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Contract and covenant in English college-based higher education partnerships

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ABSTRACT

This research explores ethics in the context of education collaboration and partnership work. It is part of a wider collaborative provision study of leaders and managers in 4 universities and 15 colleges, and it draws upon interviews, meetings and conversations, focusing upon the character of the partnership relationship as depicted by the participants in the study. In the analysis, the terms ‘contract’ and ‘covenant’ are used respectively to describe business and educational aspects and features of CBHE partnerships. Rather than viewing these as a duality or in tension with each other, the evidence of the data points to an assimilation between the two. The ethical dimension of partnership and collaboration in the higher education context is found to be widely present and to co-exist with more business-focused, means-ends formulations. Judging from this data, financial and instrumental motivations were rarely unaccompanied by a more altruistic sense of the educational partnership as worthwhile in its own right, a good thing, and as a powerful lever for higher education access and widening participation. The article concludes by noting the complexity of CBHE partnerships, suggesting that this should be borne in mind in future research.

KEYWORDS

College-based higher education; leadership; ethics; collaboration; partnership; universities; colleges

Introduction

This article explores ethics in the context of education collaboration and partnership work. Partnerships in education, particularly those between further and higher education institutions, are traditionally characterised in terms of collaboration or competition, with much of the prevailing theoretical literature in this area highlighting the tensions arising from competing drivers and priorities between the two sectors (Bridges and Husbands 1996; Colley, Chadderton, and Nixon 2014; Connolly, Jones, and Jones 2007; Elliott 2017; Trim 2001). Collaboration and partnership are relatively under-researched aspects of leadership and management; the specific focus here is upon college based higher

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education (CBHE) that is taught in partnership between colleges and universities, though CBHE more widely may also include higher education that is offered by further education (FE) colleges in their own right, and courses that are franchised by universities. It is part of a wider collaborative provision study of leaders and managers in 4 universities and 15 colleges, and it draws upon interviews, meetings and conversations, focusing upon the character of the partnership relationship as depicted by the participants in the study. The data is analysed using cognitive maps, theme mapping and matrices, enabling a systematic relational analysis – moving beyond the existence and frequency of concepts to examine the relationship among conceptions of collaboration and partnership in the CBHE context. This rests on the supposition that ethical work can be identified through close attention to participants' language and behaviour. Language can be a guide as to whether ethical behaviour is going on, but will have to be correlated with behaviours to be sure. Particular attention is drawn to where participants discuss the ethical dimension of their education partnership, frequently signalled by words and phrases which are usually associated with values, beliefs and beneficent elements of partnership working. The title of the article is meant to signal the existence of both business- and education-oriented discourse in the data. Interestingly, both themes are frequently presented during one interview or dialogue, suggesting that the issue of partnership motivation and enactment, and the relationship of education and business, may be more nuanced than is often understood to be the case.

The context of college-based higher education partnerships

Regardless of the form they may take, partnerships and collaboration are critical aspects of leadership and management. As Elliott (2013) has noted, partnership is now a central dimension of leadership and management; however, little research has explored the dimension of partnership and collaboration in leadership and management (Gray 2016), and historically the issue has frequently been overlooked even in work that aimed to provide good models of practice for future leaders (eg Jameson 2006). The practice of leadership and management, including the identification and establishment of suitable partners, can be characterised as ethical to the extent that it draws upon sets of values for its substance and direction (Sergiovanni 1992, and in the context of further education; Elliott 2012; Dennis, Springbett, and Walker 2019). Although in many spheres of public life it has been unfashionable to think and speak in terms of ethical action, there are signs, for example in the spheres of sustainability and environmental action, that this is changing (Johnsen 2021). Ethical work, even where it is not explicit in public statement, can be identified through close attention to participants' language and behaviour. Leaders' and managers' understanding, experience

and personal accounts of their partnership and collaboration practice will provide signposts and indications of how far ethical behaviour is being practised. Language can be a guide as to whether ethical behaviour is going on, but will have to be correlated with behaviours to be sure.

CBHE¹ is a growing phenomenon (Elliott 2020). There have been two key drivers for this growth. The first is diversification of college income. Steadily, over the last twenty years or so, colleges have seen a steady diminution of their income from the various funding bodies that have prevailed in the sector over time. Expanding their provision into a higher education offer has enabled college principals to diversify their funding base and to secure a valuable income source independent of their core regulated funding bodies (Kadi-Hanifi 2020). The second driver has been widening participation in higher education (Kendall and Mitchell 2020). Successive governments have looked to the colleges to utilise their close links with business and industry to expand vocational higher education, for example through BTEC (Business and Technology Education Council), Higher National Diplomas, Certificates, and Foundation Degrees, and in so doing contribute towards meeting employer skills demands (Avis and Orr 2016). Albeit at a time when the intrinsic value of higher education is being brought into question by government and the media, we are likely to witness further growth in CBHE, with both the widening participation and funding drivers remaining as important as ever (Elliott 2020).

