

**Implications of the Government's proposals  
for university title: or What is a  
University?**

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**November 2003**

1. The Government has proposed that the criteria for the award of university title should be relaxed. Specifically, it has proposed that the previous criteria that required an aspirant university to have research degree awarding powers, as well as a significant proportion of its staff to be engaged in research, should no longer apply. This opens the possibility that teaching only institutions - institutions that do not employ staff contracted to do research - could be designated universities. In a separate, but related, proposal the Government has also proposed new criteria for taught degree awarding powers.
2. The Higher Education Policy Institute has conducted a review of the implications of the Government's proposals, drawing on a number of commissioned studies which looked both at the historic picture and at the arrangements in a number of other countries for the control and use of the title "university". It has also drawn on a valuable contextual study produced by Professor Ron Barnett of the Institute of Education.

### **Control of University Title**

3. In many - in fact in most - countries, use of the title "university" is closely guarded. Controls are in place that regulate who may call themselves a university, and generally it is the Government that exercises these controls. Some jurisdictions go so far as to list in legislation those institutions that may call themselves a university. Why should there be this degree of concern about a title?
4. There seem to be two broad reasons for exercising this control. First, it is an instrument of consumer protection. This is particularly so in those countries where demand for higher education runs ahead of the state's ability to provide, and where there is consequently a large private sector. In such cases, the state has often felt it necessary to regulate, by accreditation and the control of minimum standards, those institutions that offer their services to the public, and call themselves universities. A different dimension of this is the desire to protect the reputation of a nation's higher education system as a whole, by

ensuring that those institutions that call themselves universities are recognisably similar and of a comparable standard. The strong reputation of UK universities overseas has arisen partly because of the confidence that is possible about their high standards.

5. The second broad reason for exercising this control is in pursuit of a point of principle - to protect the dignity and exclusiveness (in a non-pejorative sense) of universities. Universities are posited to have some defining characteristics, and control is exercised to ensure that these characteristics are maintained in all institutions calling themselves universities.
6. These two reasons are not, of course, mutually exclusive. One of the defining characteristics of universities is often, particularly in this country, said to be that teaching and research are co-located, and that consequently teaching is informed by research - and it might be thought that consumers need to be confident that any institution that calls itself a university does indeed maintain this link. The current criteria in this country for university title include not just provisions relating to research and research degrees, but to size and range of subjects as well, but these are less often referred to as defining characteristics of a university.
7. There is a third, less clear, reason, and that is to do with protectionism (again, not necessarily in a pejorative sense). Some countries - South Africa for example - strictly control who may operate in their country and call themselves a university, as a way of protecting their higher education institutions while they develop to a point where they can compete with some of these overseas institutions.
8. Not all countries control use of university title. A much smaller group - but including the USA - are far more relaxed about this. In the USA, the notion of accreditation by regional and professional bodies is widespread, but accreditation does not determine whether institutions may or may not call themselves a university, but who may receive federal or state funding - for student aid, for example. These countries rely mainly on the market, and on

students as consumers, to distinguish between high quality and low quality providers. This presupposes good information to inform the market. It is undoubtedly the case that in the USA there is much more widespread availability of information about higher education institutions than in many other countries. Nevertheless, the market is complex and even in the United States choice is not always well informed, as is witnessed by the proliferation of degree mills that sell bogus qualifications at all levels<sup>1</sup>. In most countries reliance on the market in this way would simply not be acceptable.

### **University and non-university institutions: different missions, different titles**

9. In England and Wales, the use of the title "university" has long been controlled. Until 1992 there was a binary line, as there remains still in many other countries, and institutions on one side of the line were designated universities, and those on the other side were not. Where there is a binary line, the missions of institutions are defined according to which side of the binary line they sit. In general, non-university higher education institutions have clear and distinct missions which distinguish them from universities. So, for example, in this country until 1992 and in most other countries now where binary lines exist, it was not part of the mission of non-university institutions to conduct research and they were not funded for this<sup>2</sup>. That does not of course, and it did not, preclude many of them from conducting research, but in general that did not form part of their formal missions.
  
10. Since 1992, we no longer have a binary line in England or Wales, and the functions of institutions are not distinguished according to which side of a binary line they lie. Universities and non-university institutions can and do have missions that are interchangeable. They cannot be distinguished on these

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<sup>1</sup> In England the activity of degree mills is curbed to some extent by Trading Standards legislation. However, there is nothing to prevent an overseas institution operating as a 'university' in this country, and indeed a number of respectable American institutions have campuses in this country and offer American degrees. The Education Act controls only the award of English degrees.

