INTELLECTUAL OUTPUT-1
COUNTRY SPECIFIC TEXT: UNITED KINGDOM

EQUALITY, DIVERSITY AND INCLUSION IN HIGHER EDUCATION IN THE UK

This chapter focuses on inclusion in the United Kingdom higher education (HE) context, and sometimes more specifically in the English HE context. Framed by the Equality Act 2010 and the widening participation agenda, the United Kingdom HE sector makes repeated reference to the concepts of equality, diversity, and inclusion. When enrolling for university, students are asked to self-declare their ethnicity, gender, and sexual orientation; and in relation to disability may also be assessed as to their eligibility for additional funding. This data is utilised (along with other data) to report on students' year-on-year continuation, degree classification and graduate salary. In response to patterns in this data, universities are required by the independent regulator (the Office for Students) to submit Access Participation Plans, which set out how each higher education provider will improve equality of opportunity in their institution. Synthesising the publicly available data with key literature, this chapter addresses the ecologies of equality in higher education and draws attention to some of the most prevalent themes pertinent to the United Kingdom and sometimes more specifically the English HE sector. Whilst most other chapters in this book provide an analysis of their country's JoinMe2 survey data gathered specifically for this Erasmus funded research, the United Kingdom did not participate in these surveys. Instead, this chapter poses questions pertinent to the equality and inclusion of students in the United Kingdom HE context and sometimes more specifically the English HE context.

Keywords: Equality Act 2010; higher education provider (HEP); student continuation, attainment and progression; inclusion, widening participation.

1. Introduction

The most significant piece of legislation in the United Kingdom (UK) which pertains to the inclusion of students in higher education (HE) is the Equality Act 2010. This Act brought together over one-hundred-and-sixteen separate pieces of legislation, including the:

- Equal Pay Act 1970
- the Sex Discrimination Act 1975
- the Race Relations Act 1976
- the Disability Discrimination Act 1995
- the Employment Equality (Religion or Belief) Regulations 2003

- the Employment Equality (Sexual Orientation) Regulations 2003
- the Employment Equality (Age) Regulations 2006
- the Equality Act 2006, Part 2
- the Equality Act (Sexual Orientation) Regulations 2007

(Equality and Human Rights Commission, 2019).

Central to the implementation of the Equality Act 2010 are the nine legally protected characteristics; meaning therefore, that it is unlawful to discriminate against someone because of:

1. age;
2. disability;
3. gender reassignment;
4. being married or in a civil partnership;
5. being pregnant or on maternity leave;
6. race;
7. religion or belief;
8. sex;
9. sexual orientation.

Whilst the parameters, permutations and meaning of each protected characteristic are debated in the academic literature, the Equality Act 2010 provides information about the meaning of each characteristic. For example, the Act specifies that 'race' includes: colour, nationality, ethnic or national origins. Discrimination in the Act is also defined in terms of being direct and indirect. Direct discrimination pertaining to the less favourable treatment of someone because of their protected characteristic(s). For example, a higher education provider (HEP) rejecting an applicant to a childcare course because they have undertaken gender reassignment. Whereas indirect discrimination pertains to provision, criterion or practice which is discriminatory for someone with a protected characteristic(s). For example, a HEP only posting information on its virtual learning environment which is not compatible with students' assistive software.

In addition to the nine protected characteristics, most UK universities publish statements and policy documents about inclusion; although these have been criticised for rarely defining inclusion, failing to reflect upon the complexity of inclusion, and for not having a demonstrable effect on an institution's behavioural practice (Elwick, 2020; Koutsouris, et al., 2022). UK policy also promotes a widening participation agenda, which has arguably been constructed as the higher education 'socio-political' (Simplican et al., 2015) answer to inclusion (Gibson, 2015). Socio-political pertaining to the outermost ecological layer of social inclusion, encompassing: the laws, legal enforcement, market forces, state perspective, histories of service delivery, and legislative cutbacks of a country (Simplican, et al., 2015). Promoting the policy of increased participation in HE, widening participation is aimed at reducing the disparity in educational achievement between different population groups (Dearing, 1997). Currently the Office for Students (OfS, 2022a) which is the independent regulator for HE in England, highlights the underrepresentation in HE of students from: low socioeconomic status; black, Asian and minority ethnic students; mature students; disabled students; care leavers[1]; carers; people estranged from their families; people from the Gypsy, Roma and Traveller communities; refugees; and children from military families. Directly addressing

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[1] A Care Leaver is someone who has been in the care of the Local Authority (i.e. local government) for a period of 13 weeks or more spanning their 16th birthday (OfS, 2021b).

the issue of widening participation, the Office for Students (OfS), requires all approved (fee cap) and approved HEPs to submit Access Participation Plans which set out how 'providers will improve equality of opportunity for underrepresented groups to access, succeed in and progress from higher education' (OfS, 2021a, p. 5). For those HEPs who charge above the basic fee rate (which is commonplace for universities in England) Access Participation Plans also require approval from the OfS (2022b). To support with the monitoring of the widening participation agenda, data is gathered and made publicly available by the OfS and the Higher Education Statistics Agency (HESA). Organised in relation to students': gender, age, disability, religious belief, ethnicity, and deprivation[2], the data shows from a quantitative perspective the numbers and percentages of students which year-on-year are:

- accessing HE;
- continuing from year-to-year in HE;
- attaining the highest through to the lowest degree classifications;
- progressing into further study and/or employment;
- fiscal information about the value of employment post HE.

The alignment through policy of this data with HEPs' finances and some of the socio-political elements, leads however to criticisms of widening participation as a neoliberal project which is failing to authentically ask questions about social justice or minority group histories (Burke, 2012). This analysis is explored in greater detail within the themes of this chapter; however, regarding the broader challenges associated with the widening participation agenda, its neoliberal construction is pointed to as perpetuating the binary distinction between two types of university: selecting ('old'), and 'recruiting' ('new'- post 1992) (McCaig & Adnett, 2009). 'Selecting' universities tending to use widening participation funding to cement their reputations as 'selecting' offering larger bursaries but to fewer students; whereas 'recruiting' universities have tended to use widening participation funding to increase their student numbers by offering programmes which are attractive to wider cohorts of potential students (McCaig & Adnett, 2009). More recently, analysis by Koutsouris et al (2022) into the inclusion policies of elite (selecting) universities has argued that inclusion appears to have a managerial undertone which justifies inclusion on the grounds that diversity leads to better decision making and profitability. Inclusion/widening participation are argued therefore to have become a 'selling point' for universities, co-opted into the performativity agenda inclusion is often presented as a marketized commodity used in various ways to enhance universities' reputations (Koutsouris et al., 2022; McCaig & Adnett, 2009). The academic literature is also highly critical of HEPs that value inclusion/widening participation on paper, for example through value statements (Elwick, 2020) but fail to implement either in a meaningful way (Ahmed, 2012; Elwick, 2020; Gibson, 2015; Koutsouris et al., 2022). Ahmed (2012) refers to this practice as the 'diversity smile', where HEPs promote and market the surface level illusion of diversity happiness. The positive shiny veneer of an organisation that enjoys engaging in the 'happy talk' of diversity which conceals and thus reproduces inequality. In the following sections, inclusion in UK/English HEPs is unpacked in greater detail in relation to: race, ethnicity, culture, disability, gender and sexual orientation. Focus is placed on the Equality Act 2010, the OfS and HESA measures of student continuation, attainment and progression data, and key challenges and tensions outlined in the academic literature.