This article aims to look a little more closely at the motivations of those colleges that make their higher education available through partnerships with universities. Its title hints at an interesting dimension, which is the extent to which College Principals think about collaboration with universities as a contract and a covenant. The former can be characterised as primarily a business arrangement and the latter as a social commitment. Contracts might be more strongly associated with financial motives whilst covenants with altruistic ones. The former perhaps driven by economics, the latter by values. In the legal world:

A contract is an agreement between parties while a covenant is a pledge. A covenant is an agreement you can break while a covenant is a perpetual promise. You seal a covenant while you sign a contract. A contract is a mutually beneficial relationship while a covenant is something you fulfil. ([Upcounsel](#), [online](#), [undated](#))

These themes come to the fore in the discourse evident in the interview and discussion data that came out of the collaborative provision study. In particular, it is clear from the data that there is a very strong ethical dimension to the way in which some college Principals describe their higher education partnerships. At the same time some participants are clearly driven, in part at least, by the funding pressure that lead them to seek alternative sources of income through CBHE work. However, this is not

to suggest a dualism between contract and covenant perspectives so to speak – almost all College Principals in our study embrace both dimensions in their responses. This is not too surprising, given that (a) higher education quality assurance processes have always required due diligence to play a central part in partnership approval, with a written contract always required to be in place prior to the allocation of publicly funded resources to any partner; and (b) the removal of the local authority safety net following incorporation in 1992 left colleges reliant upon their own procurement and income generation strategies.

Joint working between FE and HE has generated some diverse perspectives in the theoretical literature, with scholars more or less equally divided between thinking of partnership between these sectors as collaboration *or* competition (Colley, Chadderton, and Nixon 2014; Pritchard et al. 2019). Widely in the literature, high mutual trust emerges as a key determinant of successful alliances and partnerships (Ferlie and Trenholm 2017; Heffernan and Poole 2005; Krishnan, Martin, and Noorderhaven 2006). When we look at real examples of FE/HE collaboration in England, it is a mixed picture, with some partnerships developing and flourishing in an atmosphere of purpose and trust, whilst others have withered as the HE funding regime made it less attractive for universities to franchise their HE courses to FE colleges (Elliott 2017; Scott 2010). Recent policy changes, giving FE colleges more powers, for example to gain Foundation Degree Awarding Powers and to expand their own HE numbers, seem likely to squeeze FE/HE relations still further (Elliott 2020). This is an important dimension of post-compulsory education policy – one that has rightly been described as fraught with ‘complexity and paradoxes’ (Ross and Woodfield 2017), that demands careful and subtle analysis (Fumasoli and Stensaker 2013). However, the task is important and worthwhile; high quality FE/HE partnerships have been shown to be instrumental in widening participation of disadvantaged groups and adult learners (Kylie 2021), and institutional balkanisation is neither in the interest of the institution nor the student.

It will be important to know about my positionality in relation to the data and its analysis in this research. Essentially, I have carried out a number of university partnership and regional engagement roles that have allowed me close and sustained access to FE college and university leaders, managers and practitioners involved in collaborative provision, all based in the West Midlands. Formal ethical approval by the Ethics Committee of the host university was granted for the study, which has taken place over several years, and involved in-depth qualitative interviews with college and university leaders. The author has followed the BERA ethical guidelines for educational research (BERA 2024). The interviews were conducted by a research assistant rather than myself, to try and lessen the influence of my own views, motivations and physical presence on the responses. The

interviews were recorded on a digital audio device, professionally transcribed, and the data was analysed using a hybrid of cognitive maps, theme mapping and matrices (Easterby-Smith, Smith, and Jackson 2012), together with reflexive thematic analysis (Braun and Clarke 2019) enabling a systematic relational analysis (Bourdieu 1992) – moving beyond the existence and frequency of concepts to examine the relationship among conceptions of collaboration and partnership in the CBHE context.

