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Generative mechanisms for student value perceptions: an exploratory case study

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ABSTRACT

Despite ever-strengthening political rhetoric to the contrary, there can be little doubt that the holistic value of an undergraduate degree is far greater than merely its potential for employability enhancement. However, what is less clear is the extent to which fee-paying students perceive broader aspects of value, and how such value perceptions are formed. This paper outlines findings from an exploratory case study comprising six life history interviews in which past and present law students from a post-92 university in the UK were asked to explore how they perceive the value of their degree, specifically focusing on how and when such value perceptions might have been shaped by their life experiences. Through analysis of the resultant data, a wide range of possible ‘generative mechanisms’ were identified which may influence student value perceptions in this context. Generative mechanisms are not direct causes but things which have the potential to have a real-world impact given the right conditions. By understanding such mechanisms, legal education providers – and to a lesser extent also providers from other disciplines – can more effectively design and market their programmes to ensure that they deliver maximum value that is perceived within their markets.

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Introduction

In recent decades, higher education (HE) in England and Wales has become a consumer market (Competition & Markets Authority 2015); in all likelihood, a consequence of the introduction of and substantial subsequent increases in student tuition fees. For this reason, and perhaps also due to corresponding challenges in the graduate employment market over a similar period, the ‘value’ of courses has come under significant public scrutiny (Department for Education, 2019). As a result, many HE providers have been forced to develop commercially focused marketing strategies in order to sustain student numbers, a challenge that has been compounded in recent years by the removal of institutional caps on admissions (House of Commons 2013), and a national dip in the number of 18-year-olds (Office for National Statistics 2016).

Within legal education specifically, the challenge is particularly acute. The regulatory body responsible for admission to the most popular branch of the legal profession in England and Wales is about to introduce radical reforms to the qualification process, which involve dispensing with the requirement that candidates have studied a qualifying law degree and instead introducing

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a centralised assessment called the 'Solicitors Qualifying Examination' (SQE) (Solicitors Regulation Authority, n.d.). The popularity of the law degree has been attributed to its vocational link with legal practice, and the role that it plays in facilitating qualification into the solicitors' or (much smaller) barristers' branches of the legal profession (Waters 2013). As the degree's significance for lawyer qualification diminishes following the introduction of the SQE, there is a risk that prospective applicants may perceive it to be of less 'value'.

Though to some extent the content and focus of a law degree is an 'academic matter' (The Quality Assurance Agency 2019), across the sector employability has become *the* aspect of value that legal education providers emphasise more than any other in their marketing materials (Nicholson 2020b), and the evidence suggests that this is important to law students too. For example, an independent report prepared on behalf of the professional bodies indicated that law graduates felt 'anger' where they had not been able to qualify as lawyers (Webb et al. 2013). In fact, the market has now arguably reached the point where significant employability enhancement has become an 'expected deliverable' (Levitt 1980), and most providers present a broadly equivalent offer on this theme to prospective students, creating what Kim and Mauborgne (2004) term a 'red ocean' market in which there is an oversupply and little to distinguish between providers.

However, despite this market convergence, literature from the marketing discipline confirms that the concept of 'value' is subjective (Kelly, Johnston, and Danheiser 2017) and exists predominantly in the eyes of the beholder (Zeithamal 1988), meaning that equating 'value' with 'employability enhancement' in this context can only at best be a gross oversimplification that risks devaluing what legal education providers can do for students, and for society more broadly. As the SQE is introduced, legal education providers face a stark strategic choice: (1) continue to strengthen their employability focus, acknowledging the risk that competing predominantly on employability metrics will be increasingly challenging, other aspects of value may consequently be eroded (Davies 2018), and other important aims such as widening participation may be compromised (Guth and Dutton 2018); or (2) explore student value perceptions in much greater depth in order to identify opportunities to develop competitively unique and distinctive value that will be perceived by the market.

Studies have already been conducted which seek to explore student value perceptions within the UK HE market, but often such studies are positivistic in nature and rely on quantitative data collected from large samples (QS 2019, 2020). This means data collection and analysis focuses on observable factors rather than factors that lie beneath the surface. Whilst such studies are practically useful in providing some limited insight into voluminous student populations, they necessarily rely on pre-existing hypotheses and thus in isolation risk presenting only a partial picture which may miss opportunities for new value creation. As such, there is a need for rich, qualitative data which can offer new insight into the complex and subjective concept that is 'value'.

Additionally, where studies in this area have adopted qualitative methods, they have tended to focus on the nature of student value perceptions themselves (i.e. *what* value law students perceive, often in relation to a single aspect of course design) (Caspersz and Olaru 2017; Larsen et al. 2017; Pigden and Jegede 2019; Waters 2016), rather than how such value perceptions might have developed (i.e. *why* law students perceive value in the way that they do) or might be influenced.