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[2] Deprivation is calculated using the Index of Deprivation which uses multiple measures to classify areas in England by level of deprivation (OfS, 2022c); the rest of the UK use a different methodology.

2. Race, Ethnicity and Culture

The UK is a multicultural, multi-ethnic society. According to the national census data (gathered in 2011), 86% of the UK's population is white, whereas 7.5% come from Asian ethnic groups, 3.3% from black ethnic groups and 2.2% reported their ethnicity as mixed (OfNS, 2020). After World War II, the majority of migrant ethnic groups settled in larger cities including Manchester, London, Birmingham, and Bradford (Shain, 2011). From 1948 to 1960, public and private debates focused on black migrants, who were openly described as a threat to the 'British way of life' (Solomos, 1992). By the late 1980s, the analysis had shifted from race and ethnicity to religion and with it, Muslim Asian youths were criticised for similar reasons, described as volatile and aggressive (Shain, 2011 p. 6). Throughout the latter half of the 20th century and to the present day, these public and private debates have influence UK employment and education policies.

As referenced in the introduction to this chapter, in 1976 the UK government introduced the Race Relations Act which made it unlawful to discriminate on grounds of race, ethnicity, and national origin within education, employment, housing, and services. Subsequently, the impact of the Act was analysed in two significant reports: the Swann Report (Swann, 1985) which focused on the education of children from ethnic minority groups; and the Macpherson Report (Macpherson, 1999) which focused on lessons to be learnt for the investigation and prosecution of racially motivated crimes. Both reports found that educational settings failed to implement many important recommendations, and that education providers allowed racist attitudes to persist. Addressing this, the recommendations in the Macpherson Report (Macpherson, 1999) suggested that educational settings log racist incidents, and ensure the national curriculum for schools values cultural diversity and prevents racism, in order to better reflect the needs of a diverse society. In 2007, the Government of the day introduced guidance on the duty to promote community cohesion with the purpose of students learning about each other, valuing diversity and togetherness.

When the Equality Act 2010 was published the focus was on unlawful discrimination, which in relation to 'race' can mean skin colour, nationality (including one's citizenship), or ethnic and national origins, which may not be the same as one's current nationality. In turn, culture refers to people's lifestyles including language, music, art, what they wear and eat (Constantin & Rautz, 2003). Though ethnic, racial, and cultural diversity seem different, it is hard to distinguish between them due to their significant overlap. Both race and ethnicity are protected characteristics in the Equality Act 2010, but the latter does not enjoy the same privilege within the UK policy context and in the broader agenda.

In relation to HE, ethnicity, race, and culture should not become a barrier to supporting students to reach their full potential (UUK & NUS, 2019). HEPs should not allow discrimination in relation to their: admission of students, academic provision, and access to services. However, the Aiming Higher Report (Alexander & Arday, 2015), highlighted areas of concern for black and minority ethnic students in the ecology of the UK HE system, exposing the white privilege that lies at the heart of elite institutional culture and the ways it creates inequality for black, Asian and minority ethnic staff and students. Boliver (2015) found that black British, British Pakistani, and British Bangladeshi students have been substantially underrepresented in the UK's elite academic universities (referred to in the introduction as the 'selecting' HEPs). Arday, Branchu, and Boliver (2021) stated that this underrepresentation resulted from under-achievement in key national school exams (which are generally required as a prerequisite to obtaining a HE

place). That said, in terms of overall access to HE in 2020-2021 the proportion of 18-year-old white entrants was 16.2 percentage points lower than the proportion of white 18-year-olds in the UK population. Conversely, in all other ethnic groups, the proportion of 18-year-old entrants to HEPs exceeded the proportion of 18-year-olds in the general population (OfS, 2022c). It should however be noted that the HE narrative is more complex than entrance alone, for the 2020-2021 continuation and attainment gaps[3] present a different picture as shown in Table 1.

Table 1: Data showing the continuation and attainment gaps between white students and those from other ethnic groups (FT and PT) (OfS, 2022c).

		Full-time undergraduate attainment rate (%)	Full-time undergraduate attainment gap (pp)	Part-time undergraduate attainment rate (%)	Part-time undergraduate attainment gap (pp)
Continuation 2020-21	White	92.0		68.3	
	Asian	92.3	-0.2	67.6	0.7
	Black	87.4	4.7	63.9	4.5
	Mixed	90.6	1.5	65.5	2.9
	Other	89.2	2.8	69.0	-.01
Attainment 2020-21	White	86.8		70.5	
	Asian	81	5.8	50.8	19.7
	Black	69.3	17.4	39.3	31.2
	Mixed	84.2	2.5	60	10

The contrast between entrants' data on the one hand and continuation and attainment data on the other, points to the current challenge for HEPs regarding the impactful inclusion of students from all ethnic groups other than white. For whilst students in ethnic groups other than white are well represented in HE, they are less likely than their white peers to continue with their studies and achieve the top two-degree classifications. Attributing this gap to both unexplained factors and 'multifactorial issues' which are influenced by the unequal structures in society which cannot be attributed to a single cause (OfS, 2021c), the OfS (2019, p. 19) has set the following target:

> To eliminate the unexplained gap in degree outcomes (1sts or 2:1s) between white students and black students by 2024-25, and to eliminate the absolute gap (the gap caused by both structural and unexplained factors) by 2030-31.

In 2020 Universities UK (UUK, 2020) published guidance on tackling racial and religious harassment and offered support to those who feel marginalized and are victims of hate crime. The guidance recommends universities publicly assign a priority status to tackling racial harassment, engage directly with students and staff with lived experience of racial harassment, review current policies and procedures and develop institution-wide strategies to combat racism and develop reporting systems for hate crime. The OfS

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[3] When referring to 'attainment rates', this measure is calculated based on the number of students who achieve the top two undergraduate degree classifications: 1st and 2:1.