What follows is clearly a selection of the views offered by our participants. The selection criterion is principally the extent to which the respondent talked about the nature and character of the collaborative arrangements that held between their college and the partner university. The study was conceived to find out what were the drivers of the partnership and to what extent the relationship was a business transaction on the one hand or an educational mission on the other. We were surprised to find that we had assumed a false duality, and that partnerships invariably reflect both elements.

Data presentation and analysis

This research project involved meeting and interviewing 19 college and university leaders and senior managers in the Midlands region of England, over a period of seven years. This was, to some extent, a longitudinal process which was largely a matter of convenience due to the job demands of my university executive role. Most of the college participants were chief executives, and where they were not available, their designated spokespersons for regional engagement and partnerships; the university participants were those with designated responsibility for collaboration and partnerships. The designation of each participant is made clear in the presentation of the data.

In all, four universities were represented in the sample; these included Russell Group, post-92 and a former college of higher education. The higher education institution type is not identified in the data for reasons of anonymity; a fuller differentiation of the data by institution type would require a quite different and more extensive study than that presented here. At the time of data collection there were 15 colleges represented in the study; subsequently some of these have merged, consistent with the wider trend for smaller colleges to be absorbed by larger ones as cost pressures built up following incorporation of the further education sector (Further and Higher Education Act 1992). These included both general and specialist FE Colleges, as well as Sixth Form Colleges. Again, college institution type has been anonymised in the reporting of the data for confidentiality purposes. The analysis that follows uses transcribed data from interviews and meetings.

The university leaders and managers reported a wide range of reasons and motivations for their partnerships with colleges. This response was quite typical in that regard:

Our FE college partnerships are of two kinds, we have two what I suppose you would think of as strategic partners, which are large local FE colleges, with whom we deliver, they deliver programmes leading to our awards, but we also give them numbers from our SNC, so they are indirectly funded arrangements at two colleges and between them they've got to be 200 students. We've got a small number of partnerships with other FE colleges which many years ago we also gave numbers to, but when FE colleges were able to bid for their own numbers, they did that successfully and so those were converted into, in funding terms, validations. (University manager 0202)

There is a degree of tentativeness here in describing two of the partners as strategic: 'what I suppose you would think of as strategic partners'. A common theme in the theoretical literature is the unequal power relations between universities and colleges when they form a partnership (Elliott 2017). This is sometimes ascribed to difference in size, perceived status of the HE sector compared with the FE sector, and actual power differences where the university provides resources to the FE college and not the other way round: 'they deliver programmes leading to our awards; we also give them numbers from our SNC; those were converted into, in funding terms, validations'. However, at the same time, University manager 0202 clearly expresses the view that there was equity in their FE partnerships:

I think the sort of other benefits for us are about staff development, there's a two-way learning, I think we have sort of moved away from the idea that we are the big University telling an FE college what to do. A lot of these are sort of long-term partnerships and they are good, they have strengths and we have strengths, it's about using those and learning from each other's strengths I think.

Elsewhere, University manager 0202 was emphatic that their FE partnerships were driven by widening participation:

I think for us it's about ... it's ... contributes hugely to widening participation obviously and because we work with FE colleges who offer programmes that we don't necessarily offer here, but which lead onto some of our programmes, so they are offering progression ladders to students that often progress through their own progression routes and so we're quite often got arrangements that will offer progression from, you know, a level 1 right the way upwards and they are attracting students who might not have otherwise come into, you know, they're first time University attenders so to speak.

All of our university managers understood FE partnerships to be highly effective in assisting widening participation. A particular target, mentioned here, is those who are first generation university students: 'they're first time University attenders so to speak'. Many studies of FE/HE

collaboration highlight the benefits of joint working in opening up ladders of progression between college and university; as here: ‘offering progression ladders to students that often progress through their own progression routes and so we’re quite often got arrangements that will offer progression from, you know, a level 1 right the way upwards’. This is a very powerful idea, that a student could begin their studies in an FE college, working at Level 1 (pre-GCSE level, eg a BTEC First Diploma), and progress through to Level 3 (A Level or BTEC National Diploma) and then onwards into the partner university. Universities sometimes set up what are sometimes called Compacts or Progression Agreements, to facilitate such progression from partner colleges and schools – arrangements whereby if the school or college student achieves specified grades or other achievement criteria, perhaps participation in university experience events or attendance thresholds, their place at university is guaranteed. As University manager 0202 puts it:

the partnerships that we have with the local colleges are not just about the franchise arrangements that we have with them, it’s also about, you know, we get other students from those colleges, you know through progression agreements and compacts and we work with them on sort of schools liaison work and that kind of stuff.

