Higher Education Academy

Equality and diversity in learning and teaching at Scotland's universities

Trends, perspectives and opportunities

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The study and its background

This project reports on a desk-based analysis of engagement with equality and diversity in learning and teaching as expressed in a range of recent public sector Equality Duty reports, Scottish Funding Council (SFC) Outcome Agreements (OAs), and quality assurance-related returns. To analyse these documents, the project team recognised that this report was to be as much about enhancements to *practices* (change in learning, teaching and assessment practices) and *culture* (actual impact of activities) as the standard of *data collection* and *evidence of compliance* (procedural proxy measures). For this project, learning and teaching was defined as two integrated components:

> curriculum design and other *learning and teaching regime* activities. 'Regime' as used here represents all the formal activities within a given learning and teaching culture (institutional, disciplinary or departmental), and includes how meaning is developed and attributed within and through discipline-specific learning and teaching cultures and practices (Trowler 2005);

> the general institutional context in which learning and teaching happens, referred to in some equality and diversity literature as the material that expresses the *campus climate*. This includes a range of data, including auditable-type compliance agreements, quantitative analytics, and qualitative research on identity based group experience in given institutions (for a useful summary, see Worthington 2008).

Method overview

The project team approached this work by focusing on two areas:

> a review of the grey literature relating to equality and diversity, recognising that this material essentially captures institutional reporting of activity around and monitoring of composition, retention, and progression of the student body (and, administratively, is focused on audit, especially the quality of *data collection* and *compliance*);

> recent research on equality and diversity in higher education to enable interpretation of the audit material in terms of the broader *culture*, as well as suggested areas for improved *practice.* In light of the paucity of formal research particular to the Scottish experience of equality and diversity in learning and teaching, we used research from other countries to articulate frameworks for understanding the implications of what appears to be happening as represented in the grey literature.

Overall findings

In terms of data collection and compliance, Mainstreaming Equality Reports (MERs), Equality Outcome Progress Reports (EOs) and Outcome Agreements (OAs) demonstrate that Scottish universities are moving from embryonic engagement with the public sector Equality Duty (both general and Scotland-specific) towards more established approaches. What is far less clear from the evidence available is what this means in terms of extent and types of emerging learning and teaching practices, and their relationship to equality and diversity centred cultural change for the better at individual, disciplinary and institutional levels. Trends for approaching equality and diversity centred learning and teaching enhancement include curriculum review via inclusive curriculum toolkits, adaptation of quality assurance regulatory frameworks to mainstream involvement, driving institutional culture change through learning and teaching strategies, and enabling localised responses and adaptations within institutions. Nonetheless, a more comprehensive understanding of how disadvantage works in relation to privilege post-access than is currently implied in the documentation reviewed would work towards redressing inequalities that play out over the course of degree programmes (after students have entered their institutions) through learning and teaching regime enhancement.

The following report celebrates the good practice in the Scottish sector and offers the following recommendations.

Recommendations for practices, regimes and research

Practices and regimes

1. Sector level

To support the embedding of equality and diversity within learning and teaching practices and regimes at a level of policy, the Scottish higher education (HE) sector and its strategic agencies might want to consider:

> harmonizing (regulatory) reporting requirements and their processes, particularly as they relate to OAs, MERs and EOs, as well as Enhancement-Led Institutional Review (ELIR) technical reports, to avoid duplication and encourage a more coherent and comprehensive understanding of inclusion and inclusive approaches that encourages an integrated understanding of socio-economic and protected characteristic privilege/disadvantage. This could profit from additionally –
> – including a standard question on what difference activities/initiatives have made;
> – including an analysis of the relationships across campus involved in enhancing educational experience for students from all backgrounds;

- establishing targets for programmes to have undergone formal learning and teaching methods equality impact assessments;
> creating guidance on incorporating equality and diversity in learning and teaching specifically in existing regulatory processes (e.g. to supplement existing guidance on embedding equality and diversity generally in OAs);
> providing consistent support for the mainstreaming of guidelines produced by Higher Education Academy (HEA), Equality Challenge Unit (ECU) and discipline bodies in a Scottish context. One effective mechanism for this would be the Quality Enhancement Themes;
> reviewing and updating learning and teaching toolkits in existence and support their wider usage across programmes in Scottish higher education institutions (HEIs), ideally as part of a whole curriculum programme review process;
> encouraging external recognition procedures for higher education equality and diversity activity to include learning and teaching regimes as an integral part of the award criteria.

2. Institutional level

Learning and teaching strategies at an institutional level might benefit from considering the following opportunities as principles on which to develop further engagement with equality and diversity at a disciplinary and programme level:

> revisiting whole-curriculum programme design with an aim to harness debates about the nature of disciplinary learning and teaching regimes;
> continuing to emphasise universal curriculum design while moving into innovative service design as a method for discipline learning and teaching reviews;
> using social justice movements and civic engagement activities to change campus climate and student intellectual and broader attribute development.

Further, institutions might want to consider whether/the extent to which they:

> invest in capacity building of academic staff to lead on equality and diversity as a disciplinary learning and teaching regime enhancement issue;
> embed equality and diversity across continuing professional development (CPD) activity, beyond postgraduate certificates and induction activities;
> make learning and teaching focused equality and diversity training mandatory for all teaching-intensive academic staff;
> include equality and diversity in learning and teaching in student equality and diversity training and awareness-raising activities and encouraging co-creation of curricula around this theme;

> incorporate equality and diversity in learning and teaching within their current teaching awards systems;
> ensure, within their mainstreaming activity, that equality and diversity is part of academic progression and promotion;
> ensure a strong sense of coherence, beyond simple representation, at all levels in terms of the relationships between the various institutional actors (student and staff) who enable learning and teaching regime change;
> encourage reflective disciplinary pedagogies (via iterations of anchored conversations and negotiations between staff and students as well as disciplinary professional bodies, educational developers, and equality and diversity specialists);
> design robust impact-assessment methods for initiatives, including professional development activities as well as equality and diversity focused learning and teaching projects;
> support student involvement in equality impact assessments of all learning and teaching practices and regimes.

Research

In order to support further development in learning and teaching with regard to equality and diversity, this report encourages the sector and individuals to pursue research that explores:

1. The relationships between disciplinary learning and teaching regimes and diverse students' learning within the Scottish socio-cultural and historical context as compared to the rest of the UK.
2. Impact on curriculum and teaching activity of compulsory equality and diversity training and educational development activities currently offered in postgraduate certificates and CPD frameworks.
3. Management of student access, progression and attainment, and their effect on broader cultural and disciplinary outcomes in a devolved context (as they are increasingly in England: Gillborn 2008; Burke 2012).

1. Introduction

This project reports on a desk-based analysis of engagement with equality and diversity in learning and teaching as expressed in a range of recent public sector Equality Duty reports, Scottish Funding Council (SFC) Outcome Agreements, and quality assurance-related returns. The project team recognised that the nature of the documentation they were using as evidence for this project was two-fold:

1. *Explicit messages* from various government-related bodies regarding what was most important for demonstrating compliance with regard to the public sector Equality Duty.
2. More *symbolic inferences* institutions could draw about what is important to be pursuing or prioritising from:

> the way the documents are designed (what they ask for);
> how they fit with other reporting mechanisms with which institutions are engaged (particularly with respect to quality assurance and enhancement of teaching and learning).

As a result, the project team recognised that this Higher Education Academy (HEA) report was to be as much about enhancements to *practices* (change in learning, teaching and assessment practices) and *culture* (actual impact of activities) as the standard of *data collection* and *evidence of compliance* (procedural proxy measures).

The Equality Act 2010 intended to legislatively redress a socio-cultural context of privilege and disadvantage and placed a duty on the public sector (from 2011), including higher education institutions (HEIs), to engage proactively with the relevant issues.[1] In particular, this duty set out that institutions were to actively eliminate unlawful discrimination, advance equality of opportunity, and foster good relations between diverse groups, particularly in relation to eight of the nine protected characteristics identified by the Act: age, disability, gender reassignment, pregnancy and maternity, race, religion and/or belief, sex, and sexual orientation.[2]

The impetus of such an Act (and the associated duties), then, is to manage socio-cultural tendencies towards certain types of identity based social exclusivity. As a working

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[1] http://www.legislation.gov.uk/ssi/2012/162/contents/made (Accessed 23 July 2015). The general duty applies to England and Wales as well as Scotland; the specific duties differ across the nations (for Scotland, see ECU 2012b).