Similarly, the Value Slices Model of Higher Education (which specifically addresses the legal education context) breaks down the holistic value of particular programmes or activities into six value components, or 'slices': 'symbolic value' (i.e. personal meaning that studying might have for a particular student, and how their associated achievement might be perceived by others); 'lifetime value' (i.e. longer-term benefits beyond graduation); 'instrumental value' (i.e. how the programme or activity enables students to achieve their own specific objectives); 'community value' (i.e. benefits of study for the local and global communities of which the student is part); 'experiential value' (i.e. enjoyment and other emotional benefits of the study itself); and 'sacrifice value' (i.e. the net benefits received by the student, taking account of the costs incurred) (Nicholson 2020a). However, whilst this theoretical model is underpinned by a wealth of literature from the marketing discipline that supports the existence of such a wide range of value components (Holbrook 2005; Kaiser and

Young 2013; Keller 2009; Sheth, Newman, and Gross 1991; Smith and Colgate 2007; Vargo and Lush 2004), it makes no attempt to explain how or why particular value components might be perceived by student populations and therefore is of limited value in supporting legal education providers to influence relevant value perceptions.

The overarching aim of this study was therefore to better understand how a law student's background and life experiences might shape their own perceptions of the value of their degree, so that providers might more effectively design and market their programmes to ensure that they deliver maximum value that is perceived within their markets.

Methodology

This study is positioned from a critical realist perspective, which denies the possibility of any objectively observable reality within the social world and instead contends that insight into relevant unobservable phenomena can only be gained through analysis of rich, subjective, qualitative data (Bhaskar 2011; Danermark et al. [1997] 2002). In other words, though real in an ontological sense – in that the phenomenon of value is independent of human observers (Sayer 2010) – consumer value is an inherently subjective concept that can only be truly examined through the eyes of the consumer (Zeithamal 1988; Kelly, Johnston, and Danheiser 2017). As such, exploration of value perceptions and their development lends itself to qualitative research design, using methods that are capable of facilitating inductive reasoning (Denzin and Lincoln 2011).

Given the subjective nature of the 'value' concept, the authors do not claim statistical representativeness, but a single case, holistic, case study research strategy was chosen to facilitate the collection of rich data for in-depth analysis within a limited context, which is widely accepted as capable of producing insights that are generalisable more broadly (Dubois and Gadde 2002; Flyvberg 2011; Bansal and Corley 2011; Yin 2018). The participants chosen were past or present law students who studied at Sheffield Hallam University, a post-92 university in the UK with a strong emphasis on applied learning (Sheffield Hallam University 2017).

The research method chosen was life history interviews in which participants were asked to narrate the development of their own value perceptions over time, thus enabling the authors to study value perceptions through the lens of lived experience (Gabriel and Griffiths 2004). In this respect, this study also constituted a 'narrative inquiry', which is regarded as a complementary approach to a case study research strategy (Musson 2004; Chase 2011). Narrative inquiry was particularly appropriate in this case, as it encourages participants to identify the significance of their own data – in this case articulating how and when they believe their value perceptions were influenced (Coffey and Atkinson 1996). Each interview lasted between one and two hours and, thereafter, participants were asked to review and comment on narrative summaries to ensure data quality (Cayla and Arnould 2013).

The resultant data were analysed using template analysis whereby coding templates of *in vivo* codes (i.e. those derived from the data itself) were produced through an initial analysis of a small proportion of the data and then used to systematically review the full dataset to identify key themes and relationships (King and Brooks 2017). In this respect, the present study was also influenced by – though did not rigidly adhere to – grounded theory (Glaser and Strauss [1999] 2017) in that it aspired to incremental theory-building through objective analysis of the data collected. By adopting this approach, it was possible to identify generative mechanisms that might not otherwise have been uncovered through the testing of established hypotheses.

A sample of six participants was purposively chosen, which is in line with typical sample sizes for studies of this nature (Creswell 2013; Saunders, Lewis, and Thornhill 2016), and the authors ensured a blend of different ages, ethnicities, and employment experiences. Table 1 contains a brief summary of each participant to provide greater context to the findings. Participant names have been changed to preserve their anonymity.

Table 1. Participant summaries.