At this university, there were full-time salaried staff whose role was specifically to generate and support links and liaison with local schools and colleges, thereby raising local awareness of the university and the opportunities it offered. Many of the College Principals concurred with these sentiments: ‘good partnerships are effective in widening participation, partnerships do do that’ (College Principal 0102).

Increasingly, College Principals’ strategy for growing their CBHE involves seeking out a range of HE partners based on which subjects they seek to offer at HE level: ‘one of our strategic objectives is actually about partnership’ (College Principal 0106). This decision may be informed by the college’s existing level 3 curriculum (A Level or equivalent, eg BTEC National courses), or their professional course offer, and seeking to offer progression from these into related higher education for their students. This College Principal used the metaphor of stepping stones, to

encourage people to move onwards and upwards though education, I think that’s been absolutely critical and we did some really good work on that. It’s about us being stepping stones and making sure that we continue the feed through and into Lifelong Learning. (College Principal 0104)

Another College Principal had established a number of HE partnerships covering degree and masters level courses in a number of subject areas, and here reflects on the influence of government funding:

We have done other work with them in the past which relates to more general masters degree work, but that has fallen into abeyance because the main state funding for that dropped off a couple of years back, so when the funded work stopped, that work stopped College Principal 0103).

In the same interview, the influence of competition in college/university contracts based on price is very clear:

We approached (name: existing university partner) but I'll be blunt about it, we got a better financial deal and in a way we are not much more than brokers in that process, so we are in the process of reawakening that and it is an illustration of an overtly commercial world that does operate in what we do. (College Principal 0103)

At the same time, this College Principal reflects on the educational value of their HE partnership work:

We have learnt ways of supporting people who would be, who would otherwise, higher education would be unthinkable, and I think we tap into a group which by and large even universities as committed as (name: existing university partner) is, but others like (name: existing university partner), similarly the same, don't quite go to. I think we get to another band of people and what's interesting we have very high recruitment, we have high retention rates and our academic outcomes match others, so we are proud of what we do, we think we are doing a cracking job with not easy people. Not about them personally, it's about the situation they come from. (College Principal 0103)

The contrast between these two excerpts is quite stark. Compare the observation that one partnership is little more than a business contract: 'we are not much more than brokers', with another of their partnerships: 'we are doing a cracking job with not easy people', where the descriptor 'cracking', and the clear statement: 'we are proud of what we do' indicates high emotional investment in the value of their provision to disadvantaged students: 'not easy people'. There is the sense here, in the language used, of determination, energy, creativity and drive in CBHE; if not quite a partnership of equals, then certainly one of equally shared contributions. A number of the smaller colleges in this study expressed a sense that they benefited materially from their HE partnerships, that partnerships could be a way of delivering more:

... in our case, we're a very small college. So there's a really limited number of things we can do by ourselves. So, partnership could be a way of delivering more by gaining access to resources, by sharing experience, expertise, and by giving students other experiences. (College Principal 0111)

This respondent is a principal of a college with a significant proportion of higher education work, which gives rise to their concern about losing control, that partnerships may be opening the door to a competitor:

... you give up some control. You may actually be opening the door to a competitor. I mean in the end, we are put in the position of acting as if we are competitive agents, you know. (College Principal 0111)

These last two extracts present the tensions of partnership nicely, and the dualisms of mutual benefit and powerplay are further articulated here in a single sentence:

So a partnership could be allowing the dominant partner to get more than, you know, see, it's a little bit of a ... just a bit of that slightly sort of power play you could say in partnership. The ideal of partnership, of course are you do it for mutual benefit and therefore you each have to give something up. (College Principal 0111)

Since the 1980s, the term 'New Public Management' (Evetts 2009) has been used to describe the neo-liberal turn in public services and especially in education, in which accountability and performance indicators came to the fore in the governance, leadership and management of educational organisations. Much of the associated literature has described how colleges (Smith and O'Leary 2013) and universities (Lorenz 2012) adopted business language, values and metrics in line with neo-liberal philosophies, and replacing previous formulations that placed lifelong learning and altruistic values such as 'learning for its own sake' (Roche 2017) at the heart of education. However, this turn can be quite subtle, and, we argue, more nuanced than suggested in the theoretical literature. In this extract, a College Principal articulates the business of their college. Partnerships are described thus:

Well mainly they're educational in terms of the individual organisation so that we can actually improve and develop, clearly these are business purposes and their interests and our interests are to have engagement and progression'. (College Principal 0112)