<sup>2</sup> In England and Wales, actually, it was more complex than this, as the Committee for National Academic Awards (CNAA) used to require polytechnics, and even colleges, to demonstrate to some extent that they operated in an environment informed by research. And following the Roith Report, which reported to the PCFC in 1990, a very small amount of research funding was provided to the polytechnics and colleges, all directed towards particular projects.

grounds. In this, we are distinct in this country from those countries where a binary line exists, and where control of university title reflects differences of institutional missions and functions. However, there is evidence that even in those countries with a binary separation of missions and titles, and a separation of universities from other institutions, these strict divisions are breaking down. In Germany, for example, Fachhochschulen have recently been allowed to carry the English title “University of Applied Science”, and in Brazil non-university institutions have emerged which have been allowed to call themselves “university centres”. In this country too, non-university institutions have, where they can<sup>3</sup>, been adopting the title “University College”. This is not a new phenomenon – many of the civic universities, for example, were at some stage designated “University College” or something similar, before being designated University.

11. The reason for the increasingly blurred distinction between universities and non-university institutions of higher education is in part because their functions in practice are no longer as distinct as previously. Universities increasingly offer vocational courses and work alongside business and their local communities, and non-university institutions, whether funded to do so or not, undertake scholarship and research.
  
12. This was one of the reasons for the abolition of the binary line in this country. If the activities of the polytechnics and universities were not distinct, it was thought to be misleading to the market, and unfair on the polytechnics, not allow them the university title. Without it, they believed, with some reason, that they were disadvantaged in the market both for academic staff and for students<sup>4</sup>. The same applies now to the remaining non-university higher education institutions. Another reason now for the opening up of university title – which may also have been a factor in 1992 – concerns the realisation that growth in higher education student numbers will not be matched by equal

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<sup>3</sup> i.e. where they have taught degree awarding powers.

<sup>4</sup> This was not, of course, the only, or even the main, reason for the designation of the polytechnics as universities. It was widely believed at the time that part, at least, of the motivation of the Government in designating the polytechnics as universities was to reward them, but also to encourage them, for delivering the Government’s policy of growth at marginal rates of funding.

growth in research funds. In such conditions, it becomes easier - and perhaps convenient - to accept that teaching and research may not go hand-in-hand.

13. With hindsight some observers now regret the abolition of the binary line and the convergence of activities that this reflected, and even encouraged. That concern is now reignited, as, quite apart from the colleges of higher education, it is possible to envisage some of the further education colleges with significant numbers of higher education students seeking and securing degree awarding powers, and becoming eligible for university status. The continuing mission drift that this implies will not be in the national interest, and it is of concern that the rules for a minimum number of higher education students will encourage some further education colleges to increase their higher education provision at the expense of further education, as they seek to become universities.

#### **Criteria for university title**

14. In addition to the control of university title, we also have separate controls in England and Wales over both taught and research degree awarding powers. Many of the controls exercised in other systems over the use of university title are exercised in this country over the ability to award degrees at all.
15. The criteria that at present operate for the granting of taught degree awarding powers are fairly general, and do not include, for example, anything about the range of subjects that are offered, the size of the institution, and certainly nothing about conducting research. This is in contrast to the present criteria for university title that have something to say about all of these, and in particular require that institutions which are to become universities should have the power to award research degrees, as well as requiring that their staff undertake research on their own account.
16. The Government's proposal is that this link between research and university title should now be broken, and that institutions should be eligible to be considered for university title regardless of whether their staff conduct

research *or* whether they award research degrees. It is this that has proved particularly controversial both for reasons of principle and for practical reasons, mirroring the two main reasons set out above for the current exercise of controls.

17. The Government also proposes to repeal the present requirement that institutions seeking university status should be active in a range of disciplines – thus opening the way to specialist universities. This has given rise to far less comment. The only requirements that will remain are that applicants for university title should normally be of a minimum size (4,000 full time equivalent students in total, of whom 3,000 on degree-level courses) and that they should have taught degree awarding powers. In some respects, this is a far more significant development, as it is this that opens the way to narrowly focused commercial enterprises establishing universities – a Microsoft University, for example, or a Pearson University.
18. The ostensible reason for relaxing the rules on university title is to enable greater attention to be given to excellence in teaching. In the words of the White Paper it is ‘to recognise excellent teaching as a university mission in its own right’. Another reason, though not explicitly mentioned, is to remove any incentive for non-university institutions to pursue a research mission, in order to become eligible for university status, which is what is required by the present arrangements. More generally, increasing the number of institutions with university title may be thought to convey consumer benefits in terms of wider choice, stronger competition and greater innovation, given the fact that it is often "new entrants" that provide innovation in a market.
19. The first objection of principle to the Government’s proposal is conceptual. The possibility that a university might not conduct research is thought to offend the very notion of a university. Professor Barnett suggests that instead of the conduct of research, the defining feature of universities should be that they are "authentic"; but part of the definition of authenticity that he offers concerns the conduct of research. This is difficult to sustain empirically.

Indeed, in historic terms, the conduct of research is a relatively new and culturally specific feature of universities<sup>5</sup>.

