

Education and ignorance in the UK 80 years after Beveridge: The role of government and equality of opportunity

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Abstract

In the founding document of the British welfare state, the Beveridge Report, ‘ignorance’ was identified as one of the ‘five giants on the road of reconstruction’. Dealing with ignorance meant developing education and greater equality of education to all children, with local authorities having a vital role to play. This paper focuses on the development of education policy in the UK by analysing legislative provision related to the role played by central and local government, and equality of opportunity. It argues that there have been notable changes across all phases of education. In England, central government plays a greater role than previously, and has created enduring state-controlled markets in which education institutions operate; local authorities have a reduced role. This contrasts with Scotland and Wales. Ideas about equality of opportunity have also shifted over time and vary not only between different phases of education, but also between the countries of the UK. Whilst equality of access has increased, equality of educational outcome remains elusive.

1 Introduction

Since the end of World War II education systems across the developed world have undergone significant changes. Alongside societal changes, in particular the increased participation of women in the labour force, early years education has expanded, and there has been a massive expansion of higher education. In school-based education, market principles have been introduced in countries such as Chile, England, the USA, and Sweden (Whitty et al., 1998; Valenzuela et al., 2014); non-state actors (private for-profit or not-for-profit) have become increasingly involved in the provision of schooling; and governance arrangements have changed as a result of decentralisation and devolution. The developments in the UK, clearly exemplify these trends.

Education did not have a high profile in *Social Insurance and Allied Services* the founding document of the post-war British welfare state, commonly known as the Beveridge Report (1942). However, Beveridge named Ignorance as one of ‘five giants on the road of reconstruction’ (p.6). According to the Report, local authorities were to have ‘a vital part to play in...fields of social welfare, such as education’ (p.68). For Beveridge: ‘Dealing with Ignorance means...the development of education. It means more and better schools. It means...a raising of the school age. It means giving greater opportunity – greater equality of education – to all children, irrespective of their class or family circumstances’ (Beveridge, 1943, p.84).

The 1944 Education Act subsequently established a statutory system of public education in England and Wales (with similar provisions for Scotland and Northern Ireland). This paper explores the extent of continuity and change in education policy in the periods following this Act: 1944-64, 1964-79, 1979-97, 1997-2010 and 2010-2021. It addresses different phases of education in England but also refers to legislation and policy in Scotland, Wales, and Northern Ireland. In school-based education, the paper concentrates on state-funded schools and not independent (private) fee-charging schools, which cater for around 7% of the school-age population.¹

The focus is on two key themes implicit in Beveridge’s writing, the role played by the state (central and local government), and equality of opportunity. Theorising by political scientists on the role of central and local government is extensive. In recent decades there has been less of a focus on traditional forms of governance such as hierarchies, than on central government “steering” from a distance, and the role played by different actors, including private for-profit or not-for-profit delivery (Peters and Pierre, 1998; Rhodes, 1999). This can, however, neglect the directive role that the government and the machinery of the state may perform ‘in restructuring itself as a neo-liberal polity’, de-regulating some powers while centralising others, and neglecting the ‘continuing power of the state over the system frame’ (Ranson, 2008, p.208).

The concept of equality of opportunity is contested and the subject of wide-ranging academic debate (e.g., Breen, 2010; Phillips, 2004; Roemer, 1998). Whilst a distinction has been made between equality of opportunity and equality of outcome (e.g., Breen, 2010), for Phillips (2004), equality of outcome must be taken as a key measure of equality of opportunity. In the field of education, equality of opportunity has been used to mean equal access to schools; access to advanced stages of education for all children; equal access to different kinds of secondary schools, according to the child’s aptitude and ability; and access to an appropriate education within a common comprehensive school (Silver, 1973). A more radical interpretation is that of equality of achievement or outcome (Halsey, 1973). How equality of opportunity is understood – implicitly or explicitly – has implications for policy responses. Thus, equal opportunity can imply a meritocratic distribution of resources; a compensatory distribution of resources, or an equal distribution of resources (Jencks, 1988).

The paper argues that the education policy landscape in the UK has changed significantly since the Beveridge Report and between the constituent countries of the UK. The role of local government has diminished in England but not in Scotland or Wales. Understandings of equality of opportunity have changed over time and vary between countries. Whilst separate and distinct, an analysis of these two themes reveals the nature of the ideational and policy shifts on the one hand and continuities on the other.

The paper draws on primary documentary evidence and secondary academic literature. Documents include primary legislation, statutory instruments (secondary legislation),

circulars, white papers – setting out government proposals for future legislation – and government-commissioned reports. The following sections address primary and secondary schooling on the one hand and further and higher education on the other. Each section focuses on legislative provision relating to the structure of the education system, the role played by central and local government, and equality of opportunity, primarily access to provision. The penultimate section discusses both themes, and the final section concludes.