This is interesting in the context of the New Public Management context, as here the College Principal is clearly equating the business purposes of the college as to improve and develop and to have engagement and progression. When asked directly: 'What are the main benefits of the partnerships that you have?', the same College Principal responded:

It makes us a stronger organisation, education in understanding, raises our reputation and profile, student progression and basically concentrates on what we should be doing. The other dimension that I should mention is staff development. (College Principal 0112)

The phrase 'education in understanding' recalls the key purpose of reflective thinking for practitioners summarised by the educator and researcher Laurence Stenhouse, to 'tutor our judgement' (Stenhouse 1979). This College Principal was outstanding to the extent that their leadership and management philosophy and practice was clearly focused on student learning and achievement, widening participation, access and outreach, and partnerships were seen as a critical mechanism to achieve these outcomes.

At the same time, since incorporated colleges are required to meet financial efficiency and performance targets, governance structures and management systems were clearly aligned with these other business purposes.

As an illustrative example of how instrumental and broader business interests were aligned, the Clerk to the governors was instructed to allocate one major agenda item to a departmental presentation or discussion of some curriculum development, the time allocated being on a par with the regular Director of Finance report.

By way of contrast, a manager in another college appeared to take an overwhelmingly instrumental view of their educational partnerships. When asked directly: ‘What are the main benefits of the partnerships that you have?’, they responded:

Well, the cynical view would be that they’re a supply line, and they are at the end of the day. But we’re all in the business of education, so at the end of the day, we ought to be providing education. You know, within all flows of the systems in there. That would be my thing. Right. You have a way of getting to our students. There’s contractual benefits, there’s financial benefits. There’s benefits to students again in terms of progress routes. You can say we’re competing. (College manager 0114)

This extract is most noteworthy for its self-described cynical characterisation of their educational partnerships, majoring on the supply line, financial benefits, and competing. Is thinking about student recruitment and progression as a supply line necessarily instrumental and therefore reflecting anti-educational values? Not necessarily, however the language of the market has been significantly adopted by this manager, and we might begin to suspect that even the single educational aim, benefits to students again in terms of progress routes, is stimulated by the need to recruit more students than their competitor colleges, and to achieve market advantage: ‘You have a way of getting to our students’. The locus of this approach is clearly identified as political:

Well I think it’s the conservative government in the last two or three years. They want a competitive environment. So, you know, I would put it almost entirely down to that. At the end of the day, they’ve created a society or system that competes with one another. So, collaboration is all well and good, but it isn’t. how they’re progressing education in this country. (College manager 0114)

This Principal was not alone in highlighting the financial dimension of partnerships as key. College Manager 0107 maintained ‘certainly where there was an opportunity to, to bid for funding because of the size and the economies of scale and that kind of thing, that would certainly be beneficial, you know to work more constructively’.

For another Principal, the policy direction of marketisation of the FE sector could be traced back to the 1992 FHE Act which was seen to consolidate the business orientation of FE Colleges:

Further education sort of changed after incorporation occurred in 1992 where colleges became independent and left the local authority, and they've really been kind of set up as businesses. So, there is huge amounts of competition, you know. (College Principal 0113)

In contrast, another College manager appears more willing to spell out the limitations of a market-driven approach:

Yes I think, well locally, I suppose locally and nationally, we are going through pretty horrendous funding cuts which we are having to look at, but also the freedoms and flexibilities, what concerns me is that the landscape could become very cluttered and confused because it seems to me that academies, UTC's, free schools, can set up almost at the drop of a hat and I think it's sort of like, slight government rhetoric gone a little but mad, because its unplanned and I think we might find ourselves in 5 years' time looking back thinking how on earth did we allow that to happen. (College manager 0109)

These two excerpts illustrate well the challenges faced by college managers in the quasi-market in post-compulsory education – an arena in which some managers feel that partnership and collaboration runs counter to their own and their college's best interests: collaboration is all well and good, but it isn't. This tension is similarly felt by this College Principal:

I suppose the FE sector swings from collaboration to competition every few years and I think when there is plenty of money about you collaborate in a friendly way, when there's no money about you either compete hell for leather or you collaborate in the sense that you say, ok if you can't beat them, join them (FE Principal 0102).