(2020a) have also targeted funding toward improving access to, and participation in, postgraduate research study for black, Asian and minority ethnic students.

Regarding the structural inequalities existing within UK universities, a light has been shone on the nature of the white-dominated curriculum, which is viewed as playing a significant role in marginalising black, Asian and minority ethnic students (Ahmad, 2012). It is argued the curriculum does not offer a sufficiently broad view of other cultures, values and histories (Atkinson, 2018), and as a result, lecturers fail to relate the curriculum to students' lived experiences and their backgrounds. British history is also perceived as presenting narrow views of colonialism and the ways communities have been exploited (Andrews, 2020); and students from black and other ethnic minority groups have found they have little agency in negotiating the canons of knowledge which would promote greater inclusivity (Bhopal, 2014). Furthermore, narrow curriculums also disadvantage white students by limiting their understanding and knowledge of real-world issues around race and ethnicity, as well as failing to value the cultural capital students from different backgrounds bring to the classroom. Anti-racist scholars and advocates of inclusion have called for the decolonisation of curriculum and the inclusion of content which challenges dominant Western ideologies and epistemology (Shay, 2016). That said, as universities become more aware of the need to decolonise their curriculums, criticisms have been made of tokenistic efforts, such as adding on a separate module about race and ethnicity rather than making more significant changes to the curriculum (Arday, Belluigi & Thomas, 2020).

Alongside decolonisation of the curriculum there is also a need to recruit more lecturers from black, Asian and minority ethnic groups (Ijoyemi, 2021). Whilst the numbers of black, Asian and minority ethnic staff working in HEPs have nearly doubled in the last eighteen years inequalities still persist (Advance HE, 2021a). For example, there are lower proportions of UK and non-UK black, Asian and minority ethnic staff than white staff on permanent contracts, in senior management positions, and on higher salary bands (Advance HE 2021a). Advance HE (2021a) also reported there is a 1.4% pay gap between white staff and those from other ethnic groups. In relation to the Equality Act 2010, it should be noted that it is unlawful to discriminate (both directly and indirectly) against employees because of their race and ethnicity, and thus people from black, Asian and minority ethnic groups are entitled to equal pay. It is envisaged that the UK Government's new initiative of working with teacher training providers to establish a new international teaching qualification, referred to as the International Qualified Teacher Status (iQTS) may open doors for people from different backgrounds to undertake teaching roles in the UK (Department of Education, 2021). A similar programme (ITTS) has also been introduced in Europe.

In terms of people's religious beliefs, since 9/11 there has been a rise in the UK in islamophobia, antisemitism, and hate against other faith groups including Sikhs and Hindus. According to a report from the Muslim Council of Britain, during and after Brexit there has been a 400% increase in hate crimes against Muslims. Scott-Baumann et al. (2020) found that Muslim students on campus are seen as the cultural 'other' and face challenges of demonisation of faith. Research conducted at London Metropolitan University found that students struggle with practicing their faith on campus; for example, 50% of students had to make a choice between daily prayer and attending their lectures. Other issues faced concerned the provision of suitable food and timetabling in relation to prayer and festivals. The most worrying thing was Muslim students' beliefs branded as

'medieval', incompatible with 'today's world' under the guise of academic discussion (Akel, 2011, pp. 7-8).

In addition to the ethnic diversity of students domicile in the UK, the UK also enrols students from both inside and outside the European Union (EU); however, the numbers from outside the EU are higher than those from inside the EU (excluding those who are already domicile in the UK). In 2020-21, 152,905 (6%) of all students were enrolled in study from the EU, whereas 452,225 (16%) were from outside the EU (HESA, 2022a). Shaped by governmental immigration policies, this data is the current reflection of two decades of UK policy that has in three phases altered the UK landscape for international students (Lomer, 2018). The first phase initiated the charging of full-cost fees to international students; the second phase came in response to increasing competition between the UK and other European and non-EU countries. This phase focussed on the recruitment of 50,000 international students to UK universities, the aim being for the UK to capitalise on the financial, political, and cultural benefits of international student recruitment (Blair, 1999) – the socio-political narrative being the valuing of international students' contributions to the labour market. During this period, the UK government focused on the internationalisation of the curriculum and students' experience through provision of small-scale funds for international students. This policy lasted until 2011, when it was abolished following the election of a new leading Governmental party, which took a different stance on immigration perceiving it to be 'out of control' at the time (Lomer, 2018). The UK visa system was tightened: language requirements were raised, border interviews of credibility were introduced, and a post-study visa was eliminated. Of note, the most recent statistics show the satisfaction rates of international HE students in the UK have decreased. The UK's National Student Survey shows that 75% of international students in the UK are satisfied with their overall experience, but this is a drop of 11% from 2016 (OfS, 2021d). The factors highlighted as contributing to this decrease are described as: low sense of belonging, difficulties in making friends and communicating with non-immigrant students, as well as financial difficulties which often result in poor performance in studies and diminished mental health (Garret, 2014; Ardy, 2018). Recognising that international students may need extra support to increase their engagement, universities have worked to enrich their offer; for example, offering language classes, and providing extra support in academic writing and study skills. Additionally, chaplaincy services and Students' Unions offer sessions on culture, values, and identity, organising events to enrich students' experiences and offering pastoral and emotional support to students who struggle with mental health and well-being. Nonetheless, research showed that immigrant students from the same cultural background tend to work better with each other compared to working with those from the host country (Rienties, Nanclares, Jindal-Snape & Alcott, 2013).

3. Disability

The Equality Act 2010 defines a person as having a disability if they have 'a physical or mental impairment' that has a 'substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities (Equality Act 2010, Part 2, Chapter 1, Section 7). 'Substantial' is defined in the Act (Part 16, 212.1) as 'more than minor or trivial', and 'long term' refers to an impairment that has/or is likely to last twelve months or more (Schedule 1, Part 1.2.1). Whilst the meaning of 'normal day-to-day' activities is not defined in the Act, Advance HE (2020, paragraph 6) suggests the phrase means

'things people do on a regular or daily basis, for example eating, washing, walking, reading, writing or having a conversation'.

In the UK the Higher Education Statistics Agency (HESA) gathers data based on students own self-assessments of their disability. To support students with their self-assessment, Advance HE (2020) recommends that universities provide students with the Equality Act 2010 definition of disability. Students' self-assessment of their impairment type is recorded within the HESA student record using one of eleven possible categories:

1. non-disabled;
2. blind or a serious visual impairment;
3. deaf or serious hearing impairment;
4. general learning disability;
5. a long-standing illness or health condition;
6. a mental health condition;
7. a physical impairment or mobility issue;
8. a social communication/autistic spectrum disorder;
9. a specific learning difficulty;
10. two or more disabilities, impairments or conditions;
11. other type of disability, impairment or condition.