20. A second, pedagogic, reason of principle is put forward for maintaining the requirement to conduct research. This is that teaching in higher education that is not provided in a research environment is likely to be, if not second-class, then certainly not of as high quality as teaching provided in a research environment. The evidence for this is at best uncertain, and again, this is difficult to sustain empirically. But in any case, even if it were true that higher education teaching cannot be effective except in a research environment, this is not an argument about the criteria for the award of the title "university", but about the criteria for allowing taught degrees to be offered at all. That pass has been sold, for better or worse, and the link between teaching and research is not relevant to the question of university title in this country. It may be in other countries where only universities may award undergraduate degrees, but that is not so here. Whether or not the criteria for university title are relaxed will make no difference to the extent to which degrees are offered in a non-research environment.

21. So the reasons of principle for limiting the award of the title "university" to institutions that are active in research are not compelling. What of the practical reasons? The main such reason put forward for maintaining this link is that consumers need protection, and in particular that consumers overseas need to be confident that in selecting an institution called a "university" in this country they are selecting an institution with certain characteristics. Associated with this is the need to maintain the reputation of this country's universities overseas. The UK university "brand" is strong. We need to be very cautious of anything that risks weakening this.

22. Professor Sir David Watson describes the present arrangements as ensuring that universities in the UK have a "controlled range of reputations". The concern is that relaxation of eligibility for university title in the way that the

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<sup>5</sup> See J Ben David 'Centers of Learning – Britain, France, Germany United States', Carnegie Foundation for the Advancement of Teaching, Princeton 1997.



Government has proposed would broaden that controlled range unacceptably, with the result that consumers in this country and overseas could not have confidence in what they were purchasing when they selected a university. At the same time the Government is proposing the introduction of further market mechanisms into higher education, with the move towards differential fees. It is quite likely that, if these moves go through, consumer pressure will demand a tightening of quality assurance processes to provide greater consumer protection in an increasingly liberalised environment, thus introducing greater controls at the same time as others are being relaxed.

23. The force of the argument about consumer protection is difficult to assess in the abstract. The Government will retain control over the title 'university' – it is not as if control is to be abandoned. However, the criteria for this will be much relaxed, and will essentially depend on an institution having degree awarding powers: once this has been achieved, there seems no reason on the Government's proposals why an institution of the appropriate size – private or public – should not in future go on to gain university status – there will be no further hurdles to overcome. Whether or not the Government's proposals prove damaging to the interests of consumers and to the reputation of the English university system overseas will therefore depend very much on the criteria for granting degree awarding powers, how rigorously these are applied, and the mechanisms by which they are applied.

### **Proposals for degree awarding powers**

24. In some respects the Government's proposals for degree awarding powers represent a significant relaxation of the present requirements – most notably in that a significant proportion of staff will no longer be required to have higher degrees or to have teaching experience in other HEIs. It is this that opens the possibility that institutions that are not at present in the higher education sector – indeed which are private and commercial – might eventually be given the power to award taught degrees and, consequent on the relaxation of the criteria for university title, be designated universities.

25. In other respects, though, the proposals represent a tightening of the present criteria – for example the requirement for staff to keep up with research and scholarship in the subject they are teaching<sup>6</sup>. Given the possibility that institutions other than HEIs might apply for the power to award degrees, any tightening of the criteria is not surprising. With its package of proposals concerning degree awarding power and university title the Government needs to do two things. It is trying to open the door in principle to non-higher education institutions becoming universities – both public and private, or corporate, universities. But it also needs to retain sufficient control to ensure that increased competition does not lead to license, and that essential standards are maintained
26. It is enormously important to get this right since, once an institution - public or private - has achieved degree awarding powers, the Government's proposals mean that there is no reason why it should not become a university. Indeed, it is difficult to see how it could justifiably be denied university status. As at present drafted, virtually all but the smallest public non-university colleges will be able to achieve degree awarding powers and therefore university status, and in a few years (there is a minimum time requirement) there could be a number of private or corporate universities as well. There is nothing in the criteria that require such institutions to have the academic and intellectual autonomy that we expect of our universities, or that they should provide a forum for open critical debate, but it is nevertheless important that as it exercises its gatekeeper role, the Quality Assurance Agency has such considerations in mind
27. It is apparent that the new proposals will rebalance responsibilities between the Government and the market. Control of degree awarding powers in future will provide comfort of a basic minimum - though this basic minimum will be largely concerned with the internal processes of institutions. But the range of "universities" will be far wider than today, and students will need to satisfy themselves about the characteristics of the institutions they are contemplating.

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<sup>6</sup> The requirement that institutions granted degree awarding powers should have to renew their powers periodically is also a tightening, though it does not affect the initial granting of the powers.

The comfort that there is at present in a "controlled reputational range" may no longer be guaranteed.

21 November 2003