Certainly, partnership working across the board seemed to arouse quiet strong passions especially in the College manager cohort. This manager was extraordinarily blunt in their appraisal of the value of college partnerships with higher education:

90% of the time, partnerships are an absolute waste of, waste of management time and its usually because of a political initiative, someone somewhere, it could be a local education authority, or it could be, you know a funding body, is pushing people into partnerships but ultimately you spend a lot of management time sitting round a room, a room with other people who would stab you in the back first chance they got and the partnerships just don't work. (College Manager 0108)

Neither was this an isolated view. This College Principal describes an FE/HE partnership that was similarly dysfunctional:

In terms of collaboration, there wasn't really any collaboration so we used to walk in there and we're very professional and talk professionally about things but no one would ever give out any secrets about what they were developing or anything. So it was a bit of a farce. You could actually walk in that meeting and talk . . . be with them for two or three hours over lunch in the meeting, walk out, and read in the newspaper that actually they're going to put a new building in your town. (College Principal 0115)

Others clearly feel that the new world of FE has opened up freedoms and flexibilities that enables management agency, and facilitates a more nuanced approach to partnerships:

there could be competition because if we are offering higher education and the University's offering higher education and, there's going to be tensions around that but I think they can be worked upon. (College manager 0109)

For this college manager, resisting the influence of a larger university was important:

the University is seen to be always, larger institutions and more influential institutions, it's again just about losing that identity and making sure your identity isn't diluted. (College manager 0109)

For them, the college's core mission was fundamental, and the danger of losing identity is expressed in an interesting metaphor: 'that it doesn't then become vanilla under a university':

I think it's all about how that's managed and marketed, you can get over that, but you've got to sometimes be a little bit careful that the college which is, you know, a lot of people are fiercely proud of the college, doesn't then become vanilla under a university. (College manager 0109)

Responding to the question, 'How far have you personally set the direction of the college in relation to partnerships?', they responded:

What I wanted to do here at this institution was to get it grounded and get it absolutely right as to what it was about and remind people about mission, because there was mission drift, there were people here that I sometimes wondered whether they had the best interests of the learners at heart by some of the things I was hearing and seeing and it's about just reminding people why we are here . . . once you've got that then, I think what we are looking at is how can we then maintain what's good, but maintain it with sustainability for the future and deliver, we think that's through partnership, so I think partnership probably is the number one, strategic issue here. (College manager 0109)

This last extract is most revealing. Although the term 'mission' is widely and perhaps cynically employed in organisation strategies, it is used here with a clear values orientation: 'the best interests of the learners at heart', and 'partnership probably is the number one, strategic issue here'. The notion of why we are here is a clear allusion to social pedagogy principles, education as public service, resting on approaches that are holistic rather than didactic, inclusive rather than elitist, empowering rather than instrumental.

These same principles were apparently at the forefront of this university manager's mind in thinking about the benefits of their college partnerships:

in one sense it's about those who are under-represented, who are least pre-disposed to see HE as a destination for themselves, it's working with those people to ensure that, you know, they actually understand that it is potentially about what everybody can benefit from it and it's not for those from a more privileged or better off sort of background. (University Manager 0203)

During the course of our interactions with college principals it was striking the extent to which some of them had managed to resolve a pure business orientation – such as achieving a financial surplus, making budget efficiencies and self-generated and rigorous HR policies – with educational values – such as placing the student at the centre, innovative widening participation strategies, and extensive student welfare arrangements. Nowhere was this clearer than in their approach to CBHE partnerships.

This Principal ran a very successful college, with strong local and regional recruitment and which performed highly in qualification league tables. When asked about the purpose and benefits of partnerships, they responded:

Well mainly they're educational in terms of the development of the individual organisation so that we can actually improve and develop ... and share a lot with them. Clearly these are business purposes and their interests and our interests to have engagement and progression. So, it's actually a business purpose, it's an educational purpose, and, also it's a continuity, the transition. (College Principal 0112)

In describing CBHE partnerships as 'educational in terms of the development of the individual organisation so that we can actually improve and develop ... and share a lot with them', this Principal is far from stating the obvious. As noted above, some college Principals took a highly instrumental view of their educational partnerships. To characterise a partnership in terms of 'improve, develop and share' is altogether different. In his responses to questions about partnership, this Principal not only seems to resolve education and business interests, but almost conflates the two. For them, the priorities of '(student) engagement and progression' are 'business purposes'. This seems to offer a broad and inclusive idea of business purposes; the sense that learning and student success are the core business of the college, and that partnerships can enhance those business purposes. This is a long way from partnerships as instrumental contracts. Shared staff development with other colleges and local universities was also a strong feature of this college, which is a further indication of the all-embracing character of its CBHE partnerships. Another principal, too, emphasised the developmental aspect of their HE partnership:

if you are looking at developing a long term partnership then, you know, there are things to perhaps, you know, learn from each other (College Manager 0107)