It should be noted that category 3 is not written as 'D/deaf' and as such does not distinguish between those who identify as audiologically 'deaf' and those who are 'Deaf' and identify as part of a social and cultural community of Deaf people (Advance HE, 2021b).

Current statistical data shows that in 2020/21 there were 386,595 higher education students domicile in the UK with a known disability, as a percentage of the total this equates to 18% of the student population (HESA, 2022b). The number of students domicile in the UK attending a UK higher education setting with a known disability has been increasing by 1% per year since 2014/15 (HESA, 2022c; HESA, 2022b). Over the past seven academic years (2014/15-2020/21), whilst there has been an increase across all the categories of impairment type (see Table 2), nearly half of this growth (49.6%) is attributable to those reporting as having a 'mental health condition' (HESA, 2022c). That said, the largest category of impairment type in the UK, has for the past seven academic years, consistently been reported as those with a 'specific learning difficulty'.

Table 2: UK Domiciled student enrolments by disability 2014/15 – 2020/21 (HESA, 2022c).

	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
No-known disability	1,642,795	1,658,185	1,654,860	1,643,945	1,634,015	1,759,880
A specific learning difficulty	109,560	111,745	111,640	113,405	114,610	126,810
Mental health condition	42,505	54,245	68,370	84,335	96,490	111,875
Two or more conditions	24,650	27,185	30,645	34,805	41,970	49,005

A long-standing illness or health condition	24,060	26,020	27,930	29,270	30,990	34,630
Another disability, impairment or medical condition	21,310	22,065	23,535	23,985	25,080	28,505
Social communication/ Autistic spectrum disorder	8,055	9,555	11,160	13,015	14,360	16,685
A physical impairment or mobility issues	7,965	8,445	8,870	8,665	8,715	8,850
Deaf or a serious hearing impairment	5,175	5,250	5,400	5,625	5,840	6,790
Blind or a serious visual impairment	2,930	3,075	3,145	3,275	3,310	3,450

It should be noted the terminology used to gather the HESA data is deficit in nature and framed by a medical model ontology which focusses on impairment (Oliver, 2004). In relation to students' own constructions of their identity, this language can be perceived as being both *problematic* and *restrictive*. *Problematic* because there can be a discord between a student's personal identity and whether they choose to disclose a disability (Evans, 2014). The self-assessment methodology coupled with the HESA terminology, potentially excluding students who have a disability but do not identify with the labels used. *Restrictive* because HESA's self-assessment construction of impairment does not encompass other models of disability which Lister et al's. (2020) research shows higher education students are known to identify with, namely:

- an empowerment model, focusing on student 'needs', autonomy and 'independence', with the institution empowering the student;
- a support model, focusing on 'barriers and obstacles to study' and institutional support.

Within the ecology of English universities, disabled students are generally provided with a range of support. This will differ from university to university, but is described by Hubble and Bolton (2021) as commonly including:

Signers, note-takers, specialist support workers for those with mental health problems or SpLD [specific learning disabilities] (e.g. dyslexia tutors who work on a one-to-one basis with students on writing skills), help with assessment such as exam access arrangements (e.g. supervised rest breaks, separate room, additional time allowance, sitting exams at home), lecture notes and handouts in alternative formats, use of computers and assistive software and advising on adjustments to teaching approaches. In addition, institutions aim to provide clear information for students, prospective students and staff on the services and support that is available (Hubble and Bolton, 2021, p. 12).

In recent years, the policy context for this support has emphasised the dual responsibility of universities to make reasonable adjustments, in combination with the Government's grant for individual disabled students (known as the Disabled Students' Allowance). The Disabled Students' Allowance (DSA) is a non-means tested annual grant provided to individual disabled students who meet the assessment criteria; disabled students do not need to repay their DSA. Student Finance England (SFE, 2022, p. 6) explain that 'DSA funding should be considered the apex of support, underpinned by an inclusive environment, and individual reasonable adjustments where required'. The duty of universities to make reasonable adjustments for disabled students is set out in the Equality Act 2010, any reasonable adjustments made should be both anticipatory and in response to individual students. For example, in relation to the anticipatory element, reasonable adjustments might include: embedding the principles of universal design for learning (UDL) into teaching, learning and assessment practices; making assistive software available throughout the library; making a 'quiet' themed living environment to cater for students who have Autism, etc. (DfE, 2017). Although reasonable adjustments for individual students have traditionally been met through a students' DSA grant, changes to the eligibility criteria for funding mean that HEPs now have a greater role in meeting individual students' needs:

> The shift away from supporting individual learners via DSAs means that HE providers must further develop a more strategic and flexible approach to delivering inclusive practice, accepting that there will be the need for individual adjustments e.g. British Sign Language (BSL) interpreters (DfE, 2017, p.37, paragraph 8).

Guidance from Student Finance England (2022) on the use of DSA, explains that HEPs should be working towards creating more inclusive learning environments, so that adjustments for individuals become the exception rather than the norm.

To support with the making of reasonable adjustments, HEPs usually have a disability services team and disability advisors, the team works directly with students to: carry out assessments and develop action plans, undertake testing, develop tailored packages, and support DSA claims including the subsequent provision of tutors/advisors (Hubble & Bolton, 2021). Regarding the implementation of reasonable adjustments in England, research has shown there can be a disconnection between teaching staff and a university's central disability services team. This disconnection manifests itself in the attitudes of teachers who do not perceive a need to develop their own inclusive classroom practice, because the disability services team have removed barriers for students through provisions such as: a Dictaphone, extensions on assignments, extra time to keep library books, etc. (Wray & Houghton, 2019). Wray and Houghton (2019) also shine a light on the perceptions of some teaching staff who wish to disaggregate reasonable adjustments from their interpretations about what they consider to be fair/unfair. For example, staff perceiving the giving of extra time to disabled students to complete an essay as constituting an 'unfair advantage'. These findings correlate with Osborne's (2019) research in which students described feeling that teaching staff did not understand their disability, thought they were 'lazy', 'faking it' and receiving an unfair advantage. Regarding students' lived experiences of reasonable adjustments, Shepherd (2018) has questioned how reasonable some of the adjustments actually are. For example, the provision of an ergonomic chair in a classroom for a student with a spinal injury, which had a large label reading 'for the disabled' stuck to the back of it; or the provision of assistive technology without the provision of suitable or accessible training. Shepherd (2018) makes the point, that far from being 'reasonable' these adjustments are more like

'embarrassing adjustments' or 'unhelpful adjustments' retrospectively. Research by Gibson (2012) into disabled students' narrative accounts of being included in higher education, suggest that it is not so much about the size of the lecture hall, lighting, or colour of the paper (whilst important) that are most relevant. Rather, students' exclusion and inclusion are dependent on a number of socio-cultural factors. For example, the positive impact of friendship, peer support networks, significant education contacts, a culture where diversity is understood and diverse learning promoted. The pedagogy of inclusion is also argued to be missing at the strategic level; Koutsouris et al.'s (2022) research showing that elite universities' inclusion policy documents fail to consider the pedagogical implications of inclusion - the same statement can likely also be extended to the majority of UK HEPs.