2 1944 Education Act to 1964

During World War II, the Coalition government enacted the most significant piece of education legislation in the first half of the 20th Century, the 1944 Education Act. This set up a universal system of state-funded education in England and Wales, with related legislation enacted for Scotland and Northern Ireland. The legislation did not address private fee-charging (“public”) schools, and “direct grant” schools, which received a grant from central government in return for offering a proportion of free places to children from state-funded schools.

The legislation stipulated that the statutory system of public education be organised in three progressive stages, primary education, statutory secondary education, and further education. Compulsory education was to cover children between 5 and 15,² with the upper limit to be raised to 16 as soon as practicable.

2.1 Nursery, primary and secondary schooling

In the 1944 Education Act,³ the role played by local authorities varied according to the phase of education. As regards nursery education, the Act gave local education authorities (LEAs)⁴ a duty to ‘have regard...to the need for securing that provision is made for pupils who have not attained the age of five years by the provision of nursery schools or...nursery classes...’. LEAs did not have a clear duty to provide nursery schools/classes, allowing for local discretion. Nursery education and child day care were compartmentalised with nursery education seen as a policy solution for problems associated with deprived areas. The government did not prioritise nursery education with a succession of circulars restricting local authority expenditure in the 1950s and 1960s (West, 2020).

Turning to compulsory schooling, the 1944 Education Act placed a duty on LEAs to secure sufficient schools in their area ‘to afford for all pupils opportunities for education offering such variety of instruction...as may be desirable in view of their different ages, abilities, and aptitudes’. LEAs also had a duty to secure provision for children with special educational needs ‘either in special schools or otherwise’. The duty of the LEA was to defray all expense of maintaining the school, except in the case of some church schools (voluntary aided), where the churches also contributed.

The 1944 Education Act did not specify the structure of secondary education, but allowed for the implementation of a “tripartite” system; this comprised grammar schools providing an academic education for higher ability children, technical schools providing a more general education with a focus on technical subjects, and secondary modern schools, providing a more general education, with an emphasis on practical subjects. Selection normally took place at the end of primary school following the ‘11-plus’ examination, comprising arithmetic and English tests alongside an intelligence test. The prevailing view was that intelligence was fixed and innate (Simon, 1991). In 1947, nearly 38% of pupils attended grammar schools (Bolton, 2016). Very few technical schools were set up. It was up to the LEA to define the character of secondary schools and there was little support for technical

schools: by 1958 they were catering for just under 4% of secondary school pupils (McCulloch, 1989).

Education ministers in the post-war Labour government (1945-1951) viewed equality of opportunity as access to different kinds of school appropriate to the children entering them. However, in the 1950s and early 1960s, educationists and politicians postulated that equality of opportunity did not mean access to an appropriate school, but access to ‘an appropriate education within a common, comprehensive school’ (Silver, 1973, p.xxii). This was tied in with concerns regarding the “11-plus”: the use of intelligence tests, test reliability and accuracy (Simon, 1991), and research findings (e.g., Floud & Halsey, 1957) revealing that the main beneficiaries of grammar schools were from higher socio-economic groups.

Political differences came to the fore in 1964 when the Labour Party Manifesto made a commitment to introduce a comprehensive system: ‘Labour will get rid of the segregation of children into separate schools caused by 11-plus selection: secondary education will be reorganised on comprehensive lines’ (Labour Party, 1964, p.15).

2.2 Further and higher education

The 1944 Education Act gave LEAs a duty to secure adequate facilities for further education for those over compulsory school age. Although they were required to submit schemes for further education to the Ministry of Education, none received official approval (Bailey & Unwin, 2014). However, technical education came on to the policy agenda with the publication of the White Paper *Technical Education* (Ministry of Education, 1956), which focused on increasing the supply of technological skills in the labour force. Following this, ten existing colleges were designated Colleges of Advanced Technology (CATs), which were intended to help British industry catch up with the USA and the USSR (Bailey & Unwin, 2014). However, in 1962, the government removed CATs from LEA control and funded them directly (Richardson, 2007).

In 1950, the overall participation rate in higher education was 3% (Bolton 2012); in the immediate post-war period, three times as many men as women participated in higher education and most students were from the two highest social classes (Blackburn & Jarman, 1993). Higher education tuition was tax financed by grants from central government to higher education institutions (HEIs), and LEAs assisted with students’ maintenance costs: the 1944 Education Act empowered LEAs to grant scholarships/allowances for pupils over compulsory school age, to enable them ‘to take advantage without hardship to themselves or their parents of any educational facilities available to them’. The legislation implied that there should be no financial deterrence, but there was local discretion, militating against equality of access to higher education. Only following the 1962 Education Act was a system of mandatory and discretionary means-tested awards established. The expectation – and assumption – was that parents would contribute to their children’s living expenses if they were not awarded a full or partial maintenance grant.⁵

With increasing numbers of young people continuing in education beyond the age of 15, the government established a Committee on Higher Education; this reported in 1963, recommending an expansion of higher education. Significantly, it rejected the concept of a limited pool of ability, rather it ‘assumed as an axiom that courses of higher education should be available for all those who are qualified by ability and attainment to pursue them and who wish to do so’ (para.31), so increasing equality of opportunity as regards access to higher education.