[2] Marriage and civil partnership is still covered in the duty, but only in relation to the requirement to have due regard to eliminating unlawful discrimination in employment.

definition, 'socio-cultural tendencies' here refers *to apparent systems of activity which, tacitly and explicitly, maintain socio-cultural dominance of one identifiable group over another*. Such inclinations, when centred on the differences ascribed to a group apparently 'outside' of the dominant group, generate micro-advantages or micro-disadvantages that lead to differences in outcomes in the academy (Reskin 2003; Roos and Gatta 2009). The realms in which this advantage/disadvantage binary plays out are structural (Reskin 2003; Rocco and Gallagher 2006, pp. 31–3) and psychosocial (intra-psychic in terms of construction of the self and interpersonal, Reskin 2003).[3] What this means more specifically is that imperatives linked to the equality and diversity agenda in higher education learning and teaching would benefit from doing two things simultaneously:

1. Unpicking structural disadvantage through systematic reform (learning and teaching systems, research systems, student support systems);
2. Changing individual experiences of structural discrimination and the circumstantial prejudices that play out within it for the better.

Much of the documentation to which this project refers focuses on (1) with the aim that what is reported demonstrates improvements in (2).

Defining university based learning and teaching in an equality and diversity context

For this project, learning and teaching was defined as two integrated components:

> curriculum design and other *learning and teaching regime* activities. 'Regime' as used here represents all the formal activities within a given learning and teaching culture (institutional, disciplinary or departmental), and includes how meaning is developed and attributed within and through discipline-specific learning and teaching cultures and practices (Trowler 2005);[4]
> the general institutional context in which learning and teaching occurs, referred to in some equality and diversity literature as the material that expresses the *campus climate*. This includes a range of data, including auditable-type compliance agreements, quantitative analytics, and qualitative research on identity based group experience in given institutions (for a useful summary, see Worthington 2008).

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[3] For a fuller discussion of the realms in which privilege and disadvantage play out, see the recently published HEFCE-funded research: Mountford-Zimdars *et al.* (2015).

[4] Recognition of the importance of approaching equality and diversity from the perspective of disciplinary learning and teaching regimes has become increasingly clear. See especially the recently published HEA discipline-specific practitioner guides (Bartoli *et al.* 2015; Deacy 2015; Florian and Pratt 2015; Hughes 2015; Richards and Finnigan 2015).

This definition is used because the literature that the project team reviewed primarily articulates equality and diversity in terms related to one area of data (compliance agreements) of the second part of the definition. Hence, this report recognises that what is articulated in the data may not comprise a full reflection of activities on the ground. Equality and diversity issues may well be embedded within actual learning and teaching enhancement activities at a programme and discipline level in ways not yet reflected in the official equality reporting structures. Rather, this report should be read as a snapshot of the key trends articulated in the data with regard to equality and diversity in learning and teaching in Scottish HEIs, of opportunities for development and as a starting point from which further progress can be made.

Reading this report

This report should be read in conjunction with two recently published, substantial research projects, funded by the Higher Education Funding Council for England (HEFCE) (Mountford-Zimdars *et al.* 2015; Rodger *et al.* 2015), and a forthcoming report, funded by the Scottish Funding Council (SFC) (Hanesworth, forthcoming). These report on differential student outcomes in the rest of the UK (RUK), on support for higher education students with specific learning difficulties and on approaches to redress gender imbalances at the subject level in Scotland's colleges and universities. This HEA project is focused on only one element of the equality and diversity context in Scottish HEIs: learning and teaching regimes. However, like the RUK context, it emphasises that to understand differences in access, retention, satisfaction, and learning outcomes (attainment) requires engagement with a holistic conceptualisation of university activity from the *macro* (socio-cultural/historical contexts), to the *meso*-level of institutions, to the *micro*-level of everyday interactions between students and staff (Mountford-Zimdars *et al.* 2015, p. 26). As a result, this report views equality and diversity as larger than the definition in the legislation and views socio-economic background as an integrated part of any exploration into learning and teaching as a way to redress disadvantage.

Additionally, this report was composed with two central audiences in mind:

1. Academic leaders and higher education policy-makers who lead on engagement with the equality and diversity agenda, especially through its expression within the public sector Equality Duty (general and Scotland-specific duties).
2. Disciplinary academics and educational developers who want to draw on both practical and speculative opportunities to improve student learning through the design and implementation of inclusive teaching and curriculum at the same time as addressing the specifics of the legislation.

Consequently, different features have been incorporated into sections of this report to appeal to these two distinct audiences:

> **Sections 1, 2 and 4** describe the method of the report and the trends of equality and diversity learning and teaching activity in Scottish HEIs identified from the evidence;

> **Section 3** provides an overview of the higher education policy ecosystem in Scotland in which the public sector Equality Duty operates. It notes particularly the definitional shift that occurred in the 1990s from a liberal equality agenda (with its focus on access to higher education) to an equality and diversity agenda in which the outcomes of higher education are also scrutinised. From this, it suggests that a tension exists between this shift and the broader rhetoric around the distinctiveness of Scotland's higher education sector that can sometimes obscure the more nuanced equality and diversity agenda.

> **Section 5**, particularly subsections 3-6, are more hypothetical, discursive, and theoretically informed than the other sections of the report. This is in order to emphasise that the equality and diversity agenda is not static and is more multi-dimensional and relational in nature than uni-dimensional and linear (as sometimes implied by reporting mechanisms), despite being defined legislatively. Consequently, such dynamism demands innovative approaches to learning and teaching dependent less on obvious, fixed curriculum-design methods and methodologies, and more on relational approaches to change.

2. Method

The project team approached this work by focusing on two areas:

> a review of the grey literature relating to equality and diversity, recognising that this material essentially captures institutional reporting of activity around and monitoring of composition, retention, and progression of the student body (and, administratively, is focused on audit, especially the quality of *data collection* and *compliance*);

> recent research on equality and diversity in higher education to enable interpretation of the audit material in terms of the broader *culture*, as well as suggested areas for improved *practice.* In light of the paucity of formal research particular to the Scottish experience of equality and diversity in learning and teaching, we used research from other countries to articulate frameworks for understanding the implications of what appears to be happening as represented in the grey literature.

This project reports on the headlines concerning engagement with equality and diversity as expressed in HEIs' recent range of public sector Equality Duty reports – especially the Mainstreaming Equality Reports (MERs) and Equality Outcomes Progress Reports (EOs), and reports to the Scottish Funding Council, particularly Outcome Agreements (OAs). This was supplemented by quality assurance reporting, such as the Enhancement-Led Institutional Review (ELIR) technical reports, in cognisance of the Quality Assurance Agency for Higher Education (QAA) Quality Code requirement to embed equality and diversity within programmes, and the ELIR assessment of equality and diversity in the Scottish student experience.

As noted previously, OAs, MERs and EOs, as designed, do not lend themselves to being vehicles in which the full range of learning and teaching practices introduced to facilitate equality and diversity in the curriculum are described. Hence, what is outlined below from this literature should be considered as the key headlines, rather than an exhaustive overview, of a wider picture. Further, these three reporting processes are disparate as to aim, purpose and process. This can lead to a disconnect between equality and diversity regulatory material and the information about pedagogic practices that goes into the ELIR information sets, which can make demonstrating the holistic engagement with equality and diversity through teaching enhancement difficult. For example, one crossover tends to be the explicit questions about equality and diversity relating to data collection and compliance. This focus in the ELIR reporting structure in particular could lead to situations in which academics are not encouraged to see their enhancements in learning and teaching as part of the bigger equality and diversity agenda. For instance, where student mentors and personal tutors are being introduced, these are sometimes spoken of in the context of general teaching enhancement to improve student experience (in ELIR

documents) and sometimes in the context of meeting equality outcomes (in EOs), but rarely as a reflection of a systematic approach which views both as intrinsically integrated. Using the duties as a starting point, the harmonization of regulatory reporting and their processes would encourage a more coherent and comprehensive understanding of equality and diversity in teaching enhancement.