No.	Pseudonym	Summary
1	Kasun	Kasun is a first year LLB Law student. He was born in Asia, within a family who value the traditional professions highly. Kasun moved to the UK in early adulthood and decided to study law because he believed it offered him a route into a lucrative and prestigious career.
2	Chris	Chris is a mid-level solicitor, currently working in private practice. Both of his parents went to university and he always expected to follow in their footsteps. He sees university education as an opportunity to grow, and to develop skills and a work ethic that have proved to be invaluable in his career.
3	June	June is a mid-level solicitor, currently working as in-house counsel. Her father first came to England from Africa on a scholarship and so has always encouraged her and her siblings to study. Spurred on by those who told her that she would never make it, June was determined to study law so that she could become a business lawyer.
4	Lucy	Lucy is an LLB Law graduate. She is currently completing her training contract at a regional, commercial law firm. She came from a working-class background and met some resistance from family members when she announced her decision to study law, but she was determined to qualify into the profession and believes that this determination has enabled her to achieve her ambition.
5	Elodie	Elodie is an LLB Law with Criminology graduate. She has always been 'academic' and so there was no surprise when she decided to go to university. The portrayal of lawyers in the media had a strong influence on Elodie's decision to study law, but after completing her studies she did not feel she was ready to enter the profession. She currently works in Human Resources.
6	Lisa	Lisa is an experienced solicitor, working at partner level. She is from a working-class background and neither of her parents went or encouraged her to go to university. Growing up, she was exposed to the justice system through traumatic circumstances that her family had to endure. Lisa saw her law degree as a means to an end, and she went on to become a very successful lawyer.

Findings and analysis

Participant value judgements as generative mechanisms

In critical realism, generative mechanisms are real and existing variables that help to explain why something happens, yet are 'transempirical' in nature (Blom and Morén 2011). This means that they should not be thought of as direct causes of effects in a positivist sense, but rather as variables with the potential to impact outcomes in the right conditions (Bhaskar 2011).

Through primary coding of the data, it was possible to identify a range of possible generative mechanisms that might be influencing the development and evolution of value perceptions amongst the participants. It is clear from the data that the factors influencing student value perceptions are both wide-ranging and varied, but also that many such factors appear to have an influence long before students are directly exposed to university marketing initiatives. Furthermore, the data show that 'chance factors' – for example, the weather on an open day – can also have a very significant impact. This is an important reminder that, whilst providers may influence the development of student value perceptions, there are substantial limits on the extent of any such influence, and that decisions made by human beings are not always entirely rational.

Table 2 (below) provides an overview of the generative mechanisms that were identified from the data and their frequency. The following sections of this paper then provide illustrative quotes to support and explicate them.

Awareness of HE/early assumptions

Four of the six participants used language that suggested their value perceptions may have been shaped long before they were even conscious of their development. In all four cases the participants had grown up in a household where HE was *prima facie* valued, and typically they had other family members who had themselves attended university. As Kasun put it:

[T]he value of higher education is something that I've always seen. The way I was hardwired was to see higher education as one of the key stepping[stones] towards a comfortable life ...

As can be seen from this particular quotation, the nature of the assumption was that HE provided access to lucrative and/or professional careers, perhaps indicative of instrumental value components (i.e. value in terms of a degree's potential for enabling a student to achieve particular objectives that

Table 2. Occurrences of generative mechanism *in vivo* codes.

Generative Mechanism	No. of Participants Citing	Coded Occurrences
Awareness of HE/early assumptions	4	30
Belief in higher power, fate, or purpose	2	14
Career discouragement	3	9
Chance factors	4	9
Degree attainment	4	18
Family and relationships	6	92
Individual traits, attributes, or values	2	27
Media influences	3	6
Other life events or circumstances	3	25
People within the university community	2	10
Pre-existing abilities or strengths	5	29
Previous educational experiences	6	23
Previous interactions with lawyers or the legal system	4	20
University open days	4	11

they might have) (Smith and Colgate 2007). In other cases, the value of HE appeared to come through independently of any employability dimension. For example, Chris put it like this:

[M]y parents had gone to higher education institutions, and it was sort of subtly bred into me and my brother and sister to, you know, go on, I suppose, to higher education institutions ... I think it was always there.

In apparent contrast to the position of those who grew up in households advocating for HE's value, the first-generation university students in the sample faced a challenge in calculating its potential value (and thereby solidifying their own value perceptions), even at the point of application. As June explained:

... I wasn't very equipped as to ... other than Oxford and Cambridge ... knowing where's a university to go for law. Little did I know, even at the time, Sheffield on my doorstep was one of the best ones, and I didn't even apply to go there.