3 Labour and Conservative governments: 1964 to 1979

3.1 Primary and secondary schooling

In 1965, the incoming Labour government (1964-1970) issued Circular 10/65. This *requested* LEAs in England and Wales to submit plans for the reorganisation of secondary education on comprehensive lines. Some LEAs resisted and retained grammar schools. In Scotland, Circular 600 likewise requested LEAs to organise their secondary provision along comprehensive lines.

In England, most Conservatives remained strongly committed to selective education (Simon, 1991) and the incoming Conservative government (1970-1974) issued Circular 10/70, withdrawing Circular 10/65. Even though a majority of LEAs were Conservative controlled, LEAs continued to submit proposals for comprehensive reorganisation (Simon, 1991), demonstrating the power of local authorities. A further notable and less contentious policy development was the raising of the school leaving age to 16 in 1972, so increasing equality of opportunity in terms of access to higher levels of education.

The Labour government (1974-1979) subsequently passed the 1976 Education Act. This reinforced the policy goal of comprehensive schooling and gave the Secretary of State the power to require LEAs to submit proposals for non-selective (i.e., comprehensive) education. In 1976, the government also withdrew financial support from the academically selective direct grant schools (Simon, 1991). Different political ideas regarding equality of opportunity and secondary schooling were apparent. For Labour, equality of opportunity was to be achieved by a comprehensive education system, and for the Conservatives by a selective system.

Turning to primary education the Plowden Report (DES, 1967) recommended a large expansion of nursery education, starting in educational priority areas, with all four- to five-year-olds in these areas having the opportunity to attend part-time. The Labour government (1964-1970) accepted the recommendation that expansion should start in the deprived areas. However, the policy agenda shifted with the subsequent Conservative administration (1970-1974) and the publication of the White Paper, *Education, a Framework for Expansion* (DES, 1972). This put forward proposals for part-time nursery education for all four- and five-year-olds, reflecting the idea that access should be universal and open to all children not just those from deprived backgrounds, demonstrating a shift from a compensatory view of equality of opportunity, dominant up until this point. However, there were constraints on public expenditure because of the 1973-76 recession and the development of nursery education stalled (West, 2020).

3.2 Further and higher education

The 1970s recession led to a crisis in the youth labour market and the role of central government in further education increased. By 1978, the Department of Employment was funding LEAs to provide training programmes to support college-based day release (Richardson, 2007). Higher education was also on the policy agenda. The White Paper *A plan for polytechnics and other colleges* (DES 1966) signalled the government's intention to establish 28 polytechnics, formed from FE institutions. This resulted in a dual system of higher education: universities funded by central government, and polytechnics under LEA control (Simmons, 2009). In 1966/67, the CATs previously removed from LEA control, became universities (Richardson, 2007).

4 Conservative governments: 1979 to 1997

4.1 Primary and secondary schooling

The Conservative administrations (1979-1997) fundamentally changed the school system in England. Reflecting prevailing Conservative ideas about selective education, the 1979 Education Act repealed the 1976 Act, enabling LEAs to retain grammar schools. The 1980 Education Act set up the assisted places scheme, enabling pupils from low-income backgrounds to attend private, fee-charging schools with fees paid by the government (Power et al., 2013). For the government, the 'prime purpose' of the scheme was 'opening up educational opportunities for able children from less well-off families' (HC Debate, 1996). Parental choice also came to the fore. The 1980 Education Act required LEAs to make arrangements to enable the parents to express a preference for the school they wished their child to attend. Similarly, the Education (Scotland) Act 1981 gave parents the right to nominate a school (via a 'placing request') if they wanted their child to attend a school other than the local catchment area school.

The 1981 Education Act focused on children with special educational needs, and policy thereafter moved in the direction of integrating children with special educational needs in mainstream schools. The context at this time was that of comprehensivisation, and the idea that all children should be educated together in a common school (Croll & Mason, 1994). For the Conservative peer, Baroness Blatch the legislation 'established, for all pupils, an equality of opportunity to education designed to encourage them to progress whatever their abilities' (House of Lords, 1991).