The strongest college university partnerships frequently alluded to the idea of shared development and shared strategic priorities as central to effective partnership working:

If there are clear shared objectives then, you know, the ... either both or all the partners, you know, know exactly what the purpose is. You know, they're signed up to it. You know, it's likely therefore that neither side is going to be disappointed by their experience. You know, you actually like to get something achieved. I mean, I suppose in a less effective partnership, there are no real objectives. So, you know, even if you sort of continue to meet, nothing really comes out of it, really (College Principal 0110)

For some universities participating in the study, partnerships were characterised both as good business and of value educationally. This university manager expresses it well:

I think we have partnerships with colleges that are part of our desire to support education in the area and in the region and that's part of our mission, it's one of our strategic principles, that we are an engaged University, so it's part of our civic engagement. And a desire to support schools and colleges, you know, in this arena, so I think there is a definite sense in the activity that we do that is not just about recruitment to the University. (University manager 0201)

Another university manager also reflects on this dual purpose:

Well I would say principally it is to widen participation and to create educational opportunity. Underneath that it is good business for the University and I can remember a time when the University was finding it difficult to meet its recruitment targets when the courses at our further education college partners helped us enormously in doing that ... it was and is very good business for the University because it helps us to secure students, it provides a progression route or a feeder route into our programmes. (University manager 0204)

Again here, business purpose and educational purpose are both highlighted; both seem to be central to the university's rationale for educational partnerships: 'principally it is to widen participation and to create educational opportunity. Underneath that it is good business for the University'. Notice here, though, we also have the idea of the two being conflated: 'Underneath that ...'. Critical to the university's success is the business of student recruitment, here achieved both via collaborative provision and also via progression agreements: 'a feeder route into our programmes'. Educationally, there seems to be a good fit between this university and its partner colleges:

So further education colleges are enormously important in the modern economy because they provide an alternative route for students who may not necessarily be academic, who may not necessarily have achieved at school, they are very inclusive institutions and actually they match our own inclusiveness and our own aspiration very well, so in terms of our broader partnership strategy FE colleges and those partnerships fit very closely into that. (University manager 0204)

More widely, partnerships are viewed by this manager as integral to the work of the university:

Partnerships have moved from being external to being internal. So that partnership is no longer an option for the University, partnership is integral, has to be central to strategy and becomes, you know, just as important as the internal, as the aspects of strategy that would be more sort of internally focussed, you know, like Finance and Staff Development are internally focussed, partnerships externally focussed but just as key, so I think you just have to make that shift of thinking to say, actually now partnerships are integral, they are central and part of our strategy and not optional. (University manager 0204)

Most significantly, this manager has identified a partnership paradigm shift, in which ‘partnerships have moved from being external to being internal’, which in their own words is a ‘shift of thinking to say, actually now partnerships are integral, they are central and part of our strategy and not optional’.

The subject of CBHE partnerships proved to be a very rich vein throughout the research meetings and interviews with college and university leaders and managers. The reality is that were it not for CBHE, many students would not be able to participate in higher education at all:

... it makes it accessible for a lot of people who would otherwise not access it at all. I mean that’s speaking from somebody who’s been through a very traditional route myself, and until I’d seen and experienced, what a difference it made to women who wouldn’t have dreamed of going to university if they’d had to pack their bags and go. (College Manager 0101)

It has only been possible here to reflect upon a small portion of those data, however there is hopefully enough to support the central argument of this article. This is now drawn together in the concluding section.

Discussion and conclusions

The predominant direction of the theoretical literature of leadership in further education colleges has been to highlight the different ways in which ‘since the 1980s the sector has been in the grip of a managerial ethos, an ethos which equates educational leadership to a technical-rational enterprise in which questions of educational purpose and value are subsumed beneath the drive for greater efficiency’ (Dennis, Springbett, and Walker 2019, 190). The focus in this article so far has been upon the agency of college Principals and managers, an agency that is reflected in the variety of different motivations that seem to drive partnership choices and their characterisation of those partnerships. To be sure, in the interviews some respondents appear to embody the means-ends values of New Public Management, with its business rhetoric, values and metrics spawned by neo-liberal philosophies. However, the evidence from the data collected during

this study, of which admittedly only a small part is reflected in this article, appears to reflect a more nuanced CBHE ethos, in which business values not only sit alongside educational values, but where the two are conflated such that the latter underpin or even shape the former. Furthermore, there is reason to be sceptical about dominant critiques of unequal power relations between colleges and universities. As noted above, a common theme in the theoretical literature is the unequal power relations between universities and colleges when they form a partnership (Elliott 2017). Whilst there may be inequality in the critical aspects of apportionment of funding and imposition of university quality and management systems upon college partners, our data reveal both that FE Principals have agency in the direction and substance of their HE partnerships, and that HE managers recognise the contribution of FE partners to achieving their own aspirations – in the fields of widening participation, student progression, staff development, marketing and civic engagement.