3. Clarifying the Scottish higher education policy context of equality and diversity

For the purposes of understanding both the documentation and our headline findings behind this report, it is important to clarify two areas of policy:

> UK-wide higher education public policy relating to identity based characteristics. These are orientated around the public sector Equality Duty, as laid out in the Equality Act 2010, comprising both the general duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations as well as the supporting Scotland-specific duties.[5] The latter of these came into force on 27 May 2012;

> Scottish social policies relating to broad socio-economic equality that impact on the higher education sector (predominantly focused on widening participation, access and retention from areas of social deprivation, with a raised profile of the interface between higher education and further education through articulation agreements).[6]

While this report is primarily about the documentation relating to the first area of policy, both areas mutually influence how Scottish HEI staff and students come to perceive their responsibilities in relation to a range of inequalities. As such, they should be viewed as the holistic policy system in which formal regulatory activity (both driven by and audited through EOs, MERs, Equality Impact Assessments (EIAs), OAs, etc.) potentially directly affects the learning, teaching and assessment occurring in Scottish universities.[7]

Differentiating these policy approaches, their associated reporting processes, and the significantly longer-term backstory of a range of diversity imperatives that predate the public sector Equality Duty requires sophisticated thinking on the part of academics. This is made harder as their primary intellectual orientation is more often towards discipline relevant research with teaching activity as an integral but subsidiary aspect of the primary

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[5] See ECU (2012b) for a guidance briefing on the general and Scotland-specific duties.

[6] Except in the case of disability: equality groups beyond disabled students have not yet universally been embedded in widening access by HEIs. Traditionally, equality is focused on support for students once they are in the institution (see ECU 2013a).

[7] In response to Scottish Government and SFC directives, and in anticipation of the forthcoming SFC gender action plan, issues concerning widening participation through access models in OAs have begun to be explored in terms of protected characteristic – specifically gender – as well as socio-economic categories. For example, access teams are being asked to incorporate gender targets (e.g. Robert Gordon University) and disciplinary areas to establish gender access and continuation targets (particularly STEM subjects: e.g. Edinburgh Napier University).

orientation (Bexley, James and Arkoudis 2011, pp. 13–14).[8] The equality and diversity agenda in higher education, on the other hand, seems to be about broader educational considerations *per se*.[9] Thus, the sense of a diverse policy context adds a level of complexity to how and what academics need to prioritize in their discipline's respective lecture theatres, laboratories, seminar rooms, and studios. The section below represents the overlaps in the various agendas and re-emphasises the need for reiterative staff development on the part of higher education institutions in the face of an increasingly complicated social context.

UK-wide public policy relating to identity based characteristics

A sophisticated legislative and socio-political discursive shift concerning identity based discrimination has occurred and directly affected universities throughout the UK over the last two decades. This shift is from 'liberal equality' to a more radical equality and diversity agenda. The newer agenda assumes a more central positioning of identity and status in how disadvantage is mediated, so that differentiation rather than homogenizing of experience is valued. It demands closer attention to the actual equality based outcomes for staff and students. Effectively, the stress, as encapsulated in the Equality Act 2010, is no longer on the singular, homogenous, level playing field once one has entered university (as encapsulated by the concept of meritocracy), but rather a playing field in which equal yet multiple forms of social identities are *explicitly recognized* and *valued* (Cooper 2004; Gewirtz and Cribb 2008; ECU 2015b). In this, difference is valued as much as equality, with status, meaningful participation as relevant to non-normative identities, and formal recognition all having a role to play (Squires 2007). What this actually means in terms of learning and teaching approaches is only now emerging in research literature across the UK, and Scotland is not necessarily represented in these publications.[10]

Additionally, how such a relatively new emphasis aligns with and is incorporated into the longer-standing, historical rhetoric of a collectivist and collaborating social context for Scottish HE – in contrast to an increasingly differentiated and competition-based environment in the rest of the UK – is yet to be fully addressed. In the material below, an

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[8] Bexley, James and Arkoudis (2011, p. 13), illustrate that "opportunities for intellectually stimulating work", a "genuine passion for a field of study" and "opportunity to contribute to developing new knowledge" are the highest prized aspects of academic work.

[9] For a description of the dimensions at play in academic orientations to teaching and learning and the nuances between disciplinary orientations and educational orientations see Gunn and Fisk (2013, pp. 11–15, 20–1).

[10] Where research on particular equality groups exists (e.g. on Black and Minority Ethnic staff and student experience) it tends to be located within UK-wide oriented literature that does not differentiate the devolved regions and has to date often conflated England with the rest of the UK (See Gillborn 2008; Burke 2012).

attempt is made to articulate the complications inherent in a social policy environment in which socio-economic concerns play a dominant and historical role in Scottish public discourse at the same time as attempts are made to integrate the more nuanced equality and diversity agenda.

Scottish HE public policy relating to broad socio-economic inequality

Scotland, in the public rhetoric of education, has a tradition of viewing education and life-long learning as the means of creating and maintaining a strong democracy and a meritocratic social system (Devine 1999; Riddell 2009). This view, based on two key assumptions around the generation of such a society – collectivism and egalitarianism – has played a role politically in how Scotland's universities have been, and still are, perceived as distinct from those in the rest of the UK (Arbuthnott 1997; Paterson and Bond 2005; Riddell 2009). As a dominant discourse, it places particular emphasis on higher education's role in combatting socio-economic inequality through a tacit assumption of social inclusion.[11] That this distinction remains relatively consistent was most recently demonstrated in the recorded perceptions of key informants concerning the core values (social inclusion and widening participation) of Scottish higher education (Riddell 2014).[12]

This concept of social inclusion is seductive. Over-simplifications that play out from it include:

> equality of access and opportunity is addressed through admissions and retentions policies;
> once entrance tariff is achieved either directly or through contextualized admissions, students experience the university as a location in which a value-neutral culture predominates;

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[11] This, arguably, has emerged from its specific historical context of a different balance between generalist and specialist higher education to rest of the UK, underpinned with an assumption of meritocracy. This influential narrative was encapsulated in George Davie's (1961) monograph, *The Democratic Intellect: Scotland and Her Universities in the Nineteenth Century*. (See also Arbuthnott 1997).

[12] It is worth noting that, for many reasons, Scotland, like the rest of the UK, has a student body predominantly composed from the middle class and in the 'selecting' (rather than 'recruiting') older institutions almost 80% of the students are from professional and managerial backgrounds (Riddell *et al.* 2013). Post-92 universities remain the institutions most likely to include students from socially deprived areas, although the use of geographical areas as a basis for reporting can mask local variation in those areas and tends to ignore rural deprivation (Riddell *et al.* 2013).

By implication, it posits that access to university is the key to managing inequalities, and that this is achieved at an institutional or at least admissions level. Consequentially, it can deflect responsibility away from the variations of discipline-based action to a seemingly uniform institutionally based action. The continued public discourse that Scottish universities (and the disciplines represented within them) operate from core values related to social inclusivity, then, can inadvertently perpetuate a focus on equality of opportunity regardless of identity and status rather than on equality of outcome for those with diverse identities. Dependence on such a narrative does not sufficiently emphasize what can happen once a student has entered a programme of study and how intersections between socio-economic background and protected characteristics can operate to have a particularly negative effect on learning and satisfaction outcomes. What this means is that two important imperatives of inclusion (socio-economic inequality and identity based inequality) can become decoupled, and potentially fall into competition with each other. Of pertinence to this report are four key overarching observations:

1. A strong focus on meritocracy via equitable admissions and equality of opportunity means the bigger societal question of how privilege[13] works within and through the established structures and immediate circumstances of our universities' learning and teaching regimes in post-devolved Scotland has yet to be resolved. A more comprehensive understanding of how disadvantage works in relationship to privilege post-access would work towards redressing inequalities that play out over the course of degree programmes after students have entered their institutions. Effectively, programme outcomes (attainment, learning gain, and satisfaction) would benefit from becoming more central in the equality and diversity policy conversation.