Regarding those in receipt of the Disabled Students' Allowance, of the 18% of fulltime UK undergraduate students in 2020/21 who through self-assessment have a known disability (HESA, 2022b), under half (6.9%) have a DSA (HESA, 2022d). In 2016 changes to DSA funding were implemented; these changes were described as improving value for money and rebalancing the 'distribution of responsibility for disabled students between HEPs and Government' (Bolton & Hubble, 2016). Criticised at the time, Lewthwaite (2014) argued the cuts to DSA put disabled students at risk, making their needs invisible and leading to unequal outcomes for students, academia and wider society. Regarding the depth of the cuts, these are clearly visible when comparing the average DSA payments made per recipient in 2011/12 (£2,350) to those made in 2016/17 (£1,750) (Hubble & Bolton, 2021). Most of the cuts occurred due to a fall in the value of payments to non-medical helpers (Hubble & Bolton, 2021). One of the most controversial changes reported by Hubble and Bolton (2021) was the introduction of the £200 student contribution towards the cost of computer hardware. In response to this criticism, Hubble and Bolton (2021, p. 19) note Chris Skidmore's 2018 response:

> A basic computer is now a mainstream cost of study for all students, disabled or not. We believe it is therefore reasonable for students to fund this £200 from their Maintenance Loan.

In a recent report by Lord Holmes (2022, p.22), this argument has been directly criticised as a misreading of equalities legislation, 'a grant to remove barriers due to a protected characteristic must not be conditional on a financial contribution'.

In the academic year 2021/22 further changes to the DSA were introduced, initiating the removal of four separately funded categories of the DSA allowance. DSA is now one combined allowance which has a maximum cap (excluding travel); in the academic year 2021/22 the cap was set at £25,000, this has gone up to £25,575 for the academic year 2022/2023. Analysis by the Department for Education (DfE, 2020, p. 20) has argued the new single allowance will:

> Have a positive impact on groups whose needs are being less well met as a result of the way in which the current system operates. These will in general be students who use up all, or very close to all, of one of the capped allowances currently but very little of the other allowances. Students in this group will under the new arrangements have more flexibility in the awarding of support.

However, Kernohan (2020) has argued those students who claimed the maximum allowance from the categorised DSA finance system will lose up to £2,161 a year. Both Kernohan (2020) and the DfE (2020) agree the new single cap is lower than the current

maximum and, there are only a small number of students who receive DSA of more than £25,000 (for example, 28 students in 2018/19). That said, Kernohan (2020) argues this change is likely to affect the most severely disabled students who are using the maximum DSA allocation. Whereas, the DfE (2020) argue that for the majority (25 of the 28 in 2018/19) the maximum allowance was reached because of travel costs, which continue to remain uncapped. Therefore, the DfE (2020) argue that for the significant majority of those in receipt of DSA, the change to a combined allowance is beneficial or of no negative consequence.

The recent report by Lord Holmes (2022, p.4) into the DSA, whilst clearly valuing the system 'when it works well', makes a series of recommendations which pertain to the entirety of a students' DSA journey from pre-application through to post-graduation. Examples of some of the recommendations are detailed below:

Pre- application: the DfE must launch an information and awareness campaign about the DSA so that more prospective students are aware of its existence;

Application: HEPs must demonstrate greater support for their students' application for DSA;

Assessment: the DfE must improve quality assurance for DSA Assessment Centres and Needs Assessors;

Course: the DfE must remove the £200 charge towards equipment;

Post-graduation: to support with the transition between higher education and work the DfE must consider extending DSA provision to beyond the end of a course date.

In addition to the DSA funding, HEPs are also in receipt of Disabled Students' Premium, this funding is paid by the Office for Students (OfS). The funding is intended to help HEPs move towards a more inclusive model of education, and to support the growing number of students reporting disabilities and those with mental health needs (OfS, 2021e). The funding formula is calculated to take into account both the numbers of students attending university who through self-assessment have declared a disability (weighted at 1) and, those in receipt of DSA (weighted at 2) (OfS, 2021e). In 2021/22 the £200,000 cap for Disabled Students' Premium was removed (OfS, 2021e), thus arguably removing a disincentivising funding formula that may have been seen as a barrier by HEPS to the admittance of larger numbers of disabled students.

Regarding the continuation and attainment of disabled students, Table 3 shows the gaps between those with/without a reported disability; for both continuation and attainment the largest gaps exist for those with a disability who are studying part-time.

Table 3: Data showing the continuation and attainment gaps for fulltime and part-time undergraduate students with a reported disability and without (OfS, 2022c).

		Full-time undergraduate attainment rate (%)	Full-time undergraduate attainment gap (pp)	Part-time undergraduate attainment rate (%)	Part-time undergraduate attainment gap (pp)
Continuation 2020-21	No disability reported	91.6		69.0	
	Disability reported	90.4	1.2	62.5	6.6

Attainment 2020-21	No disability reported	84.1		66.4	
	Disability reported	83.1	1.1	63.5	2.9

When explored in greater detail, the data shows that the largest continuation gap exists for those students who reported a mental health condition; the pattern for students who reported having a cognitive or learning disability was the opposite, their continuation rate being higher than those with no disability (OfS, 2022c). For the past six years the attainment rate for students with a reported disability has been consistently lower than for students with no-reported disability. However, over the past five years this gap more than halved, from 3 percentage points in 2016-17 to 1.1 (OfS, 2022c). However, whilst the gap has narrowed in 2019/20 and 2020/21, it should be noted that due to COVID-19 many universities in England were adopting a 'no detriment' approach to assessment; it remains to be seen whether this pattern continues past the implementation of the 'no detriment' approach. In terms of graduates' salaries, those with a known disability are more likely to earn under £27,000 than their peers with no-known disability; those with no-known disability being more likely to earn over £30,000 than those with a known disability (HESA, 2021).