Similarly, Lucy talked about the challenge of understanding the true economic cost of university in the absence of an understanding of the student finance system. She explained that:

... my mum did panic a lot about the financial side of it. But we didn't know anything about student finance, like nothing ... she thought she was going to have to pay the fees, and fund me to live, and all sorts. It was quite stressful. It wasn't an easy option. It was definitely a hard option. But I knew what I wanted to do. I was just going to go for it no matter what, and I was going to get bank loans and all sorts; we had no idea.

However, what all participants did have in common on this theme, was that they believed that their perception of the value of HE was influenced by their awareness of the sector, and in some cases, relevant knowledge or perspectives pre-dated their earliest memories. This suggests that value perceptions relating to HE in general are somehow interwoven within the very fabric of society and dependent upon the prior experiences and beliefs that prevail within discrete family units or communities. Against that backdrop, shifting such perceptions to any significant extent may be very difficult, but at the very least, it is important that providers ensure that all applicants, from all backgrounds, do at least have access to relevant information that will enable them to develop informed perspectives from an early age.

Belief in higher power, fate, or purpose

A couple of the participants touched on the idea of 'purpose' in discussing what had influenced them to choose to study law at SHU. The following quote from Kasun illustrates the potential strength of this influence:

I'm not a religious person at all, but then, I suppose I'm a little bit religious ... if you have a skillset, and you can believe that God gave it to you, or you got it from a higher power, or wherever it came from, I mean, there's a reason you probably got it ... so might as well do some good with it. And for me, that's really important.

This striking comment indicates that a belief in a higher power, fate, or purpose might in some way influence the extent to which a student might perceive the 'community value' of their degree (i.e. the extent to which their studies might benefit their local communities or society more broadly) (Nicholson 2020a).

Career discouragement

Three of the participants reported that they had been specifically discouraged by others in terms of their desire to go to university, study law, and/or qualify as a lawyer. The context of this discouragement varied, but there was a strong sense in which it might actually have had an effect opposite to the one intended. As June recalled:

I remember going to see a careers adviser and them saying I probably wouldn't be able to do a career in law, so I should think of doing something else, which I think probably gave me even more drive to prove them wrong.

Such experiences appeared to strengthen the 'symbolic value' (i.e. the meaning that individual students might attach to their studies/achievements and how they might themselves be perceived) (Keller 2009) that students attributed to their studies in the sense that they felt the law was perceived as a prestigious and/or challenging career, and thus by embarking on this route they were able to change the way that they were perceived by others.

Chance factors

One of the most striking themes to emerge from the data was the fact that decisions about whether, what, and where to study were often influenced as much by chance as by value perceptions. This fits with the established theory that shows that even sophisticated contracting parties do not necessarily make rational contracting decisions (Eisenberg 1995).

In some cases, it will be impossible for providers to influence or control such chance factors. For example, Elodie explained:

[I]t seems so stupid to say it but ... when we'd gone to Newcastle, it was raining; when we went to Lincoln, it was raining ... I went to Sheffield ... the weather was great.

However, many of the other chance factors identified by participants were in fact ones that providers *can* influence, for example, through high quality and effective student recruitment activities. For example, four of the participants selected their institution purely because at the time, they felt this was the only option available to them. The following quote from Kasun illustrates just how significant such chance factors can be:

... all of a sudden, I just realised, "oh, yeah, now that I have this time, I can start a law degree. Should I start next year? Maybe it's a bit too early to consider that, but I'll just google who's there", and then Sheffield Hallam came up, "clearing – law still available". I just applied. That's the only place I applied. There you go.

This illustrates that whilst value perceptions and associated decision-making processes are not always either influenceable or rational, in many cases, providers may to some extent be able to reduce the impact of so-called 'chance factors' through effective marketing initiatives that provide applicants with relevant information at a relevant time.

Degree attainment

Degree attainment was a theme identified by most participants, though the extent to which they felt this influenced their value perceptions varied greatly. For example, Lisa achieved a 2.2 grade, and there was a sense that she felt that as a result, her degree was of less 'value' than a degree with a higher grade. She commented:

... everybody's after the holy grail of a first aren't they? And when you've got a 2.2 you fall into a perceived second-class category ... I remember the graduation ceremony ... there were some of them that had got no element of common sense, but had got the top class grades. And I just remember thinking, "how can

this be”, “how is this fair, in all of these circumstances, when I probably worked just as hard, if not harder, because I knew it was going to be a battle”.

Contrastingly, Elodie achieved a first class grade, but this did not seem to enhance her perception of its value. Speaking about her father, she explained:

... if I say, “I got 76”, he’ll say, “okay, what happened to the other 24%”. Or if I say, “I got 76”, he’ll say, “okay, what did everybody else get?” And then you get kind of – not numb, because it did still feel really good to come out with a first – but it means less, because it’s expected of you.