2. A strong weighting in public social discourse towards activity focused on socio-economic group access to higher education can inadvertently obfuscate the more complex ecosystem of identity based equality and diversity (especially when policy actions become related to specific financial incentives and/or penalties as in the case of OAs).

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[13] A useful explanation of privilege as an aspect of discrimination can be found in Rocco and Gallagher (2006, pp. 31–3), and is divided into three interconnected aspects. First, *psychosocial* – "internalized uncritical acceptance of assumptions gained through socialization" (tacit knowledge). Such tacit knowledge does not necessarily match espoused beliefs. Hence, the idea that all of us are discriminatory at some level because such discrimination is a side effect of internalizing societal norms as part of a socialization process. Second, *reciprocal* – our interactions with others. Privileged people can choose not to challenge discrimination because *their norm* is generalized to being the accepted norm for everyone. Third, *structural* – where the systematic conferral of privilege occurs: norms, policies, language which maintain and sanction the status of the dominant culture.

3. The plethora of regulatory documentation associated with each of these agendas cannot fully avoid inefficient duplication. However, where duplication is avoided, integrated approaches could be strengthened in two areas:

> the links between equality and diversity as a legally defined duty and as an overarching, holistic imperative to combat all forms of disadvantage in Scottish higher education. At the moment, particularly in OAs, protected characteristics and socio-economic deprivation can become conflated in the same sentence without an unpicking of the connections and distinctions between the two dimensions of disadvantage.[14] A much more unified definition of inequalities that specifies intersections between socio-economic and protected characteristic disadvantage would help;

> clarity around equality and diversity being both an institutional compliance duty (with the related reporting mechanisms being supported by specialists) and a curriculum, teaching, and individual teacher enhancement obligation (related to the specific disciplinary pedagogic development undertaken by academics to improve student outcomes across the various protected characteristics).

4. A growing emphasis on access via articulation routes brings the further and higher education sectors closer together. This potentially amplifies convergences and divergences in how each respectively engage with the equality and diversity agenda at a curriculum level. As articulation in Scotland becomes increasingly formalised between the two sectors, it is important to be aware of the possibility for equality and diversity centred disjunctions to occur as students transition from college to university cultures. This is an emerging landscape and requires longitudinal research to explore the implications on students' learning, in relation to equality and diversity characteristics, as they move from one environment to another.[15]

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[14] See ECU (2013a) for an analysis of and strategies for aligning widening participation and equality and diversity strategies, while maintaining the distinctions between the two categories.

[15] For more information on the Scottish college approach to equality and diversity in the curriculum, see Marshall (2012).

4. Trends

Much of the documentation we analysed demonstrated primary methods for achieving compliance. As a result, the documentation gives more information about the general equality contexts of HEIs and less about what academics are doing in their programme-level learning and teaching regimes. It can thus understate the range of activities actually occurring across Scotland's HE campuses. However, within the EOs and the MERs there is a growing understanding of the subtler manifestations of social injustice and inequality in the lecture-hall, workshop and laboratory (low numbers of identity groups within student cohorts creating a vicious cycle of low enrolments, unconscious bias in teaching styles, inadvertent exclusionary language use, physical access to the teaching space not being inclusive, etc.).

Key trends can be identified from the documentation under the headings institutional structures, professional development, reward and recognition, and measuring impact.

Institutional structures

Structures to embed equality and diversity in learning and teaching

1. Embedding equality and diversity via all levels of the curriculum (at least advertised as such) is rare in the reporting frameworks. However, several institutions stand out as finding innovative ways to make their curriculums more inclusive, many of which having engaged with the HEA's embedding equality and diversity in the curriculum work. For example, the University of the West of Scotland, Abertay University, the University of Edinburgh, and the University of St Andrews took part in the HEA programme of activity to support sixteen HEIs across the UK in promoting inclusive teaching and learning (Wray 2013). Several more Scottish institutions have declared intentions to engage with the HEA's forthcoming strategic enhancement programme in Scotland (including the University of Dundee according to its EO report). More specific examples of where institutions are exploring curricular change within at least one level of a programme include:

   > Glasgow Caledonian University utilised, among other things, the self-evaluation toolkit produced by the HEA in the creation of their FAIR (Flexible, Accessible, Inclusive and Real) curriculum, which supports staff in developing pedagogical approaches that anticipate and take into account students' educational, cultural and social backgrounds;

   > University of St Andrews has its own inclusive curriculum toolkit used by directors of teaching;

> University of the West of Scotland also developed an inclusive curriculum toolkit, which is used in all programming activities;
> Many of the colleges within the University of the Highlands and Islands (e.g. Moray and Lews Castle) explicitly note how they monitor curriculum materials for bias and unacceptable stereotyping via an adapted version of the Quality and Equality in Learning and Teaching Materials (QELTM) curriculum audit tool produced by the SFC-funded QELTM project in 2006;
> Within their curriculum reform process, which was introduced after a period of four years of strategic development, the Royal Conservatoire of Scotland took an innovative approach and, as part of whole curriculum renewal, intentionally designed a credit-bearing human rights module, which all first year students undertake through collaborative activity.

2. Many Scottish HEIs are using quality assurance regulatory frameworks and standing learning and teaching committees to mainstream engagement. Examples include:

> Glasgow School of Art has opted to use the process of equality impact assessments within all programme review through a facilitated process;
> University of Aberdeen includes questions on equality and diversity implications for new programme and course proposals as well as within their internal teaching review process;
> Abertay University is systematically reviewing its Science, Technology, Engineering and Mathematics (STEM) module descriptors to identify how gender equality features and is planning activities to support the embedding of race equality across its curricula;
> University of Dundee has recently updated its periodic programme review procedure to include more explicit reference to equality and diversity;
> Queen Margaret University aims to ensure its validation panels have the requisite training to establish whether equality and diversity is embedded within the curriculum.

3. Driving engagement through learning and teaching strategies: nearly half of the HEIs (Heriot-Watt University, University of Dundee, Glasgow Caledonian University, Glasgow School of Art, University of Glasgow, University of the Highlands and Islands, University of the West of Scotland) explicitly view equality and diversity as a dimension of their learning and teaching strategies. An exploration of the extent to which this has resulted in specific curricular and individual practice activity would enable us to better understand the extent to which strategic concerns impact on practices and processes at the coalface.

4. Other more localised activities include identifying modules within certain disciplinary programmes that have specific equality and diversity themes (Abertay University, University of St Andrews and University of Stirling). The University of the Highlands and Islands notes that it is to introduce a peer-review process of teaching considering inclusive teaching practices as part of their review. The University of Stirling notes adaptations to curriculum delivery to support especially students with caring responsibilities. Using personal tutors and mentors to support particular groups is emerging as a personalised approach at the University of Edinburgh who aim to provide a mentoring scheme for all first year students initially focused on female and/or BME students.

Relationships between equality and diversity units and enhancements in the curriculum

Dedicated equality and diversity activities are increasingly ubiquitous within Scottish HEIs and many predate the public sector Equality Duty. Equality and diversity units are relatively long standing. Almost all institutions have some combination of a dedicated equality advisor, an equality and diversity team, a committee of those interested (generally meeting once a month or quarterly), student equality and diversity representatives, and sometimes also student representatives or staff committees focused on protected characteristics (e.g. women's officers, committees on race and religion). Around one-third of the institutions reported some student involvement or input in these committees.

Communication between learning and teaching activities and these groups, boards and committees includes:

> academic representation on equality and diversity groups and committees;
> equality and diversity as a standing item on learning and teaching and/or academic groups, boards and committees;
> a specialised remit on equality and diversity within academic schools. For example, the University of Aberdeen has dedicated equality and diversity advisers (separate to their disability co-ordinators) in a number of their schools while the University of St Andrews has newly established equality and diversity committees within each school.