3. Gender and sexual orientation

3.1 Gender

According to the English Universities and College Admissions Service (UCAS, 2022), 58% of applicants to higher education in 2020 were female in comparison to 42% of males. UCAS (2021) data also shows that 1 in 250 students identified as transgender. These statistics highlight the UK trend for more females to undertake higher education study than males, including both cis[4] females and transgender students whose gender identity is different to the sex assigned at birth. According to Thompson (2017), there has been an increase in females studying at university since the post-1992 universities were created; the gender gap increasing annually in response to the 1997 widening participation agenda. The increase in female students entering higher education is understood to correlate with females' need to seek a better income which according to O'Shea (2015) also relates to their need for independence and enhanced identity. Moreover, the increase in female students is often connected to a longing to prove themselves, alongside their roles supporting the family and conducting caring responsibilities. The neoliberal ecology of HE, which constructs graduate qualifications as a 'financial investment to students' and a vehicle for securing the 'economic productivity of the country' (Maisuria & Cole, 2017, p. 604), can however be at odds with some students' desire to study as a hobby or as an optional career as some had done in the past. Graduate salaries for females reveal a gender pay gap; female students in the main being more likely to earn under £27,000 than their male peers (HESA, 2021), although the HESA (2021) data does show parity between

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[4] Cis - where the gender matches the sex assigned at birth.

female and male earnings at three points out of the fourteen reported salary bands (£36,000-£38,999, £42,000-£44,999, £45,000-£47,999).

Regarding the subjects which male and female students enrol onto, HESA (2022e) and the UK Parliament (HoCL, 2021) have reported a clear subject gender divide; see Table 4. For example, female students are tending to enrol onto subjects such as nursing, education, psychology and the creative arts, and are often avoiding the more male-dominated STEM subjects, such as: Science, Technology, Engineering and Mathematics.

Table 4: Selection of subjects studied, taken from the HE student enrolments by subject. Academic years 2019/20 to 2020/21 (HESA, 2022e).

Subject	Female	Male	Other	Not known	Total
Subjects allied to medicine	269,305	69,445	395	0	339,150
Psychology	109,505	25,265	315	0	135,080
Mathematical sciences	18,010	30,405	110	0	48,530
Engineering and technology	36,875	146,060	225	0	183,160
Computing	32,480	120,975	370	0	153,825
Social sciences	188,365	93,725	525	0	282,615
Language and area studies	66,895	25,250	495	0	92,635
Education and teaching	104,995	30,795	250	0	136,045
Design, and creative and performing arts	120,355	68,710	1,080	35	190,180

Furthermore, UCAS (2021) suggested that transgender students have tended to enrol onto more creative courses (like design, creative and performing arts) as can be seen in Table 4, rather than choosing STEM subjects that were less welcoming and tolerant of difference. The lower numbers of female entrants taking the STEM subjects has for an extended period been a concern (White & Smith, 2021). According to Fisher et al. (2020) the gender equality in STEM has yet to be accomplished as students have left male dominated subjects due to there being few female or transgender role models within the teaching areas. There were also concerns as to whether there would be employment after graduation (White & Smith, 2021). For those who do complete their course, White and Smith (2021) warned of the considerable gender pay gap and a culture of discrimination and harassment, with limited opportunity for promotion (Little, 2020).

Interestingly, although biology is part of the STEM area, there are more female applicants; however, Fisher (2020) claimed that even in this area, female students were often less confident than their male peers. Females were observed demonstrating lower self-efficacy as they were treated as if they needed more assistance than men (Kersey & Voigt, 2020). Some of the reasoning Fisher (2020) gave was that male peers tended to be dismissive when female students made suggestions. Lecturers were often more praiseworthy and attentive of male students, leaving female students feeling less confident to answer questions for fear of humiliation in front of male peers (Fisher, 2020). Miller et al. (2020, p. 340) claimed that transgender students also felt discounted as they confronted the 'norms of heterosexuality' where it was assumed the harassment would involve men targeting women. Transgender students found, however, that gender non-conformity and queer sexuality were also seen as 'catalysts' for harassment alongside the fear of hostility (Kersey & Voigt, 2020). This meant transgender students tended to hide their gender identity to ensure they could 'succeed' in the 'hostile, socially isolating… environments' (Miller et al., 2020, p. 341).

Clearly there is a need to ensure all students, independent of their gender identity, can access the STEM subjects, feeling safe in the knowledge they can engage with a well-balanced curriculum which provides an equality of opportunity for them. The Equality Act 2010 is clear that institutions must not discriminate in terms of gender identity, and Little (2020) suggests that those in authoritative positions have an important role to play in changing the attitudes and culture of inequality in these areas. Changing attitudes will involve the removal of stereotypical images in the STEM subjects such as those of 'nerdy men in glasses' who are often socially awkward and excellent at maths (Berwick, 2019). Instead, there needs to be a greater number of female and transgender role models both in higher education and working within the STEM sectors. Female and transgender people need to be encouraged to engage in STEM subjects and feel welcomed into more flexible classroom environments that include them in the planning of the curriculum content and assessments. Assessments could be less examination orientated, featuring open questions or opportunities to demonstrate written skills, which tend to favour females thus enhancing their confidence and inclusion (Berwick, 2019). Inclusion is about creating a balance where all genders can achieve and feel confident in their ability to develop in the area they aspire to. The next section considers gender identity and sexual orientation in more depth and focuses on ways higher education lecturers could provide further support to include all learners.

3.2 Sexual orientation and gender identity

The term LGBTQI+ refers to the initials of different groups based upon sexual orientation and gender identity identification. According to Moleiro and Pinto (2015), the term gender identity was created during the 1960s and illustrates a person's inner sense of belonging towards the male or female gender. They suggested that the concept of gender identity evolved over time to include those people who do not identify as either male or female. The term 'sexual orientation' refers to individuals who are sexually attracted to men, women, or both (Bailey et al., 2016).

It is important to note that the acronym LGBTQI+ may have different meanings internationally, however, in England LGBTQI+ breaks down into the following definitions. 'LG' relates to Lesbian and Gay people who are attracted to members of the same sex (Moleiro & Pinto, 2015). The 'B' relates to Bisexual people who experience attraction to both members of sex. Although this terminology is used widely throughout

the LGB community it may not always fall into definable categories. This means that the terminology could be seen as occurring on a continuum that allows people to identify their sexual orientation in various ways (Moleiro & Pinto, 2015). The 'TQI' stands for: Transgender, people whose gender identity does not match the sex assigned at birth; Queer, is debated and is a term with no precise definition, it can be understood as 'an umbrella term for diverse nonhetrosexual identities' (Morandini, et al., 2016, p. 1), using queer to mark one's sexual identity does not disclose to others what one's exact attractions are (Kolker et al., 2020); and Intersex relates to people whose biological sex cannot be classed as clearly male or female (Jones, 2018). The 'plus' refers to a range of definitions that includes people identifying as pansexual, asexual, agender, polyamorous, non-binary and gender fluid for example, and represents people who are not questioning their sexuality, but who identify as part of a group that might not be so well known or understood (Bloodworth, 2018).