These quotes illustrate that degree attainment may influence value perceptions, and that participants appeared to associate it with ‘symbolic value’ (Keller 2009). For Lisa, it seems that she might have perceived her degree to have greater symbolic value if she had achieved a higher classification, and it is clear that, for Lucy, anything short of first class honours would have significantly reduced the value of her qualification in her eyes. This suggests that universities may need to do more to emphasise the achievement of all students, across all degree classifications, if they are to minimise the potentially significant negative impact that certain classifications can have on how graduates perceive the value of their qualification.

Family and relationships

Across all those interviewed, ‘family and relationships’ was the most cited factor that participants identified as potentially having influenced their value perceptions in relation to their studies. Such influences are clearly closely related to the early assumptions outlined above, but such was the weight of commentary on family and relationships in particular that it was considered worthy of specific examination. The nature and effect of the influence however once again varied greatly. In some cases, it was simply a case of following in parents’ footsteps. For example, Elodie explained:

... going to uni was just like a given. I never considered that I wouldn’t ... that was what my parents had done.

Beyond this, however, a participant’s personal relationships appeared to have an impact on matters ranging from: parental desires to see the participant succeed and/or have a happy future; family and romantic relationships influencing the choice of study location; and even negative influences that sought to diminish the participant’s perception of the value of HE. One strong common theme was the expectations of family, and the resultant desire that participants had to please them. For example, as Kasun explained:

I’m sure – especially my father and my mother – I’m pretty sure that they’d be very happy if I qualify as a lawyer. They would never say that because that’s not the type of parenting that they’re used to because they are very much like: “these are the options. You can choose this, this or the other. We would suggest you do this. But then ultimately, it’s your choice”, kind of a thing. That is the kind of parenting that I had, especially after my teens. But ... I know that they appreciate the fact that I’m doing it.

Whilst the multifaceted nature of this potential generative mechanism means that it may well influence a range of value perceptions across different aspects of value, there was a strong association between familial/parental expectations and a career in the law, emphasising, therefore, the impact of this generative mechanism for ‘lifetime’ (Nicholson 2020a) and ‘instrumental’ (Smith and Colgate 2007) aspects of value in particular.

Individual traits, attributes, or values

The data support the notion that choosing what and where to study is extremely personal, and is influenced strongly by an individual’s traits, attributes, and values. Some participants developed particularly strong views about whether there was a fit between them as a person and the relevant institution, with Elodie, for example, commenting:

... the culture of uni at Newcastle is very different to who I am as a person. I’m not a person that goes out a lot or particularly likes to socialise. I would rather be at home sitting and watching Netflix. So, that just didn’t really suit me.

Here again, we see another example of an aspect of value that on the one hand appears to be highly symbolic, but on the other hand might be influenceable through marketing activities, such as open days.

Media influences

Three of the participants referenced the media as influencing their decision to study for a law degree, and thereby their perceptions of its value. The emphasis in all three of these cases was very heavily instrumental; participants wanted to study law because they aspired to careers in the legal profession. As Elodie put it:

You ever watched suits? ... the coolest people in the world ... if you see them in films, they're always power dressing; they're always in suits; they're always portrayed as people with really nice lives because – not that this really mattered to me – but they have cool things. They live in cool apartments ... They have a cool life. People look up to them because they have a status ...

Other life events or circumstances

One positive feature of conducting life history interviews was that it seemed to encourage the participants to speak openly about personal circumstances that may or may not have influenced their value perceptions. The emergent theme was that life experiences often provided participants with the motivation to study law or qualify as a lawyer. For example, Lisa explained:

Where else do you look to get top of the tree than doing a law degree? There's nothing else other than medicine that compares with it really, in my mind. So that was where that decision came from ... I think that probably goes back to being judged as the "fat kid", if that makes sense, at school; it's about how people see you and perceive you and what's going to make you seem to be successful and I suppose that's then linked with monetary value, and wanting nice things.

Similarly, Chris recalled:

[M]y brother's got epilepsy and I remember we were on holiday. I would have been about 13 ... maybe, no, a bit younger actually. Anyway, a young lad. And my brother had a seizure in the pool ... I looked to my right and I could see him fitting in the pool, and so I dived down and dragged him out ... I was only a young lad at the time, and whether that had any sort of effect on my thinking about the fragility of life, I don't know ... in terms of taking opportunities.

These examples illustrate the complexity of the value perception picture, and also the participants' humanity. They also raise ethical questions. Whilst providers must acknowledge the complexity of the picture, the extent to which it might be ethical for providers to consider and/or seek to respond to such life experiences through marketing activities is debatable.

