to be interpreted in a larger and more encompassing educational and cultural environment' (IUSS 2008 p.138), advancing the centrality of 'higher level critical thinking'. The Open University highlight the importance of the portability of skills in the changing economy, rejecting any emphasis on 'narrow specific job related skills' (Ibid., 165) and expressing concern in respect of the 'prevailing and implicit view' that institutions must prioritise employer rather than learner demand (Ibid., 163). These assertions resonate with

those made by Universities UK in respect of individual self-development and employer involvement in negotiating the value of educational knowledge. Using a quote from Leitch that emphasises that ‘the best form of welfare is to ensure that people can adapt to change’ (Leitch 2006, 7), Universities UK make reference to the paradoxes of excluding the subtler and less quantifiable benefits of education from policy considerations, asserting that the ‘interests of students and employers overlap but they do not necessarily coincide’ (IUSS 2008, 256).

The seeming incongruence of the policy changes around equivalent level qualifications (ELQ) with the higher skills objectives of Leitch is mentioned in the submissions of the University of Sheffield (IUSS 2008 p. 30), the Humanities Subject Centres of the HEA (p. 139), Million+ (Ibid.,192), Birkbeck College, University of London (Ibid.,215), and SKILL: The National Bureau for Students with Disabilities (Ibid.,75). The focus is on ensuring that pathways back to higher level learning remain open to individuals on their own terms rather than through their employers and associated co-funding mechanisms. There are questions around equity emerging here, as the impact of the removal of funding for equivalent level qualifications may also be to reduce choice and opportunity for those without higher education qualifications who are directed onto higher skills programmes via their employers (Hordern 2011). If those students subsequently decide they would like to study for a degree unrelated to their current employment they may find themselves ineligible for any kind of available HEFCE subsidy for that provision if they are already qualified to level 6 on the Qualifications and Credit Framework. Such arguments may maintain their salience in the context of reforms enacted by the Conservative led coalition government as it is highly probable that students will only be allowed to access financial support for their first degree (DBIS 2011). One possible mitigating factor, however, is the pledged introduction of access to student loans for part time undergraduates (Kewin et al. 2011; DBIS 2011).

Concerns are also expressed regarding the progress of individual learners in the context of increasing employer influence. Million+ warn that the standards of qualifications may be compromised if SSCs are able to accredit modules directly in response to employer demand, and this may reduce transferability ‘to the detriment of the individual learner’s future prospects of progression’ (IUSS 2008, 191). The salience of this point may vary depending on the Sector Skills Council involved. The limited levels of influence of many SSCs in their respective sectors (Payne 2008b) could lead to powerful employers ‘railroading’ qualifications through that are specific to their needs rather than the wider sectoral interests or those of the student.

The scope of conflict

There appears to be a plausible argument that ‘an interdependence of actors, an incompatibility of objectives, and a perceived zero-sum element to the interactions’ (Matland 1995, 13) exists. The extent of this conflict can be tempered by the reworking of policy to suit key parties, and the degree to which the policy encroaches on the operational activities of higher education institutions and their relationships with employers. However, this can also result in new forms of conflict, seemingly unrelated to the original policy.

Higher skills policy required some engagement between higher education institutions and employers as a minimum, but levels of ‘interdependence’ can be graduated, particularly if accurate real time data around skills demands provided by employers and their representative bodies is made available to institutions as market intelligence to develop and deliver programmes. This might not require significant partnership working, but it would require a form of interdependence as institutions would rely on this intelligence to give credence to the higher level programmes developed. An important question here is whether the sectorally based intelligence correctly reflects industrial demand, or if, in fact, it is only through

relationships between individual employers and institutions that a full understanding of whether institutions can meet employer demand emerges. As the Universities UK and Million+ submissions to the 'After Leitch' inquiry emphasise, employers need to share risks and costs with institutions if this form of higher skills development and delivery, based on individual relationships, is to thrive (IUSS 2008, 190, 256). The notion of 'interdependence' also concerns employees, whose voices are marginal in the skills debate. Universities UK and Million+ both identify the potential tension between the needs of the employer and the employee/student, with Million+ highlighting the need for 'a strong individual route back into higher level learning, not one based around or reliant on employer funding and 'co-operation' (Ibid.,193). Conflict can easily arise if employees feel that the provision offered to them is not beneficial for their interests, development or future career.