The most important piece of education legislation in this period was the 1988 Education Reform Act. This significantly reduced the role of local authorities. Provisions included the requirement for schools to admit pupils up to their physical capacity and for funding to be based predominantly on the number of pupils on roll. School governing bodies (which became free-standing legal entities under the Education Act (No. 2) 1986) were to manage delegated budgets. Together with the statutory publication of national test scores and public examination results, the government promoted a competitive market – or quasi-market – in schools (Glatter, 2012; Ranson, 2008; Le Grand, 1991). The legislation also introduced a national curriculum in England and in Wales, giving pupils in maintained schools access to a common curriculum, arguably increasing equality of opportunity.

The legislation allowed for maintained schools to 'opt out' of local authority control and become grant-maintained, funded by central government.⁶ In Scotland, the 1989 Self-Governing Schools etc. (Scotland) Act made similar provisions:⁷ in 1993, devolved school management was introduced, but in this case, the local authority paid for the school's normal complement of staff (West, 2015). In Northern Ireland, following the Education Reform (Northern Ireland) Order 1989, grant-maintained status was introduced, but here it was used to create religiously integrated schools (Phillips, 2003).

The 1988 Education Reform Act also made provision for city technology colleges (CTCs) to be established in England.⁸ These were outside local authority control and funded via a contract with central government, with private sponsors contributing toward the capital costs. Unlike other state-funded schools, they were not required to follow the national curriculum. They were nominally all-ability schools (Whitty et al., 1993; West & Bailey, 2013), although pupils were selected based on aptitude, and interviews permitted. Kenneth Baker, the

Secretary of State called this ‘a mild form of selection’ (Bailey, 2016, p.177). Labour was antagonistic toward the policy – as were many Labour-controlled local authorities – with pupil selection being a particular concern (Whitty et al., 1993). The issue of early years education came to prominence during this period.⁹ Following the 1996 Nursery Education and Grant Maintained Schools Act, the government introduced a nursery education voucher scheme for four-year-olds, initially in selected LEAs and then across the UK from April 1997. Parents of eligible children were able to exchange the voucher for a part-time place in a state-maintained nursery school; a primary school nursery or reception class;¹⁰ a private or voluntary setting, or an independent school (PVI providers) (Sparkes & West, 1998). For the first time, government-funded “nursery education” was to be provided outside the school system by playgroups.

4.2 Further and higher education

The role of local government in the provision of further education changed in this period. The White Paper *Education and Training for the 21st Century* (DES, 1991) signalled the government’s intention to remove sixth form and further education (FE) colleges from LEAs. The 1992 Further and Higher Education Act created statutory FE corporations – legal entities and exempt charities – which were to be funded by a government agency. Hodgson & Spours (2019) conceptualised this as a centralised/market approach, with steering by the national funding agency and an emphasis on college autonomy and competition.

The White Paper, *Higher education: Meeting the challenge* (DES, 1987) foreshadowed the removal of polytechnics from LEAs (provided for by the 1988 Education Reform Act). Following the 1992 Further and Higher Education Act (and equivalent legislation in Scotland), polytechnics were allowed to apply for university status. During this period, there was a massive increase in the proportion of young people entering higher education (Wilson, 1997). The student financial support arrangements also changed with the introduction of mortgage-style student maintenance loans (via the 1990 Education (Student Loans) Act) to supplement maintenance grants (Barr, 2012). In response to the expansion and major reductions in the unit funding for higher education, the Conservative government with the support of Labour, set up the National Committee of Inquiry into Higher Education (NCIHE) chaired by Sir Ron Dearing, to make recommendations on the future development of higher education in the UK.

5 Labour governments: 1997 to 2010

5.1 Primary and secondary schooling

Following the 1997 general election, the Labour government abolished the assisted places scheme (following the 1997 Education (Schools) Act). The following year, it replaced the nursery education voucher scheme with an entitlement to a free, part-time nursery education place for all four-year-olds. As before, the place could be taken in a maintained school or in a PVI setting. Significantly, under the 1998 School Standards and Framework Act, the LEA had a duty to ‘secure provision (whether or not by them) of nursery education’. Thus, for the first time, LEAs had a *duty* to secure provision. The Labour government progressively extended the duration of the free part-time entitlement and expanded it to three-year-olds (Paull, 2014). This has been seen as integral to the social investment state (Lister, 2003). However, whilst the free entitlement increased equality of access, only state-maintained nursery and primary schools were required to employ qualified teachers (West, 2020).