People within the university community

As participants reached the stage of discussing the time they spent on their course, a strong generative mechanism that emerged was the influence of staff and other students within the university community. Again, this factor had a wide-ranging impact, but in particular, participants noted gaining an appreciation of just how competitive the process of securing a training opportunity would be. As Elodie described it:

It's talked about in your lectures and your seminars; in everything you do. Lecturers talk about it. You talk about it with your peers. It becomes very clear ... you can go and you can do your degree, but then you need to do an LPC, then you need to get yourself a training contract, then you need to actually make sure you get a job.

For a group of participants who – for the most part – had enrolled onto the course precisely to secure lucrative and high-status employment as a lawyer, it seems likely that this realisation had an immediate impact upon the perceived instrumental value of the programme.

Pre-existing abilities or strengths

Five of the participants specifically referenced their own abilities as a factor that influenced them to go to university and study law. In some cases, this was about a perceived ability to work as a lawyer, but in other cases, it was more general than this. For example, Elodie reasoned:

[W]hy push yourself to do something that's out of your comfort zone? When you're already an academic person, just do something that's suited to you. Why would I try and do art, even though I liked it, I was no good at it.

In that sense, it could be said that the sacrifice value (i.e. the balance between what is given and what is received in an exchange) (Smith and Colgate 2007) for these participants was greater, as completing a law degree was perceived as a calculated risk that they were at least some way equipped for.

By contrast, however, where participants perceived that they lacked the ability, this influenced their perceptions about where they could study. For example, Lucy explained that she did receive A level grades that would have enabled her to go to a Russell Group university, but she explained:

... at that point, I didn't have any confidence whatsoever, because I'd been told I wasn't good enough, and my grades weren't that great, but I think that was a reflection on my confidence. So, I didn't think I'd be able to get into university at that point. So, I'm going to be honest: when I was looking for universities, I didn't even consider Russell Group universities ...

Previous educational experiences

Participants also cited previous educational experiences as having influenced their decision to study law, and therefore their perceptions of its value. In general, if the participant had enjoyed or had an interest in topics/skills that they studied at school or college, then this enhanced their perception of the experiential value of a law degree (i.e. students' emotions and feelings about the process of actually studying for their degree) insofar as they perceived that it would offer similarly enjoyable experiences. It was clear also that previous teachers had a role to play in this. For example, Elodie explained:

I actually did law at college. I had the most fantastic tutor in the whole entire world who was just the best ... She had such an enthusiasm for law that you couldn't help but have enthusiasm for it ... She just loves what she does, and she was such a master at it that you couldn't help but be enthusiastic. So that kind of signed, sealed and delivered: I was going to uni, I was doing law, she was going to help me with my UCAS application ...

Previous interactions with lawyers or the legal system

Four of the participants recalled specific interactions with lawyers or the legal system that they had had prior to applying for university, and how this helped shaped their views of what studying and/or practising law would be like. This ranged from harrowing personal experience of traumatic exposure to the criminal justice system, through to more positive experiences. Kasun described his experience as follows:

... I also helped another individual – who happened to be related to me – with a civil matter. It was a very trivial one; if I recall correctly it was something to do with a parking ticket, and they had missed the, you know, time to respond and then ultimately it came to the point that [he had to] submit an [application which] had to go before a county court judge.

A key feature of these experiences was that they gave the participants exposure to legal professionals and the effect of this was to develop in their minds a sense of awe and respect, as well as a desire to go down that path themselves. The following comments illustrate this impact:

I went to law firms, probably two summers whilst I was at high school ... And the office life; the camaraderie in the office; the everyday is different; the clients walking in; and the doors getting shut and something really interesting is happening behind that door but I'm not allowed to be there ...

Elodie

... the only thing that we could do was get an injunction against him, so off I trudged with mum and dad to the offices of [national firm] ... and I remember sitting in what was a very brown office. I remember the brown carpets, and everybody was quite formal. But I remember sitting there and thinking this is really important. This

is something that is really prestigious, and these people must have trained long and hard to get into this job; and that was when I started to think about what I wanted to do.

Lisa

I used to sit in court and watch them for hours and hours. I found it fascinating . . . I wanted to do this. I wanted to structure arguments. I wanted to sound that persuasive in a presentation and to persuade a judge to agree with me. I just thought it was an incredible skill . . .

Lucy

. . . unfortunately, he lost the election. And everybody known to him – every associate of him, and everybody around him – was getting arrested and put behind bars for political reasons. Yeah, so that’s when I claimed asylum.

Kasun

Once again what these comments show is a broad diversity of experience, with a common theme: they inspired those participants to go down a particular path, and thus strengthened the instrumental value of their law degree as being a key step along the way.