The 'incompatibility' of objectives would only become fully apparent if higher skills policy reached into the mainstream of higher education activity and impacted on those who clearly do not share the Leitchian and governmental view of skills. Similarly, the 'zero-sum' interaction would arise only when partners are compelled to interact on projects where they perceive there to be possible disbenefits. Brennan and Little (2006) asked whether increasing workplace learning through employer engagement is an objective for the whole higher education sector or a specific group of institutions, and whether such initiatives would be best left to develop 'organically' between higher education institutions and employers. The evidence suggests that the majority of capacity building funding was acquired by a specific higher education sub-sector, primarily but not exclusively the post-92 institutions and some former Colleges of Advanced Technology (Kewin et al. 2011). These institutions may have seen the benefits of accessing this funding in the context of increasing risks to their other income sources, whether they be international students, loss of research funding or demographic decline affecting undergraduate intakes. The absence of substantial numbers of

Russell Group or 1994 Group institutions amongst those funded may indicate that there was limited competition as part of the call for bids, and that these institutions wished to prioritise other areas of activity (Hordern 2012). The use of capacity building funding (DIUS 2008) can partially circumvent any sense amongst partners that there may be risk of any ‘zero-sum’ interaction, notwithstanding concerns about the sustainability of employer-institutional relationships (Kewin et al. 2011).

One area in which there seems to be considerable agreement is the baffling complexity of the ‘dogs breakfast’ of the skills system (Lord 2008), at least amongst those agencies with some knowledge of its mechanisms and processes. Complexity and confusion is identified by AAT (IUSS 2008, 79), EEF (Ibid., 55), SEMTA (Ibid., 159), EU Skills (Ibid., 85), Construction Skills (Ibid., 266), the Alliance of Sector Skills Councils (Ibid., 281), and the Centre for Enterprise (Ibid., 201). Regional agencies and partnerships are sources of particular problems for EU Skills (Ibid., 85) and the Alliance of Sector Skills Councils (Ibid., 281), as discussed in (Hordern 2013).

Ambiguity and policy ‘appropriacy’

Elements of the ambiguity that permeates government policy documents can also be identified in some of the submissions to the select committee inquiry discussed above. Various interested parties appear to perceive government policy to be more prescriptive and directive than is evident from the analysis of *World Class Skills* and *Higher Education and Work* detailed earlier in this paper. For example, City and Guilds interpret recent policy as representing a ‘government announcement of plans to embed the role of businesses in the funding and direction of HE’ (IUSS 2008, 97), while the Alliance of Sector Skills Councils perceive that the government is ‘developing HE’s business responsiveness by increasing the amount of funding that is demand-led’ (Ibid., 288). These perceptions, although partially

accurate, tend to exaggerate the strength of policy commitment and are belied by the notions of ‘shared responsibility’ (Ibid., 112) foregrounded by HEFCE, the strategy of building capacity at an institutional level and the encouragement of ‘successful partnerships’ (DIUS 2008, 24) between employers and higher education rather than a unilateral focus on enhancing the influence of employers.

More generally, the Open University observe a ‘lack of clarity’ both in terms of the role of institutional collaboration and in how ‘skills’ are interpreted (IUSS 2008, 164-5), and EEF (the Engineering Employers) imply that there is something of a gap between Leitch and government policy, with the ‘time to translate’ recommendations into implementation opening up opportunities for implementation confusion (Ibid., 54-56). Similarly the Council for Industry and Higher Education (CIHE) draw attention to the difficulties of interpreting policy by stating that the government’s ‘preferred approach’ in respect of developing relationships between employers and higher education ‘appears’ (Ibid., 136) to be an extension of brokerage independent of higher education institutions, a strategy that CIHE warn against (Ibid., 137). Notwithstanding the use of brokerage and ‘intermediaries’ in three higher level skills pathfinders that aimed to ‘develop new forms of higher education provision in response to employer demand’ (Ibid., 111), it is also evident that the government’s preferred approach could also have been interpreted as the building of employer engagement capacity at an institutional level.