Strong performance in equality and diversity matters is represented through good leadership, in having high-level senior management employees (sometimes the Principal or Vice-Principal) involved in their equality committees. This not only sends the signal that senior management considers this an important issue, but also may make it swifter and easier to put through any changes recommended at the group meetings. One institution,

Glasgow School of Art, has opted to mainstream equality and diversity at a learning and teaching level via equality impact assessment. The Head of Student Support and Development, who leads on the institution's engagement with equality and diversity, is working with the Head of Learning and Teaching to drive forward learning and teaching strategy development from a place of fully embedded equality and diversity awareness. This is at the same time as equality impact assessments have been embedded as a central process of programme review. This allows for direct interaction between various different parts of the institution at the same time as engagement with programme leaders and students.

In the Scottish sector as a whole, however, the following issues are less clearly articulated in the documentation reviewed for this project:

> the extent to which units functioning from within services provision in a university can influence changes in how the learning and teaching regimes operate (including the capacity of equality and diversity officers to facilitate curriculum review type workshops);

> the informal and formal relationships between equality and diversity units/officers (which are often focused on compliance-oriented service-provision) and institutional educational development units/officers (which have a role in supporting learning and teaching regime enhancement) to ensure joined-up approaches to compliance and academic teacher development;

> the systematic relationships between disciplinary programme leaders, educational development support, equality and diversity units, disability services, and student input during programme and periodic subject review which specifically drive forward the equality and diversity agenda in both its broader socio-economic underpinning and its equality duty to protected characteristic aspects (i.e. beyond the process-driven requirement for programme validations and reviews to consider equality and diversity);

> the relationships between all the above named groups and the provision of effective learning advisory support on campuses;[16]

> the relationships between these institutionally based groupings and their representative disciplinary professional bodies and associations. These bodies and associations include areas as diverse as the Royal Society of Arts to the Historical

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[16] The documentation demonstrates a dependence on effective learning advisors and student support units to support students in the broader provision of study skills and, in some cases, specific disability support. However, research also shows that centralised learning support services are sometimes not enough to help non-traditional students 'fit in' or support them, because they do not universally offer discipline-specific advice designed for the particular situations in which students learn (Thomas 2014). Where a university does aim to integrate student support and development resources into the curriculum, they do not necessarily note how this is part of a wider relational set of activities specific to equality and diversity.

Association to the Science Council. Links with these bodies, who are part of the web that connects disciplines in higher education with schooling, life-long learning, and industry/employment, could emphasise the role of learning and teaching in the equality and diversity agenda. This goes beyond activities currently occurring in terms of awards centred on transforming under-representation of specific protected characteristics (e.g. Athena SWAN Awards, Juno Status Awards for gender) within the staffing of disciplines.

Reasonable adjustments from the perspectives of universal design[17]

To a certain extent, disabilities teams have changed the nature of service-led support for students identifying a disability in Scotland. Good practice is certainly evident, including signing the campus up to DisabledGo.Com,[18] undertaking an accessibility audit of the campus and providing better facilities (e.g. hearing loops, ramps, electronic door entry mechanisms) as at the University of Stirling, and the publication and implementation of accessible and inclusive learning policies as at the University of Edinburgh. Of more relevance to this report is that disability services have not yet seen a radical change in how learning, teaching and assessment is being addressed as a coherent space of disabled student experience. The call within disabilities work for engagement with universal design processes is not new (Weedon *et al.* 2008). These processes are characterised by integrated critical reflection on how heterogeneous students learn, what teaching regimes can offer to support diversity, and how assistive technologies can play a role. One institution, the University of the Highlands and Islands, has engaged with the role of assistive technologies in provision for remote disabled learners. However, the reporting on reasonable adjustments in terms of approaches to learning, teaching (particularly assessment methods, but also specifics in terms of assistive technologies) and inclusive curriculum to disabilities in a Scottish context can be described as:

> the majority of adjustments appear to remain formulaic (extra time, handouts available in a virtual learning environment, recording of lectures). The regulatory material does not articulate whether these adjustments were as a result of a universal design process or, more personally, whether there has been a substantive change in the amount of negotiation students have to undertake to ensure adjustments are agreed and understood by academics (an issue recognised as critical in Weedon *et al.* 2008;

> it is still difficult to get a sense from the material of the extent to which institutions are able to differentiate the sheer scale of diversity that exists within those identified or self-identifying as disabled (especially relevant to non-physical disabilities categorised

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[17] A useful summary of universal design can be found at: https://teal.ed.gov/tealguide/udl (Accessed 18 August 2015).
[18] Edinburgh Napier University, Heriot-Watt University, the Universities of Aberdeen, Glasgow, Dundee and St Andrews and Strathclyde University are currently registered on this site (Accessed 18 August 2015).

under the rubric of specific learning difficulties, but equally the case with physical disabilities and/or mental health difficulties) and how to support this through learning and teaching regimes (as opposed to services-led provision);

> the proactive nature of adjustments as outlined in the public sector Equality Duty requires a degree of speculative pragmatism on the part of academics designing learning and teaching situations. It is not clear to what extent this predictive capacity is being incorporated into curriculum design and review or postgraduate certificates in higher education learning and teaching (and their equivalents).

Professional development

Formal educational development around equality and diversity in the curriculum

Drawing on the UK Professional Standards Framework (UKPSF) for supporting learning and teaching in higher education, several Scottish HEIs have embedded inclusive pedagogical practice as either a strand within their postgraduate certificate in learning and teaching in higher education (e.g. University of Glasgow) or through explicit modules/components within their certificates (University of Edinburgh, University of Aberdeen, University of Strathclyde, University of the West of Scotland, Glasgow School of Art). Abertay University are reviewing their certificate to ensure race and gender equality are strengthened within the curriculum as part of their 'Athena SWAN' and 'Race Equality' action plans. It is still too early to analyse the impact of institutions moving to embedding across-the-career continuing professional development (CPD) frameworks – which as part of the accreditation process from the Higher Education Academy will need to demonstrate continued progress in the development of inclusive pedagogical practice – on learning and teaching activities.

Workshops and other CPD opportunities around the learning and teaching aspects of equality and diversity are a key part of the portfolio of professional development with which HEIs in Scotland have engaged. Several institutions provide CPD opportunities on equality and diversity in learning and teaching (Edinburgh Napier University's Inclusion Week; University of Dundee's Inclusive Practice Showcase; Royal Conservatoire of Scotland's explicit embedding of equality and diversity themes in its learning and teaching conference; University of St Andrews' seminars on 'Diversity in Learning and the Academy' and 'Cultural Competence and the Academic Environment'). Some have had one-off bespoke workshops delivered by the HEA (Edinburgh Napier University, Queen Margaret University, Robert Gordon University, Royal Conservatoire of Scotland, Scotland's Rural College (SRUC), University of Dundee and University of Edinburgh). Others again have engaged protected characteristic specialist bodies to deliver workshops.

Broad equality and diversity training: raising awareness

Key to changing the culture within the institutions has been engagement with mandatory training for staff – including those with a learning and teaching remit – and incoming students to raise awareness of equality and diversity issues. For staff, all institutions have equality and diversity training, most of which are, or are in the process of being made, mandatory, the aim presumably being that learning and teaching practitioners will apply this training to their learning and teaching practices. Staff training, however, appears to have the greatest beneficial effect when it makes room for specific cases or is further focused:

> anecdotally, UK student campaigners for various equality causes have reported a tendency to be presented with generic statements of a 'commitment' to equality, based on the nine protected characteristics, when they have asked more specifically about a particular characteristic. Workshops or talks given by representatives from third-sector social justice organisations can be particularly beneficial, as these individuals are experts in their fields. For example, several institutions invited representatives from Stonewall to speak on fair treatment of LGBT individuals, and other institutions ran *Challenging Gender Stereotypes* workshops;

> the complaints/incident reporting procedures themselves and staff training on how to utilise them may also need to move in tandem. One institution, for example, polled staff following equality and diversity training, and found that 85% of staff agreed that they "know what to do about an equality matter", but only 78% agreed that they were "confident that equality concerns … will be dealt with promptly and appropriately";[19]

> it is in instances of the above-mentioned learning and teaching related equality and diversity training that actual impact on learning and teaching practices is found. For example, Edinburgh Napier University notes changes, or movements towards changes, in practice at the programme level following training on the theoretical and practical aspects of developing equality and diversity in the curriculum.