University open days

Finally, participants referenced open days as having a key role to play in the development of their value perceptions. In general, where participants had a positive experience at the open day, this enhanced their perception of the experiential value of the programme: if they enjoyed the open day, they would enjoy the course. As noted above, it seems likely that there is significant potential for providers to engineer open days to achieve this outcome. For example, Lucy explained:

I went to Manchester and Leeds first and I didn’t like it. And then I went to Hallam. The new building wasn’t even built at Hallam yet, and I still preferred it so much more. I felt like the modules seemed more engaging, and people were really personable, which was really important for me; to connect with people, to be able to engage, and I had the feel that it was right.

However, the comments also suggest that it is more than just the course presentations that count. For example, Elodie explained:

I went to Sheffield . . . the weather was great . . . I had a great day with mum and dad. We went out for a meal, as a family. We had a fantastic day. I felt like I could picture doing that more. I felt like that could be life, if you know what I mean. Whereas I couldn’t necessarily picture myself anywhere else . . . it was a time of year where the trees all have blossoms on it – I know this is so stupid, but it’s such a vivid memory – I just knew that that was where I wanted to go. I can literally remember my mum walking down the road and telling me to smell the jasmine on someone’s jasmine plant.

To develop value-enhancing open days, therefore, providers must be mindful of the whole end to end experience.

An explanatory model of value perception generative mechanisms for law students (Value Slices +)

Whilst the present study (with its underpinning philosophical assumptions) denies the possibility of identifying cause and effect relationships in a positivist sense, generative mechanisms do relate to causality, and those which have been identified in this study could in the future be examined further through additional targeted data collection and analysis (Danermark et al. [1997] 2002). Indeed, moving between inductive and deductive approaches in this way is an established feature of grounded theory work, from which this study takes some methodological inspiration (Suddaby 2006).

The Value Slices + model in Figure 1 is an explanatory theoretical model developed through the present study, which builds on the pre-existing ‘Value Slices Model’ outlined above (Nicholson 2020a). At its centre, the six value slices are lifted directly from the original model to represent a particular student’s holistic assessment of their value of a particular programme or activity. However, around the outside, each of the generative mechanisms identified through this study

have been positioned to indicate broadly which value components they might be more likely to influence, based on the foregoing analysis. Additionally, ‘chance factors’ have been added to the centre of the model to serve as a reminder that whilst the relative weighting of different value components perceived by any given individual is likely to be influenced by a wide range of generative mechanisms which have an apparently rational impact, there remains a certain randomness or irrationality to human behaviour, and the potential for impact in this respect is significant.

Conclusions and recommendations

Develop enjoyable open days

One of the most impactful generative mechanisms that participants discussed was their experience at university open days. The quality of the presentations, the atmosphere, their impression of the course, the sensory experience, enjoyment, and even the weather, were all cited as factors that influenced decisions about where to study.

Whilst the importance of open days for student recruitment is unlikely to be contentious, the extent of their influence on long-term value perceptions may be greater than some might imagine. Even where participants had completed their three years of study, they were still able to recall with remarkable precision the emotions, sights, and smells of that day.

The implications of this are twofold. Firstly, it is crucial that open days not only spark an interest in the course content (Hardee 2012), but also that they are well executed and offer a positive all-round experience, which extends beyond course presentations, to social interactions, travel, and the wider campus/city experience. Secondly, open days offer an important opportunity to articulate the differentiated and distinctive value that a particular course has to offer – if this value is properly articulated at this moment then it is more likely that the students who opt to study the course will perceive the particular value elements that are emphasised within the programme.

At present, the dominant value proposition within the sector is lawyer qualification (Nicholson 2020b) and the qualitative data in this study offer further evidence that courses are recruiting predominantly on