The 1998 School Standards and Framework Act brought grant-maintained schools back under local authority control. It also placed a 'general restriction on selection by ability or aptitude' for maintained schools. Thereafter, selection for grammar schools was permitted as were pre-existing arrangements, pupil banding (designed to ensure that the intake for a school includes a proportionate spread of children of different abilities), and aptitude for 'one or more prescribed subjects'. In 2000, the Secretary of State for Education, David Blunkett announced city academies.¹¹ City academies (subsequently academies) were closely modelled on CTCs. They were outside local authority control, run by private not-for-profit trusts, registered as companies, subject to company law, funded directly by central government via a contract (funding agreement), and freed from specific regulations applicable to maintained schools, including the national curriculum. However, unlike CTCs, they normally replaced schools deemed to be failing. Academies had a special emphasis in at least one area of the curriculum (e.g., science and technology, languages, the arts or sport) and although all-ability secondary schools they were permitted to select up to 10% of pupils on the basis of aptitude for the specialism (West & Bailey, 2013).

For the Labour Government, equality of opportunity in terms of outcome was a policy goal: it sought to 'eliminate' underachievement and raise levels of educational achievement (Department for Education and Employment, 1997, p.3). However, its position on selection was ambiguous (Whitty & Power, 2015) – although it abolished the assisted places scheme, it permitted some selection. Ideas about equality of opportunity thus shifted from universal access to a common comprehensive school, to access with some limited, “softer” selection. Equality of opportunity – in terms of providing access to higher levels of education – was also addressed in England by the 2008 Education and Skills Act, which made education or training compulsory until the age of 17 from 2013, and 18 from 2015.

5.2 Further and higher education

The role of central government in further education increased, with the 2000 Learning and Skills Act establishing the Learning and Skills Council (LSC) for England which subsequently became responsible for planning and funding further education provision, encouraging diversity, and increasing choice (UK Further Education and Training Act, 2007). Simmons (2009) argues that institutional competition remained a strong feature of the FE system but because of the policy changes, colleges also faced greatly increased levels of state regulation and control.

Turning to higher education, the Dearing Report concluded that future policy could not rely on an increase in public expenditure to support the rising costs of higher education (NCIHE, 1997). Following the 1998 Teaching and Higher Education Act, from 1998/99, new entrants to full-time higher education programmes were required to pay a contribution towards their tuition fees (£1,000 per year), depending on their own, or their parents'/spouse's income. Students paid fees upfront although there were fee-waivers available for students from low-income households. From 1999/2000, new full-time students only received loans, not grants, for living costs. Political devolution to Scotland, Wales and Northern Ireland followed legislation enacted in 1998; thereafter, the devolved administrations put in place their own policies regarding tuition fees and student financial support (Gallacher & Raffe, 2012). In Scotland, a clear divergence with England emerged, as tuition fees were abolished for students meeting residence requirements studying at Scottish HEIs.¹²

The White Paper *The Future of Higher Education* (DfES, 2003) was followed by the 2004 Higher Education Act. This resulted in a new system – from 2006 – of “variable fees” of up to £3000 per annum for students on full-time undergraduate programmes at English HEIs.

Students were eligible for income-contingent loans to cover tuition fees, in addition to loans for maintenance. Because of concerns regarding the impact of increased fees on participation, and so equality of access, the government re-introduced means-tested maintenance grants, and universities provided bursaries for low-income students (Barr, 2012; Hills & Richards, 2012). The 2004 Act also established the Office for Fair Access (OFFA): its remit included maintaining equal access to higher education for disadvantaged students. In short, only HEIs with access agreements approved by OFFA, were allowed to charge the highest level of tuition fees. In 2009, the Labour government asked Lord Browne to lead an independent review of the funding of higher education and to make recommendations regarding fees and student financial support.

6 Coalition and Conservative Governments: 2010 to 2021

6.1 Primary and secondary schooling

Following the 2010 general election, the Conservative-Liberal Democrat Coalition government (2010-15) passed the 2010 Academies Act enabling primary and secondary maintained schools to apply to “convert” to academy status. The legislation also enabled new academies – known as free schools – and university technical colleges for 14- 19-year-olds to be established. The following year the Education Act 2011 introduced the “free school presumption”: if a local authority decides that a new school is needed, it must seek proposals to establish an academy, in the form of a free school (West & Wolfe, 2019). By 2021, over three-quarters of secondary schools were academies (DfE, 2021a), transforming the education landscape. Increasingly, schools became part of multi-academy trusts (MATs) as opposed to being stand-alone, single academy trusts. By 2017 most secondary academies were part of a MAT (DfE, 2018). During this period, the power of local authorities decreased further as schools converted to academy status and new free schools were established.

Turning to early years education, the Coalition government increased the duration of the free entitlement for three- and four-year-olds and extended the entitlement to the most disadvantaged two-year-olds (Paull, 2014).¹³ In Scotland, Wales and Northern Ireland, policies to expand early childhood education were also introduced (West, 2015). Further changes in England followed in 2017, when the Conservative government (2015-) introduced an “extended entitlement” of 15 hours a week free “childcare” (supplementing the universal free entitlement of 15 hours) for three- and four-year-olds with eligible parents in work (DfE, 2021b). The 2016 Childcare Act placed a duty on the Secretary of State to make 30 hours available with regulations setting out the duties on local authorities to secure provision (UK Statutory Instrument, 2016).