In student inductions, mandatory equality and diversity modules are increasingly being introduced (Glasgow Caledonian University, Royal Conservatoire of Scotland, University of St Andrews, University of Strathclyde), as well as activity combining a student agreement for on-campus behaviour with one that informs a student of their own right to be treated with respect and dignity. At some institutions, this was done partially via an online information video, with a quiz or interactive part. This approach makes equality and diversity a two-way integrated issue (rather than giving students these two strands of information separately), where the benefits to everyone are made clear. Information on

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[19] Cf. ECU (2011, p. 86), which also reports anecdotal evidence for staff concern about reluctance to highlight incidents of harassment or bullying (in this case in relation to religion and belief).

equality and diversity can be conveyed in a neutral and non-accusatory way, advocating a system of reciprocal courteousness and respect. Other institutions again raise student awareness of equality and diversity through co-curricula activity such as the Royal Conservatoire of Scotland's Cultural Café and Human Library or Abertay University's joint Student Association and academic-led *Embracing diversity – watch your language* campaign.

While most student training and general awareness-raising does not appear at this time to cover expectations of learning and teaching practices, such campaigns as University College London's (UCL's) *Why is my curriculum white*? and NUS' *Liberation, equality and diversity in the curriculum* indicate student interest and active participation in the agenda: ensuring learning and teaching is a core theme in student training and awareness-raising in equality and diversity could capitalise on this to further learning and teaching practices that incorporate and advance equality and diversity.

Reward and recognition

Broader institutional awards to recognise engagement with specific areas of equality and diversity do not tend to specify reformulation of learning, teaching and assessment activity (other than the University of Dundee's Honorary Graduates' Award for Inclusive Practice). Further, from the data collected, it does not appear as though equality and diversity is fully embedded into progression and/or promotion criteria.[20] Rather, reward and recognition in relation to equality and diversity is predominantly externally recognised via ending specific forms of disadvantage in terms of staff and student under-representation, career, and leadership development. One award that does ask the institution to provide evidence of how equality and diversity, in this instance race, is considered in terms of student attainment, diversity of the curriculum, and progression of students into academia is the Equality Challenge Unit's Race Equality Charter mark.[21] In terms of learning and teaching, specifically under the rubric of disability as a protected characteristic, the University of the Highlands and Islands was awarded a Jisc Award for Effective Use of Technology.

There has also been a proliferation of LGBT-friendly awards. Such awards, like research on the relationship between LGBT identity and higher education (Gunn and McAllister 2013),

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[20] Cf. Kingston University's project on the mainstreaming of equality, diversity and inclusion in academic progression and promotion: http://www.kingston.ac.uk/aboutkingstonuniversity/equality-diversity-and-inclusion/academic-progression-and-promotion/ (Accessed 18 August 2015); a project for which it was awarded the Guardian University Award for Diversity Initiative in 2014.

[21] Abertay University, University of St Andrews and University of Edinburgh were part of the trial period for this mark.

rarely reflect on what is happening in disciplinary learning and teaching regimes. Rather, almost all the institutions looked at were making some commitments to an LGBT-friendly *campus climate*, and many were seeking recognition, or had already been awarded, some type of related award. Types of accreditation include the LGBT Youth Scotland Charter mark, accreditation as a Stonewall Diversity Champion, involvement in the 'It Gets Better' pledge, scoring highly in Stonewall's 'Gay by Degree' rankings, being listed in Stonewall's 'Starting Out' guide as a gay-friendly employer, or other awards by LGBT Youth Scotland (e.g. 'LGBT-Friendly Institute'). However, care should be taken here as awards do not always equate with a genuinely warm campus climate for young LGBT individuals, let alone a specific learning and teaching environment. Statistics still demonstrate that around 14% of lesbian, gay and bisexual youth say they experienced bullying or harassment about their sexuality at university, while 25% say they experienced it at college (LGBT Youth Scotland 2012), and recent research from the RUK has demonstrated the complexity of LGBT student experiences on campus (Keenen 2014; Formby 2015).

It is clear that there is a significant opportunity to introduce engagement with learning and teaching regimes within the various awards structures, although care would need to be taken to ensure both:

> an engagement beyond tick-box exercises was designed into the processes leading to the award;
> a connection to internal quality processes reporting was established to avoid duplication of effort.

Measuring and evidencing impact

Measuring and evidencing the impact of learning and teaching regime-centred equality and diversity activities is an under-developed area in the EOs, MERs, OAs and even ELIR reports. Glasgow Caledonian University made a conscious effort to demonstrate "what difference" actions had made and Glasgow School of Art included a section entitled impact/anticipated impact relevant to learning and teaching enhancement, but activities described were at too early a stage to evaluate in terms of impact (an observation relevant to most Scottish HEIs). In general, the documentation describes what institutions hope to do and assumes causal relationships between what they are doing and differential outcomes among their student bodies. The recent HEFCE study on differential outcomes provides an outline of just how problematic such an assumption is (Mountford-Zimdars *et al.* 2015, pp. ii–iii). Added to this, data collection is itself incomplete. Three consistent issues have to be addressed concerning data collection if impact is to be measured in a manner that triangulates outcomes, experiences and identities:

1. Data collection in Scottish HEIs does not yet universally cover all of the protected characteristics.
2. There are consistent difficulties in gathering staff equality data, particularly over sensitive topics. Several universities had data with so many 'Prefer Not to Answer's' that they repeatedly stated it was impossible to draw conclusions from them. This makes triangulating student experience, staff diversity, and learning outcomes impossible.
3. Research exploring the relationships between protected characteristics and socio-economic background, learning outcomes, and campus climate is missing.

Additionally, measuring the impact of enhancement in learning and teaching regimes is notoriously difficult to achieve on numerical analysis alone (Bamber 2013). However, methods for recognising the positive impact of the initiatives currently underway would benefit from being designed and embedded as a requirement in reporting cycles (as has been done within the Research Excellence Framework). Moreover, any design of impact assessment would be strengthened by inclusion of evidence relating to the efficacy of the relationships between the various players involved in student learning; something, as noted above, that is not easily accessed.

5. Opportunities

1. Employing the quality enhancement framework: enhancement themes

Enhancement-Led Institutional Review (ELIR) has undoubtedly been experienced as a positive and effective part of the quality enhancement framework in Scotland and has allowed for reporting of equality and diversity activity to a certain extent. It is, however, noticeable that another influential aspect of this enhancement framework, the Quality Enhancement Themes, has not yet had equality and diversity as a specific/exclusive theme. For the Quality Enhancement Theme, Developing and Supporting the Curriculum, the University of St Andrews took the opportunity to integrate equality and diversity into their plan of activity, exploring the diversity of authors within reading lists in their Faculty of Arts. This, however, is an exception rather than a rule. An earlier theme, Graduates for the 21st Century, picked up issues of equality and diversity in relation to research-teaching linkages (which demonstrated increased engagement on the part of identity based student groups), but adoption of this way of conceptualising learning and teaching enhancement, even in research-intensive institutions, is not obvious from the MERs, EOs, OAs or ELIR technical reports.[22] Either including equality and diversity in learning and teaching as a specific theme, or requiring equality and diversity as an obligation (rather than as a discretionary element) within each enhancement theme, would provide a useful approach to mainstreaming in the Scottish context.