The implications of this reality of partnerships and collaboration, compared with the rhetoric of competition and hegemony so frequently observed in the literature, are quite far-reaching. For colleges considering entering into partnerships for CBHE we have provided evidence that those currently doing this have instigated strong and successful relationships with universities that are predicated upon common interests and complementary strengths and contributions to the partnership. Whilst the mechanisms of FE/HE partnerships are indeed always governed by contract to secure due diligence and due process, the social relationships behind those formal arrangements play a major part in characterising, shaping and fulfilling the resulting collaborative provision. Time and again in the data, College Principals demonstrate their agency in enacting the partnerships, and their discourse reflects their influence and empowerment in interactions with higher education. Although we did not investigate this specifically, we might speculate that with increasing numbers of colleges seeking their own validated HE courses and student allocations, CBHE is set to enable the aspiration envisaged at the end of the last century in the landmark Kennedy Report:

The ladders linking further education and higher education are extending all the time, and higher education will increasingly be delivered by the further education sector. (FEFC 1997, 10)

Reflecting on the prevalence of New Public Management rhetoric and ideology in CBHE, the position appears rather nuanced. Whilst both college and university leaders and managers freely utilise the language of business and the market, one does not have to look far to identify underlying educational principles and values. Often in the data the rhetoric of the market is conflated with that of educational values and purpose. It is

worth remembering the extent to which educational institutions are required to meet the external demands of evaluation and accountability to various governmental agencies. Vygotsky has shown vividly how, in the education context, the external becomes internal, ‘other-regulation becomes self-regulation’ (Vygotsky 1927). One reading of this is to say that education practitioners have become adept at gaming the system and surviving in a performative college culture (Boocock 2013); keeping their educational values intact whilst meeting external demands and those of management and governance. We should not therefore be surprised to find, in the discourse of education leaders and managers, terminology that has been imported from the world of business and economics, but we should not mistake this for submission to the market-driven values of that world. Rather, it may be that they have learned to assimilate cherished educational values into the language, discourse and rhetoric of the private sector; thus their concern is the business of education, and perhaps operating in a business-like fashion, rather than seeing and understanding education as a business.

It is in this quite subtle shift that we see the distinction between contract and covenant in CBHE as helpful. The conjunction ‘and’ rather than ‘or’ is significant, for the reason noted above – frequently college and university respondents utilised both educational and business talk in their responses. CBHE partnerships were viewed partly through a lens of authority, power and control (the ‘contract’ model) and partly through a lens of mutuality, empowerment and enactment (the ‘covenant’ model). Respondents appeared to have no difficulty in characterising their partnerships with the discourse of contract *and* covenant, and, interestingly and tellingly, those leading and managing the most effective and sustainable partnerships seemed to be most adept at switching between the two models. The title of the article is meant to signal the existence of both business- and education-oriented discourse in the data. Almost all college Principals in our study embraced both dimensions in their responses, suggesting that the issue of partnership motivation and enactment, and the relationship of education and business, may be more nuanced than is often understood to be the case. A suggestion for future research on partnerships in further and higher education is that it should not assume a crude duality between collaboration and competition, but rather look to find out how partnerships approach the complexity of collaboration and competition, and especially how successful and sustainable CBHE partnerships manage to negotiate such complexity. We should leave the last word on this theme to a University Manager:

I mean there is an element of competition, clearly there is an element of competition and that’s not necessarily always a bad thing, it doesn’t mean we can’t plan together,

or talk and work on the things that are different and the strength of the partnership like any partnership, any relationship, it's about recognising the differences, recognising points of tension and you know, agreeing to work through those things and looking at what the options are. And the first time you hit a conflict or a conflict of interest in the partnership, isn't the time to draw up the bridges and you know, and say well we're not going to do it any longer, that's just ridiculous, I mean the whole strength of the partnership is shown by how you work together through those tensions really. (University Manager 0203)

Note

1. In this article, the term 'college' most usually refers to general further education colleges, but may also include sixth form colleges, specialist colleges and community-based institutes.

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