6.2 Further and higher education

In England, changes to the governance of further education took place. The Coalition government abolished the LSC in 2010, and from 2017 set up the Education and Skills Funding Agency, which took over responsibility for regulation and funding of FE provision (UK Parliament, 2017). Significantly, from 2019/20, the government devolved the adult education budget,¹⁴ which funds the majority of adult FE in England, to six Mayoral Combined Authorities and the Greater London Authority (Foster, 2019) signalling the potential for a more co-ordinated local and regional approach (Hodgson & Spours, 2019). New legislative provision – the Skills and Post-16 Education Bill 2021 – aims to improve the functioning of the post-16 skills system with a lifelong loan entitlement and new powers of

intervention by central government where an institution fails adequately to meet local needs (DfE, 2021c).

Turning to higher education, following publication of the Browne Review (Independent Review of Higher Education Funding & Student Finance, 2010), the Coalition government increased student tuition fees: this was counter to the Liberal Democrat Manifesto, which had promised to ‘scrap unfair university tuition fees’ (p.33). From 2012/13 the maximum tuition fees almost trebled to up to £9000 a year at institutions where OFFA had approved access agreements.¹⁵ The funding structure and student financial support system remained broadly as before (Barr, 2012). However, full-time students who commenced their degree from 2016/17 no longer qualified for a maintenance grant: this was replaced with an increased loan for living costs (UK Statutory Instrument, 2015). Of all the countries in the UK, England is alone in having a system of loans only for student maintenance support (DfE, 2019a).

Further changes followed the 2017 Higher Education and Research Act, which provided for the establishment of the Office for Students (OfS) and the Office of Director of Fair Access to Higher Education. The legislation explicitly addresses equality of access, such that the OfS must have regard to the need to promote equality of opportunity in connection with access to and participation in higher education in England. In Wales, equality of opportunity – understood as equality of access and promoting higher education – has a prominent role in the 2015 Higher Education (Wales) Act.

7 Discussion

7.1 Role of central and local government

Whilst there have been some continuities since 1944 regarding the structure of the education system – in terms of the stages of education and some of the institutional forms – there have been notable changes in the roles played by central and local government, especially in England. In early years education, the relationship between central and local government has changed radically. In 1944, English and Welsh local authorities had the power to provide or aid the provision of nursery education; this discretion meant that provision varied between LEAs. Over time, the role of local authorities has changed and from 1998, they had a duty to secure places for universal part-time government-funded education. Whilst there has been institutional continuity regarding maintained nursery schools and nursery classes, private for-profit and not-for-profit institutions have expanded, stimulated by government policy, in turn responding to increased female labour force participation.¹⁶ In the rest of the UK, there have been related changes (West, 2015).

In school-based education, policy developments demonstrate the changing relationship between central and local government in England, contrasting with much greater continuity in Wales and Scotland. The role of local government in England has diminished over time: the 1988 Education Reform Act introduced market principles into the school system, reducing the role of local authorities. With an increasing number of schools becoming more autonomous, admissions policies and criteria also diversified, moving away from a focus on local authority designated criteria (e.g., catchment areas) to become more selective so influencing equality of access (West et al., 2011). Following the 2010 Academies Act, school governing bodies could apply to convert to academy status, reducing the power of local authorities; and the presumption of a free school (academy) when a new school is needed further diminishes the role of the local authority. The newly created academy trusts are themselves powerful new actors, particularly MATs. Individual schools in MATs have no

legal identity, and power is vested with the academy trust (e.g., governance, funding, admissions, curriculum,¹⁷ staff pay) (West and Wolfe, 2019). The situation in Wales and Scotland is completely different: there are no academies and local authorities continue to maintain state-funded schools. Governance is thus more diversified in England than in the rest of the UK (cf., Rhodes, 1999). Turning to further and higher education, across the UK, the centralising role of central government is exemplified, with FE colleges and polytechnics being removed from local control and controlled by central government.

7.2 Equality of opportunity

Ideas about equality of opportunity have shifted over time and by phase of education. Nursery education was originally seen as being for deprived children and was compensatory, this idea has since been replaced with the idea of universality. However, there is not equal access to high quality provision, as qualified teachers are only required in state nursery and primary schools not in PVI providers. Furthermore, the uptake of free early education is lower amongst the most disadvantaged children (Campbell et al., 2018).