2. Re-engaging with pre-existing curriculum mapping tools in the Scottish HEI context

The Scottish sector was ahead of the RUK in terms of producing toolkits explicitly related to learning and teaching that would enable staff to review their activities in the light of certain diversity groups. Four particular examples of relevance were:

> the *Race Equality Toolkit*, commissioned by Universities Scotland and produced by Rowena Arshad of the University of Edinburgh (original version 2006; revised 2010);[23]
> Section 2.1 Learning and Teaching in the original version of the *Taking LGBT Equality Further and Higher Toolkit*, produced by LGBT Youth Scotland (no longer available). This was followed up by an academic development briefing commissioned by the equality and diversity unit at the University of Glasgow: *A Brief Introduction to LGBT Students and Learning in Higher Education*;[24]

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[22] See Gunn (2010).
[23] http://www.universities-scotland.ac.uk/raceequalitytoolkit/ (Accessed 18 August 2015).
[24] http://www.gla.ac.uk/media/media_175529_en.pdf (Accessed 18 August 2015).

> the Scottish Funding Council-funded, 2000, University of Strathclyde-led, *Teachability: Evaluating Practice* project;[25]

> the Scottish Funding Council-funded, 2010+, HEA project exploring embedding equality and diversity in the curriculum in Scotland, relevant outputs of which include a self-evaluation framework (May and Thomas 2010) and the more recent model for learning and teaching practitioners (Hanesworth 2015).[26]

Such toolkits allow for curriculum mapping and potential change at a range of levels (programme design, content, methods of delivery, etc.) with regard to learning and teaching. While some institutions have subsequently developed their own curriculum review toolkits for inclusivity, not all have, and, arguably, these toolkits could be foci for mainstreaming activity. Part of the problem might be that they could be considered dated, especially those that have not be revised since the Equality Act. It is also the case that some of these tools are no longer accessible at their original URLs, which can make finding them from documentary links difficult.

3. Using social justice movements and civic engagement activities to change campus cultures

A number of universities have taken on board the concept that certain ostensibly political causes can be alternatively regarded as a basic human rights and social justice question, and that it is not beyond their remit to have appropriate involvement in them. This is an equality and diversity issue as it sends a clear statement that the HEI regards itself as part of our increasingly globalised worldwide community, and does not believe in the unfair treatment of persons simply because they live in a part of the world with different labour laws to Britain. For example, five HEIs (Aberdeen, Abertay, Glasgow, St Andrews, and Edinburgh) have Fairtrade Certification, meaning they support via their purchasing choices the paying of fair wages to farmers abroad. A few other HEIs, though not possessing Fairtrade status, included accounts of campus visits from Fairtrade farmers as part of their equality and diversity events. Institutions are increasingly recognising social justice and sustainability as part of their wider community engagement remit. These agendas tend to have strong student representation and to a certain extent demonstrate how civic engagement in the university sector might play a role in developing a more inclusive campus climate. Additionally, it is possible to explore ways in which related learning and development initiatives can form an element of student curricular (as well as co-curricular) experience in a Scottish context. Glasgow Caledonian University (GCU), for example, has

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[25] http://www.teachability.strath.ac.uk/ (Accessed 18 August 2015).

[26] https://www.heacademy.ac.uk/embedding-equality-and-diversity-curriculum (Accessed 18 August 2015).

integrated online equality and diversity learning for students into its GCU Award project (recognising student citizenship, engagement and employability), while the Royal Conservatoire of Scotland has embedded human rights in its compulsory, first year, 'Introduction to Collaborative Practice' module through its focus on, and performance of, elements of, the Universal Declaration of Human Rights.

4. Harnessing debates about the nature of disciplinary learning and teaching regimes

When policy-makers, funders, and research educationalists come to consider equality and diversity student issues, what material there is tends to be focused primarily on either institutional-level or family based factors. Yet, a discipline is a location from which academic socialisation is generated and perpetuated. It is also a space for innovation, creativity and the challenging of accepted norms. For many students, the most significant learning-based entity they encounter at university is the discipline (Thomas 2012; Morgan 2013, pp. 43–61; Hulme and De Wilde 2015). Disciplinary experts (i.e. academics) operate via a collective, if fuzzy, consensus concerning what should be studied in a distinct discipline, how, and to what standard. The discipline rather than the institution *per se* is the influential (if metaphysical) structure upon which student learning is built. The shaping of the curriculum, the privileging of types of knowledge within the curriculum, the legitimization of how that knowledge is constructed and disseminated is, therefore, drenched almost to exclusion with disciplinary concerns.

Are disciplines able to transcend normative socio-cultural assumptions?

Knowledge generated from within disciplines is legitimated and normalised via a consensus process that determines acceptable logic, aesthetics, moral codes, cultural assumptions and their manifestations, that is, phenomena which embody far more than critical thinking (Freire 1968; Atkinson 2002, pp. 95–112, 121–4).[27] Learning and teaching activities and regimes then become normalised and unchallenged, creating exclusionary practice by their very being. The tendency to either accept these normative phenomena as objectively abstracted from dominant socio-cultural norms or to assume that everyone knows they are not (which needs no reiteration) results in presumed degrees of neutrality implicitly if not explicitly. Let us take science as an example. While not necessarily the predominant view, one narrative has been to consider equality and diversity as something unrelated to this subject, staff stating, for example:

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[27] See also the HEA embedding equality and diversity in the curriculum discipline-specific guides (cf. fn. 4).

Diversity has limited impact in science itself, so it is in the teaching process which it raises its head. Hence it is important to recognise, but not something which has daily impact. (ECU 2015b, p. 8)

The features or structures that have evolved within this presumption of neutrality, even if perceived as only symbolic features, generate the places and times within learning and teaching regimes in which the constraint or enablement of students is constituted, and so in which they can be either included or excluded (see Ratcliffe 2004, p. 7).

Key to development work within the disciplines is a need to distinguish between disciplinary learning and teaching regimes as:

1. Appropriately intellectually challenging pedagogical cultures based on effective practices which foster growth in ways of thinking, making, and doing (as relevant to the discipline).
2. Structurally value-laden environments which perpetuate certain social gestures and judgements of exclusion through 'taken-for-granted' disciplinary processes and practices.

Academic thinking and being are not always aligned

Academics make critical judgements about disciplinary phenomena, but at the same time can operate uncritically from within ideological positions. A relationship between 'habits of the *mind*' and a lack of awareness/inattention to 'habits of *being*' – what is enacted rather than what is thought – as it plays out in individual lecturers' encounters with their students may need to be addressed. As might how learning and teaching structures become embodiments of these habits, and how/why they are posited as value neutral. This can actually make disciplinary environments feel socio-culturally majoritist. Disciplinary practices shape knowledge, knowledge creation, methods, and materials at the same time they foreground or reduce lines of inquiry (Hekman 1999, p. 23; Carr 2007, p. 30). They also embody and mirror assumptions about *who* gets to understand them and *how*. This materializes a quasi-identity which in turn intersects with other aspects of our students' and our staffs' identities. We have yet to adequately articulate how this impacts learning in our universities, but it is clear from student movements such as the *Why is my curriculum white?* campaign that a degree of urgency is now arising around disciplinary areas of

equality and diversity.[28] Although such campaigns have yet to be so strongly articulated in a Scottish context, they clearly provide a tangible opportunity to analyse the disciplinary aspects of structural disadvantage.

Disciplinary structural disadvantage and BME students

There are also ways in which a numerical or linear analysis (as in ECU statistical reporting) or impressions in the MERs/EOs can mask actual experience. Let us take as a case study BME students. In terms of the demography of the disciplines (ECU 2014b, pp. 122–33; Woodfield 2014), the undergraduate and some postgraduate taught student bodies in the UK have a diverse demographic in which ethnic minority groups are not under-represented.[29] Superficially, access issues seem resolved. If meritocracy were the whole story one might also expect to find both:

1. A similarity of patterns of representation across the sector.
2. Continuity of patterns of representation throughout the academic career.