The ambiguity of the policy can be perceived as part of the process of making the policy ‘appropriate’ to the norms of the higher education sector in the U.K., which retains aspects of horizontal differentiation based on differing institutional missions in tandem with a stronger vertical differentiation based primarily on reputation (Brennan and Osborne 2008; Teichler 2007). Policies that potentially exacerbate differentiation in ways that might be construed as

re-imagining the missions of a group of institutions need therefore to be couched in reasonably ambiguous terms. This is not necessarily a process of consciously deciding to treat certain institutions in particular ways, although that may be a factor. Instead the ambiguity and experimentalism of the policy can be perhaps better understood through the need for government not to be seen to be attempting to advance differentiation without the consent of the institutions involved. In this sense government is attempting to steer the policy environment ‘at a distance’ (Neave 1998), conscious of the prevalence of an ideology of ‘institutional autonomy’, and the strength of the higher education field to determine its own character (Maton 2005).

A ‘logic of appropriateness’ (March and Olsen 2004) structures the actions that are considered legitimate within higher education and contributes to the strength of the field. In the case of academic environments this is imbued with powerful notions of disinterestedness, objectivity and freedom that are derived from the socio-historical context of higher education (Delanty 2001; Marginson 2008). Notwithstanding the challenges to its claims to professional privilege (Beck and Young 2005), academic identity retains considerable strength (Henkel 2005) and social esteem, according higher status to staff in higher education than those working in other educational environments. This suggests politicians may need to work harder to secure successful implementation in a policy environment that has in-built socio-cultural resources of resistance, and ambiguity may provide a useful tool for building consensus. Indeed, Matland (1995, 158, 165) recognises how ambiguity can enable the coalescence of differing perspectives, albeit while also allowing ‘contextual conditions’ to influence implementation processes.

These more sociological explanations for policy ambiguity should not entirely outweigh the practical realities, however. Higher education institutions in the U.K. are autonomous

organisations with multiple revenue streams. Irrespective of ongoing dependence on government funding for teaching and research, institutional leaders are able to consider a range of alternative strategies to achieve financial viability, and this may include ignoring some government policies (Hordern 2012). In this context of these explanations ambiguous policy may prove the only effective way of initiating change, in order to avoid outright resistance or complete disregard for the initiative.

Concluding remarks: the unfinished experiment

Returning to Matland's (1995) ambiguity-conflict model it is reasonable to suggest that the implementation of higher skills policy could perceptibly fit into two categories, both those of 'symbolic implementation', which arises with high ambiguity and high conflict, and 'experimental implementation', which occurs in situations of high ambiguity and low conflict. Conflict was clearly present within the higher skills policy environment, but was confined to certain aspects of implementation due to the limited 'reach' of the policy within the sector. Higher skills activity remained a peripheral aspect of higher education in England, involving certain kinds of institutions in certain ways, and therefore the opportunity for conflict was marginal as critical parties were relatively unaffected by the policy. On the other hand, if the government had intended to route increasing volumes of funding via this approach, following Leitch's recommendations, and to affect a wider range of institutions in doing so, then the opportunities for conflict would have increased considerably. The government was clearly conscious of the potential for resistance from higher education institutions, and used a remunerative 'capacity building' mechanism, in the shape of funding for the workforce development projects, to ensure a smoother pattern of implementation. This can be seen as part of making the initiative 'experimental' to further guard against unnecessary conflict and any suggestion that government is trying to re-orientate the missions

of higher education institutions without institutional input. Here government is conscious of the power of the field of higher education to absorb and rework policy to the advantage of institutions.

The ‘experiment’ of higher skills policy was scheduled to run for three years from 2008 (DIUS 2008, 31). However this straddled the election of a different government in 2010 which developed radical policies towards higher education, if not to skills (DBIS 2010, 2011). As a result of this change in ‘conditions’, the experiment ceased to have its original purpose and the ‘testing’ alluded to in *Higher Education at Work* (DIUS 2008, 31) could not be effectively completed. The evaluation of the HEFCE funded workforce development programme illustrated how employer engagement had grown at some institutions and resulted in enrolments that exceeded the stated target (Kewin et al. 2011, 5-9). This enabled the evaluation to claim that programme investment had been ‘successful in providing a platform of capability and capacity’ (2011, 10) for this form of higher education, albeit against suitably ambiguous objectives (2011, 4) that did not appear in a coherent form in the earlier policy documents. Current plans for higher education place almost all of this provision outside the scope of public funding (DBIS 2011), and therefore no further ‘incentives’ will be forthcoming, at least for the foreseeable future. Thus the future of this form of higher education remains uncertain, but is likely to involve institutions and employers coming together on their own terms, outside of the other policy experiments currently absorbing English higher education.

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