In school-based education, ideas regarding equality of opportunity have varied over time, between political parties and between countries, with proponents of a selective secondary system focusing on equality of access to an appropriate school, and those against, focusing on access to a common, comprehensive school. The concerns expressed about selection, intelligence testing, the beneficiaries of the grammar school system and political ideas were instrumental in the policy shift that took place from the mid-1960s. From the 1960s onwards clear differences between the countries of the UK have emerged. In England, the secondary school system is now predominantly comprehensive although 5% of secondary schools are selective grammar schools, and furthermore, 6% of comprehensive state-funded schools select a proportion of pupils in the basis of aptitude/ability (West et al., 2011). In addition, 24% of state-funded secondary schools have a religious character (DfE 2021a): at secondary level the majority use admissions criteria that relate to the parents' and/or child's religion/denomination, they are responsible for their own admissions, and have intakes with higher social background and ability than their secular counterparts (Allen and West, 2011).

In Scotland and Wales, the idea that all children should have access to a common, comprehensive school prevails:¹⁸ there are no academically selective grammar schools in either country. Moreover, although 15% of schools in Scotland have a religious character, denominational schools are open to pupils of all denominations, all faiths and none and admissions are the responsibility of the local authority (Scottish Government, 2018; BESA, 2021). The Scottish government is committed to the idea of equality of opportunity via access to a common, comprehensive school. According to John Swinney, the Deputy First Minister: 'The Scottish Government... remain committed to publicly funded, comprehensive school education ensuring that every child has the chance to succeed' (Scottish Parliament, 2017). Howieson et al. (2017) argue that 'the comprehensive reform of 1965 has shaped publicly funded secondary education in Scotland' (p.9). The situation is similar in Wales. 'Wales...has continued to uphold the virtues of a comprehensive education system' (Power, 2016, p.288). The First Minister, Mark Drakeford, has stressed the idea that comprehensive education fosters equality of opportunity: 'The Welsh Government remains committed to a comprehensive education system that ensures everyone, no matter their background, has the opportunity to reach their potential' (Welsh Assembly, 2019). In higher education, the notion of equality of access is prominent in the legislative provision in England, Wales, and Northern Ireland. In Scotland, the Scottish government goes further: 'We remain committed to free higher education for Scots domiciled students and access to university being based on the ability to learn, not the ability to pay' (Williams, 2020).

Turning to equality of opportunity in terms of access to higher levels of education, this has increased over time. In 1942, the school leaving age was 14, now education and training is compulsory until 18 in England (and 16 elsewhere in the UK). Participation rates have also increased. In 1950 participation stood at 30%, 14% and 7% for 15-, 16- and 17-year-olds respectively (Bolton, 2012); in 2019, comparable figures were 94%, 88% and 63% (DfE, 2020b). Whilst access to different levels of education has clearly increased, access to an appropriate type of education - notably technical education – remains a major policy concern (DfE, 2019a).

Equality of access to higher education has also increased markedly. In England, in 2017/18, the participation rate of 19-year-olds from state schools was 42%, with more females than males (47% versus 37%) participating and fewer who had been eligible for free school meals¹⁹ than who had not (26% versus 45%) (DfE, 2019b).²⁰ The latter risks being exacerbated by the student financial support system, which is built on student loan debt, as young people from lower socio-economic backgrounds are more likely to be deterred from planning to enter higher education because of fear of debt (Callender & Mason, 2017). New cleavages have also emerged with young people from all ethnic minority groups having higher participation rates than white pupils (DfE, 2019b).

Turning to equality of outcome, the merits or otherwise of academically selective schooling have been hotly contested (Dickson & Macmillan, 2020; Mansfield, 2019). However, ‘any assistance to low-origin children provided by grammar schools is cancelled out by the hindrance suffered by those who attended secondary moderns’ (Boliver & Swift, 2011, p.89) (see also section 8). Turning to higher education, educational outcomes vary. Thus, women are more likely than men to be awarded a “good” degree (first or upper second class), as are those from middle-class backgrounds, and white students (Richardson et al., 2020). Furthermore, attending a private fee charging school strongly predicts obtaining a university degree, in particular from an élite institution (Sullivan et al., 2014). Inequalities in terms of other outcomes are also apparent: the removal of maintenance grants has resulted in students from the poorest families graduating with larger debts than the richest (Belfield et al., 2017). Moreover, the inextricable link between students and their families in the financial support system means that more affluent parents can offer protection from student loan debt to their children because of their financial resources (de Gayardon et al., 2019)²¹ arguably creating a new form of inequality (West et al., 2015).

8 Conclusion

The aim of this paper has been to assess the extent of continuity and change in education policy in the UK since the 1944 Education Act, focusing on the role played by central and local government, and on ideas regarding equality of opportunity. Whilst there have been some continuities regarding the structure of the education system – such as the stages of education and some institutional forms – there have been notable changes in the roles played by central and local government in England, where governments of different political complexions have enacted legislation that has resulted in the centralisation of power on the one hand, and the creation of enduring state-controlled markets on the other, with new private bodies – academy trusts – playing a crucial role in the delivery and governance of school-based education. This diminution of the role played by local authorities is unique to England: in Scotland and Wales, hierarchical governance via local authorities and local democratic control remains. This can be related to the different political ideas that underpin policy in the constituent countries of the UK (pre-dating political devolution) and the high levels of trust

that exist between local and central government in Scotland and Wales (Exley 2007; Jones, 2002).