The legislation around sexual orientation and gender identity equality in England has undergone some significant changes over the last forty years and England has not always been as accepting of the LGBTQI+ community as it is now. For example, the introduction in 1967 of the Sexual Offences Act that partially decriminalised sex between men in England, and the controversial Local Government Act 1986. The latter pronouncing in Section 28 that schools could no longer promote homosexuality or publish material with the intention of promoting homosexuality' (Local Government Act 1988, section 28). Section 28 caused chaos in the curriculum for teachers in schools and distress throughout the LGBTQI+ community. According to Stonewall (2017) the effects of the Act have caused a serious setback to the progress made since 1967. Although Section 28 was repealed in 2003, the impact of the Act created a devastating blow for the LGBTQI+ community which created an increase in bullying and harassment from peers that arguably has never really been resolved in education since that time (Stonewall, 2019).

More recently the Equality Act 2010 outlined more than thirty pieces of anti-discrimination legislation in England, which listed sexual orientation and gender identity as protected characteristics alongside the other areas outlined in the introduction to this chapter. The Equality Act 2010 made direct and indirect discrimination, harassment, and victimisation on the grounds of sexual orientation and gender reassignment illegal. In addition to this, the Equality Act 2010 also brought in the Public Sector Equality Duty (Ministry of Justice, 2011) which expected HEPs to eliminate discrimination and ensure an equality of opportunity for the LGBTQI+ community. The Stonewall University Report (Stonewall, 2018) stated that higher education institutions were providing more positive experiences and inclusive environments, however, there were still concerns that students were facing discrimination because of their sexual orientation or gender identity. Stonewall (2018) stated:

> One in seven LGBT students (14%) have been the target of negative comments or conduct from a member of university staff in the last year because they are LGBT. This rises to more than a third of trans students (36%) compared to 7% of LGB students who don't identify as trans. Almost one in four black, Asian and minority ethnic LGBT students (24%) and LGBT disabled students (22%) have experienced this in the last year (Stonewall, 2018 p. 6).

Data from the OfS (2020b) shows there are differences in the continuation and attainment rates by different sexual orientations:

- continuation rates for lesbian, gay and bisexual (LGB) entrants are lower by 1.1 percentage points than for heterosexual students;

- whereas attainment rates of LGB students are higher by 2.4 percentage points than for heterosexual students.

Kurian (2020) reminds us that lecturers need to be the 'protectors and defenders of students' rights' but, that there are lecturers who are discriminating against LGBTQI+ students. They outline four types of discriminatory lecturer.

Unaware lecturers
Lecturers who are unsure what LGBTQI+ means or what to do to be inclusive. They may be worried about doing or saying something wrong and are unsure how to confront discrimination. They may not recognise the challenges faced by LGBTQI+ students if bullied or harassed which may cause them to assume students are lacking in ability.

Apathetic lecturers
Lecturers who know LGBTQI+ rights but do not show any interest in confronting issues such as bullying, harassment or inappropriate language. Kurian (2020) suggested that witnessing lecturers refuse to intervene could be traumatic for LGBTQI+ students.

Reluctant lecturers
Lecturers who are aware of LGBTQI+ identities and rights but are unwilling to uphold them. E.g., refusing to provide information or evading the subject if asked a question about LGBTQI+.

Prejudicial lecturers
Lecturers who know LGBTQI+ rights but show no interest in confronting issues such as bullying, harassment or inappropriate language. Such lecturers may be more open in their prejudice.

It is likely that some lecturers may fall into one or more of the above categories before gaining a knowledge of gender identity and sexual orientation. Sadly, such attitudes may have contributed to the feelings of stress and anxiety LGBTQI+ students experience through discriminatory practice. Meyer (2003) refers to these feelings as 'minority stress', which can have, if not managed adequately, a negative impact on social skills and result in an increased avoidance of social situations. Additionally, this theoretical framework highlights that these feelings of marginalisation and distress caused by undergoing discriminatory experiences have negative repercussions for students' mental health.

To support students and staff in avoiding some of these issues there are some practical solutions that could help provide a more inclusive environment for LGBTQI+ students.

- The first suggestion is to generate an open-ended pre-semester survey to learn about students' backgrounds and needs. This provides students with an opportunity to share what they want lecturers to know and sends out a message that staff are sensitive to issues about their identity.
- Ensure staff are familiar with the current LGBTQI+ terminology. Language in this area changes quickly e.g., at one time the term 'queer' was used as a slur against LGBTQI+ people, this term has now been adopted by some, but not all. Checking with students on terminology will help if staff accidently use a word inappropriately. If this does happen, it is important that a respectful apology occurs, and information is shared with others to help reduce the possibility of repeated offence.
- Be mindful of pronouns. Encourage staff to put their pronouns on their email signature. This helps students see staff are sensitive to identities outside of the gender binary. Refer to students by the pronouns they provide.

- Consider course content and where possible incorporate LGBTQI+ history and theories (e.g. queer theory). This may include policy, current events, and LGBTQI+ people who have contributed to the field. Seeing gender identities reflected in course content sends a powerful message that students belong in the class and field of study.
- Reflect on the classroom climate and look for indicators of discrimination. This may include microaggressions such as words or behaviours that unintentionally hurt or offend.
- Consider whether unintentional overt expressions of prejudice are present. A well-meaning greeting, such as 'good morning, ladies and gentlemen' is a microaggression which unintentionally excludes people who identify outside of the female/male gender binary.
- Be a resource. Learn about student clubs, events and initiatives, and campus offices that support students who are LGBTQI+. Be aware and be able to point students in the right direction of central university student services teams. Look out for LGBTQI+ history events and encourage students to engage with activities.
- Be an ally. Ensure staff complete the Equality and Diversity training provided by the institution.

(Adapted from Rouder, 2021; Atkin, Barrett, Pavitt, & Thomas, 2016)

4. **Survey Data**

As this book highlights, issues relating to inclusion in higher education are important internationally, and broadly understood to mean that 'every learner matters and matters equally' (UNESCO, 2017, p. 12). The complexity arises, however, when putting this message into practice, which will likely require changes at all ecological levels, from the interpersonal through to the socio-political (UNESCO, 2017). The ways these changes are enacted provide the country specific contexts set out in this book, they also mean that different countries, whilst all committed to the broad aim of inclusion will have their own ecologically distinct progress trajectories and challenges. As such, the foci of the JoinMe2 survey questions (which underpin other chapters in this book) and the language used to express the questions, to some extent capture a different set of inclusion challenges than those which are pertinent to the UK HE context and sometimes more specifically the English HE context. Whilst it is not possible to capture in one chapter the full breadth of the UK/English issues pertaining to students' inclusion in HE, this chapter does point to a need for HE lecturers and students to consider their responses to the following key questions:

- Focusing on the characteristics of gender, ethnicity and disability what strategies are you aware of that are working to improve students' continuation, attainment, and pay?
- Does the higher education institution you are part of, meaningfully value inclusion, referring in its policy documents to inclusion pedagogy?
- Does the higher education institution you are part of, engage directly with students/staff who have lived experience of racial harassment to review current policies and procedures, and develop institution-wide strategies to combat racism and develop reporting systems for hate crime?
- Have you engaged directly (through your teaching/learning) with the decolonisation of the curriculum and encountered content which challenges dominant Western ideologies and canons of knowledge?
- Are you aware of the concept of reasonable adjustments for disabled students, and are they implemented in classes you teach/participate in?