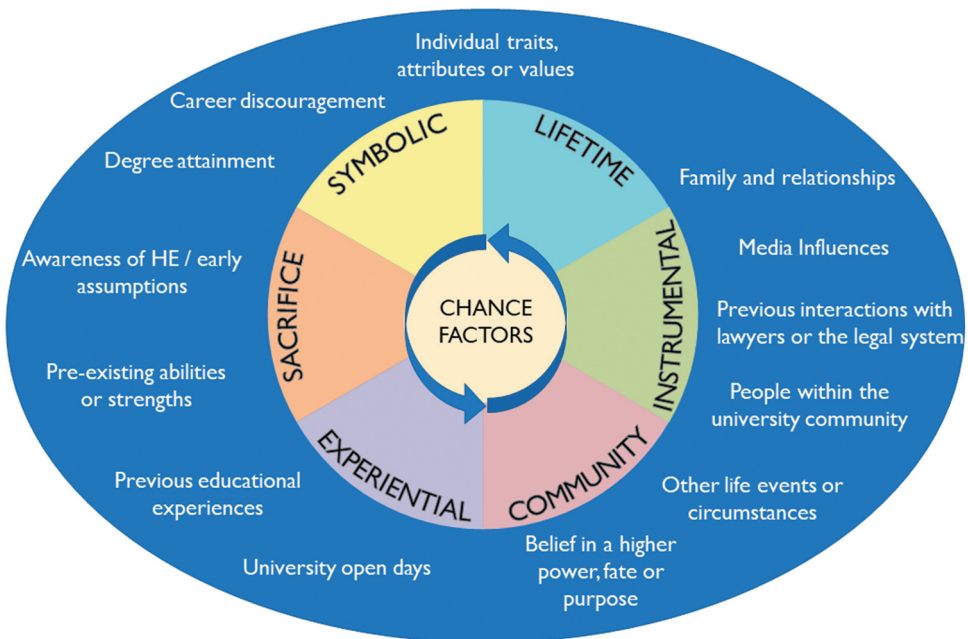


Figure 1. Value Slices + model of value perception generative mechanisms.

this basis. Open days provide an opportunity to change the emphasis within student recruitment and recruit students who are more likely to perceive the differentiated value that a particular course can offer.

At the time of writing, the COVID-19 pandemic continues to have a worldwide impact, and most UK universities have suspended their face to face open days, opting instead to connect with prospective students through online events. Whilst all universities face the same challenges, this does raise significant questions about the impact that this move might have on student value perceptions across the sector. Will students continue to be influenced by their perceptions of a university's location or facilities, if they have not had the opportunity to experience them? Or might instead the look, feel, and quality of an institution's online offer have a quantitatively similar impact? Given the scale of the impact that open days can have on student perceptions of value, further research into online open days is essential in order to help providers mitigate the potential value perception deficit that current restrictions might generate.

Invest in outreach activities

Legal education in the UK has an 'it's complicated' relationship with widening participation. Whilst it may appear to be a noble endeavour, the widening participation agenda – or at least its use by law schools as a means by which to expand rapidly in recent decades – may in fact be the key reason that the majority of law graduates today are unable to qualify into the most prestigious branches of the legal profession (Waters 2013).

Since qualification as a lawyer appears to be the single most important aspect of value from a student perspective, this raises significant ethical questions. Where a provider's advertising focuses – as most appear to do so (Nicholson 2020b) – on a course's potential to assist graduates with qualification into the legal profession, then the morality of such claims depends very much on the strength of those claims, and on graduate outcomes. In the light of the findings of this study, all providers must reflect carefully on this challenge and develop an ethical response, which may include creating additional value within the other value slices.

However, the data suggest that value perceptions pertaining to HE and law are developed from a very young age, through family relationships and educational experiences. Similarly, a lack of awareness of HE appears to increase the likelihood that chance factors will influence those perceptions. As such, outreach activities remain crucial in helping prospective students from all backgrounds understand their options and make study choices that are right for them. This is supported by the literature, which, for example, recognises that once one family member attends university, the likelihood of another doing so increases significantly (Wainwright and Watts 2019). As such, if providers are to influence value perceptions, then outreach activities that give those providers a voice at an early stage are essential.

However, outreach activities are also currently hampered by COVID-19 restrictions. In the context of social bubbles, and local lockdowns, schools and colleges will be far less likely to welcome HE providers into their classrooms. Without creative solutions, HE providers stand to miss out on vital and impactful opportunities to connect with young people at a crucial point in their value perception formation. This potentially has devastating consequences not only for individual institutions, but for the widening participation agenda more widely. As such, providers must work hard with schools and colleges to find virtual or other socially distanced opportunities to share the value of their programmes with this audience at this crucial stage in their development.

Strategic marketing and programme development

In deciding how to shape and influence the value of different legal education programmes, the Value Slices + model (Figure 1) may assist those responsible for marketing and curriculum design by facilitating the identification and development of targeted interventions designed to create value and/or enhance stakeholder perceptions of that value. For example, a provider seeking to enhance

the symbolic value of its programmes might wish to consider how it can influence and/or tap into: (a) messaging that students are receiving from their families about the value of their studies; (b) the desire that students may have to prove themselves to others; or (c) the way that students feel about the grades that they receive. Conversely, where the aim is to enhance community value, providers may find it useful to help students identify their purpose in life in the hope that they might see the value of helping others through their studies in the process.

Disclosure statement

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