Ideas relating to equality of opportunity have changed. Notably, in school-based education, equality of opportunity was originally seen as access to different types of school according to aptitude across the countries of the UK; this remains the case in Northern Ireland. In Scotland and Wales, the idea of access to a common, comprehensive school prevails, but in England the idea of access to different types of secondary schools remains, albeit “softer” than in the immediate post-war period. In higher education, current ideas across the UK relate to increasing access to higher education particularly for those from disadvantaged backgrounds.

Turning to access to different levels of education, equality of opportunity has increased in terms of policy if not practice. There is now an entitlement to free early education, the school/education leaving age has been raised; and participation in higher education has increased markedly. Equality of outcome, however, remains elusive.

What then, might be the implications of these policy developments for equality of opportunity in education? First, in terms of early years education, a well-qualified workforce appears essential for all children to have equal access to *high quality* provision; in England, the workforce is not uniformly well qualified, in contrast to the situation in several other European countries, so limiting the potential for effective social investment (West et al., 2020). Second, in school-based education, international evidence points to inequalities being magnified by tracking pupils into different school types, and decreased by standardisation (Van de Werfhorst & Mijs, 2010); the findings imply that comprehensive school systems with no academic selection, and standardisation – as opposed to school autonomy – offer the greatest potential for equality of opportunity in terms of educational outcomes. Third, in higher education, grants for students from low-income households instead of loans would reduce student debt, which research indicates (Callender & Mason, 2017) is a barrier to young people from lower socio-economic backgrounds deciding to apply to enter higher education. By addressing these issues, there is potential for equality of opportunity to be enhanced.

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Notes

¹ This percentage has remained broadly similar since the 1980s (Bolton, 2012).

² In 1947, the school leaving age was raised from 14 to 15.

³ This was also the case with the Education Act (Northern Ireland) 1947 and 1945 Education (Scotland) Act.

⁴ Until 2009, LEAs were responsible for the administration of state-funded education in England and Wales. Since then, the local authority has carried out the statutory duties of LEAs.

⁵ University tuition fees and student maintenance costs were offset against parental income, assessed on the basis fees and maintenance (Wilson, 1997). From 1977, LEAs paid students' tuition fees to HEIs (UK Statutory Instrument, 1977).

⁶ Grant-maintained schools became employers of staff and gained control over admissions (voluntary-aided schools already had these responsibilities).

⁷ In England, by 1997, 3% and 19% of primary and secondary schools respectively had opted out of LEA control. In Wales, 17 schools opted out and in Scotland 2 (Arnott, 2014; West, 2015).

⁸ 15 CTCs were established.

⁹ The 1980 Education Act stated that an LEA has the power (but not a duty) to establish, maintain or assist nursery schools or schools with nursery classes.

¹⁰ Reception classes in England cater for children between four and five; compulsory education begins the term after children reach five. School admission authorities must provide for the admission of all children following their fourth birthday.

¹¹ The provision for CTCs was amended by the Learning and Skills Act 2000 to provide for ‘city academies’ to be created.

¹² In 1999 following the election of the first Scottish Parliament, the Liberal Democrats, as a condition for entering a coalition with Labour demanded abolition of tuition fees (Gallacher & Raffe, 2012).

¹³ These changes were provided for by the 2011 Education Act, which made amendments to the 2006 Childcare Act.

¹⁴ Qualifications funded through the adult education budget include basic English, mathematics, and digital skills.

¹⁵ For breaches to access agreements and outcomes see OFFA (2016).

¹⁶ In 2020, 86%, 66% and 22% of two-, three- and four-year-olds respectively benefiting from the ‘universal entitlement’ attended PVI providers (DfE, 2020a).

¹⁷ Academy trusts are not required to follow the national curriculum: they must offer a broad and balanced curriculum, leaving individual trusts discretion (West & Wolfe, 2019).

¹⁸ Northern Ireland retains a selective secondary education system.

¹⁹ Eligibility for free school meals is an indicator of poverty.

²⁰ In Scotland the gap in participation between young people from the most and least advantaged areas is higher than in the rest of the UK. This may be related to the low proportion of less academically selective institutions, which tend to cater for those with lower academic qualifications, who are more likely from less advantaged backgrounds (Hunter Blackburn et al., 2016).

²¹ de Gayardon et al. (2019) found loan take-up was negatively related to the family’s equivalised income.