- Do you establish/learn in an inclusive environment where everybody's individual needs are met?
- In the higher education institution you belong to, is the Disabled Students' Allowance seen as the apex of student support, underpinned by an inclusive environment, inclusive pedagogy and individual reasonable adjustments?
- In the higher education institution you belong to, is there a focus on developing strategies to encourage more female and transgender students to enrol onto male dominated STEM subjects?
- When taking STEM subjects in your higher education institution, are the views of female and transgender students encouraged, respected and praised?
- When taking STEM subjects in your higher education institution, do transgender students feel they have to hide their identity in order to succeed and avoid harassment?
- In the higher education institution you belong to, are lecturers LGBTQI+ aware and not apathetic, reluctant and/or prejudicial towards LGBTQI+ students?

To provide parity with the JoinMe2 surveys, the questions above are directed towards lecturers and students; that said, it is clear from this chapter that UK staff and students' actions and experiences are nested in the full breadth of ecologies from socio-political through to the individual student. Thus, for inclusion to be meaningfully embedded in the UK/English sector, questions also need directing towards those working at every ecological level, including Government, leaders and regulators of the HE sector, and leaders of HE institutions.

In line with the Equality Act 2010, it should also be noted that HE institutions in the UK are also commonly asked to focus on the inclusion of students based on their age, and also where they are from (as linked to the Index of Deprivation). As stated in the introduction to this chapter, the OfS (2022a) is also focused on the underrepresentation in HE of students with a broad range of personal characteristics, i.e. carers, those from the Gypsy, Roma and Traveller communities, and refugees, etc. An inclusion survey for staff and students in UK HEPs should also encompass this broader range of personal characteristics. In addition to which, inclusion as a concept for all, as found in the work of Booth and Ainscow (2016) might usefully broaden the discussion beyond the widening participation agenda and towards authentically meaningful HE practices that as a principle seek to include those who enrol and work within the sector, and the wider community in which the HEP is situated.

Conclusion

In the UK, the Equality Act 2010 provides the lawful context for equality, diversity and inclusion in HE. Whilst the authors of this chapter acknowledge the steps taken in the past fifty years towards greater equality in the UK as a whole and in the HE sector more specifically, this chapter also highlights the challenges which need to be addressed if HEPs are to achieve more than the 'diversity smile' (Ahmed, 2012) and inclusion 'chatter' (Koutsouris, et al., 2022). The large-scale quantitative data gathered by the OfS (2022c) and HESA (2021) show the statistically significant inequalities that exist for students with certain characteristics:

- those whose ethnicity is not white, and those who report a disability, are less likely to continue with their studies and have lower degree results than their white peers and their peers who do not report a disability;

- those who identify as LGB are less likely to continue with their studies than their heterosexual peers;
- approximately fifteen months after graduation:
    - those who report a disability at university are less likely to be earning over £27,000 than their peers with no-reported disability;
    - female graduates are more likely to earn a lower salary than their male peers.

Regarding the ethnicity data for graduate earnings the picture is more complex, meaning that clear statements are harder to make. Drilling down further into the data, the OfS (2022c) point to the large attainment gaps existing between black and white fulltime/part-time students; and the lower continuation rates for fulltime/part-time students with a mental health condition, in comparison to their peers with no-known disability.

Describing the monitoring of diversity data as a rapidly evolving area of work (Advance HE, n.d.), Advance HE (2021c) is currently revising their data monitoring guidance. With the aim of being more inclusive, greater clarity will be provided regarding the collection of data that relates to sex as a protected characteristic and the Equality Act 2010 (Advance HE, 2021c). HESA (n.d.) has also recently conducted a consultation survey into the coding frames for various personal and equality characteristics, the aim being to make updates based on changes made to the national census data. Furthermore, work is currently being undertaken that focuses on intersectionality, which recognises that people's identities and social positions are shaped by multiple factors (Advance HE, 2021a; 2021b). For example, a person's embodied experience does not subdivide into Asian, female and disabled, rather they experience life as a disabled Asian woman.

Examples of inclusive HE practices are evident within the research literature and case studies of good practice relating to widening participation are published; for example, by the Office for Students (2021c), Department for Education (2017), and numerous academics (i.e. Gibson, 2012). There is however, less research conducted on inclusion in the traditionally selecting HE sector, than in the compulsory school context (Koutsouris, et al., 2022). That said, the existing UK/English data, guidance, academic literature, and grey literature concerning equality, inclusion, and widening participation in HE does point to a range of key topics and themes. Although this chapter has not been able to shine a light on all of these, key points for discussion in the UK/English equality literature include: curriculum, pedagogy, othering, meaningful inclusion, and staff attitudes and understanding. Whilst this chapter has only touch briefly on the topic, there is also diversity underrepresentation amongst those working in HE, including those working in the most senior positions (Advance HE, 2021a). Funding from the OfS and SFE is a key part of the strategy in England to incentivise and support HEPs to develop their inclusive culture and remove barriers for individuals; however, cuts to the DSA have been controversial and criticised (Holmes, 2022; Kernohan, 2020; Lewthwaite, 2014), as has the neoliberal marketized construction of widening participation and inclusion (Burke, 2012; Koutsouris, et al., 2022).

To conclude, this chapter has highlighted the ecologies of equality in the UK/England operate on multiple levels, from the socio-political, through to the culture of the HE sector as a whole, the actions of individual universities, interpersonal relationships between staff, and students, and the personalised support given to individual students. The ecological layers are however not always in sync, meaningful or inclusive; thus, inequalities exist which ultimately show up in the country's quantitative data on students' continuation, attainment and progression. Moving beyond the 'diversity smile' (Ahmed, 2012), so that values can be understood through actions (not just fine words) (Booth and

Ainscow, 2016) and are consistently evidencable in students' lived experience accounts, is therefore the 21st century challenge for HE in the UK/England.

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