In answer to (1), BME representation in the UK is variable depending on both the discipline and the institution (David 2010; Richardson 2009; Wakeling 2009; Richardson 2010; Woodfield 2014). Scotland is no exception to this (McMillan 2008). Patterns of representation within undergraduate and postgraduate taught programmes are variable and reflect socio-cultural assumptions about the status and usefulness of a subject. It is clear, for example, that cultural capital accrues around some disciplines far more than it does others (Bourdieu 1988; Bieber 1999). Thus, the professional disciplines (especially Medicine, Accountancy, and Law) have far higher socio-cultural kudos than say the Humanities. BME representation in undergraduate and postgraduate taught programmes in disciplines that accrue the most cultural capital is relatively high. Indeed, Scottish data shows that within certain ethnic minority groups these disciplines are the ones most sought after in terms of study (McMillan 2008). Superficially, from an equality and diversity perspective, this seems unproblematic. These disciplines, however, can also be the ones with some of the most fixed and racialized-white norms and stereotypes (both culturally and within their learning and teaching): Medicine (and the medical professions generally, including Veterinary Medicine) has been argued to be an example here (Turbes, Krebs and Axtell 2002; Woolf, Cave, Greenhalgh and Dacre 2008). Disciplines that seem to accrue the

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[28] This is, of course, not the first time such a question has been asked. Allen (1998) found that ethnic minority students felt alienated from what they perceived to be a "white syllabus" over 15 years ago. See also, Mountford-Zimdars *et al.* (2015, p. 34).

[29] Recent ECU student statistics suggest that in terms of BME student numbers, these still form just over 7% of the overall UK-domiciled student population in Scotland, which is 3% higher than the 2011 Scottish census demography for BME (ECU 2014b, p. 112).

least cultural capital often relate to areas in which BME issues could be a focus, including subjects such as Sociology and Ethnic Studies (Engvall 2004; Wakeling 2007). Paradoxically, the socio-culturally perceived utility of a professional degree seems to influence both BME choice and (inadvertently or not) the relative extent of being disadvantaged-through-difference while studying.

Micro-inequities for BME students as 'others' function primarily through the absence of advantage in the intra-psychic, interpersonal, and structural realms (Reskin 2003; Rocco and Gallagher 2006). In terms of the intra-psychic and interpersonal, McMillan (2008) notes, following interviews with students, that although those she interviewed reported little evidence of racial tension at university, there was a clear trend among the interviewees towards conforming to the dominant cultural norms.[30] This involved pragmatic compromises across both the dominant and minority cultures in which they travelled (McMillan 2008, p. 123).[31] While such boundary crossing is, obviously, not 'one-way Scottish racial colonialism', the construction of self in such a setting is moderated by the power relations between dominant and subordinate ontologies within discipline-based educational cultures as well as by the demands made on the self from within the minority culture. This might not always consciously feel like racism, yet attempting to incorporate the cultural status quo into one's identity, if somewhere that status quo assumes some form of superiority, clearly has aspects of symbolic racism in it. The impact this has on both BME student attainment within the subject area and subsequent recruitment to research and career academic posts within Scottish universities would benefit from further exploration, especially at the discipline, learning and teaching, and-its-culture level.

This leads us to point (2) *continuity of patterns of representation throughout the academic career.* Once one looks at the demographic of postgraduate research students (some of whom will become future academics) and the academics who currently teach in the sector, any heterogeneity that was present is lost, with students facing a predominantly white body of staff regardless of the subject (Jacobs 2006; Wakeling 2009; Wakeling and Kyriacou

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[30] Cf. University of Roehampton's HEA-funded project on formations of gender and higher education pedagogies (Burke *et al.* 2013) which similarly found contradictions between student perceptions of a supposed gender equality and instances of interviewees echoing gender stereotypes.

[31] We would find useful the exploration of the impact of the recent rise in Islamaphobic rhetoric related to immigration regulation in the context of BME and religion/belief intersections (and indeed work on religion/belief as a factor on learning in the disciplines in and of itself). An NUS UK study on hate crime and religion found that one fifth of student respondents (including those of no religion/atheism) felt the need to alter their behaviour (NUS 2012), appearance or daily habits for fear of discrimination or abuse against their beliefs.

2010; Wakeling and Hampden-Thomas 2013; ECU 2014a).[32] In terms of structural disadvantage, something is clearly happening relating to the transfer from being a student to being recruited as an academic.[33] The ECU Race Equality Charter mark aims to make some headway in improving the experiences of ethnically diverse staff in ensuing years. However, at this point in time, evidence indicates BME staff reporting an unfriendly campus culture or differential treatment to other staff, to the point where many are considering leaving for another country (Alexander and Arday 2015; ECU 2015a). The extent to which this occurs because of disciplinary learning and teaching regimes has yet to be explored in Scotland. Nonetheless, the knock-on effects are clear: if BME students wish to see themselves reflected back by the people who teach them and the disciplines in which their education occurs, then the reflection they currently get is likely to be missing a central aspect of their identity. The impact of this *diversity deficit* should not be underestimated (Museus and Quaye 2009, p. 71; Mountford-Zimdars *et al.* 2015, p. 34).

Does internationalisation help?

Ahmed (2006) notes that although it is a good sign to have an increased population of overseas' students and UK BME students, simply having persons of multiple ethnicities on campus does not guarantee the institution, including its learning and teaching environment, is truly diverse. Indeed, Scottish universities, like their counterparts in other nations who have expanded into the international arena, are not able to avoid the challenges derived from the current convergence of two distinct national-level needs: European economics, and expansion/reform of universities outwith Europe. With respect to economics (both financial and demographic), in this current time of fiscal conservatism, internationalization can be seen as a way of resolving otherwise seemingly intractable funding and domestic population issues. This can, however, lead to a danger of the internationalization agenda unbalancing in emphasis from educational aspirations to more financial ones (Luke 2010). Simultaneously, the growing need from nations outwith the European-North-American-Antipodean educational axis to seek ways of expanding both their own populations' educational attainment and their university sectors' status can lead to a relationship in which the need of seemingly 'others' converges with that of the UK.

The important point of relevance here is that in such circumstances demand for areas of study is rarely shared equally across all subject areas in one institution. This means internationalisation brings with it attendant issues of new stereotypes being generated at a disciplinary level in the learning and teaching context. As disciplinary pedagogies are

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[32] ECU statistics for Scotland, Wales and Northern Ireland show UK BME staff numbers as "not displayed" because they are below the 5% threshold (ECU 2014a, p. 190).

[33] For RUK parallels, see Mountford-Zimdars *et al.* (2015, p. 34).

developed to try to respond to seemingly homogenous incoming cultural groups, it is thus at disciplinary level that apparent educational deficits, cultural awareness of difference, and experiences of marginality are constructed, enacted and experienced. Arguably, this could ultimately lead to the continuation of a dominant if not exclusively white-racialized status quo within specific disciplines.

Additionally, as conversations shift from the local to the global, our disciplines could come to look globally inclusive only to exclude ethnic minority domestic students. McMillan (2008, p. 121) has raised this issue in relation to the tensions exhibited in the response to the educational needs of plurilingual international students and the corresponding absence of responses to similar needs among bilingual domestic minority ethnic students in Scottish higher education. Alternatively, our bilingual domestic minority students could end up being perpetually 'otherised' through British/Scottish cultural reluctance to accept them as British/Scottish, and become conflated with a supposed 'internationalization problem', rather than one relating to the specific needs of diverse British/Scottish communities (McCrone and Bechhofer 2010).

5. Revisiting whole-curriculum design

This project report asserts that for real impact to be made in the equality and diversity agenda in Scotland, the starting place for change of both the student and the staff experience is from within the disciplines themselves. Such changes, however, are often reported only in terms of representation patterns rather than enhancements to the overall disciplinary learning and teaching regimes. For a disciplinary focus to be effective, learning, teaching and assessment design practices require critical problematisation. What the reporting mechanisms tend to imply is that proxy measures suggest a resolution of profound socio-cultural tensions as they play out in higher education. Yet, these tensions are a result of the convergence of personal, interpersonal, and communal encounters far more complex and interactive than proxy measures can capture. As Hanesworth (2015) notes, inclusivity – including diversity inclusivity – is produced through the integration of pedagogical and curriculum activities, processes, regimes and interactivities that engender belonging and engagement, enable potential, expand knowledge and understanding and facilitate self-reflection in relation to equality and diversity. Such a model is not easily captured in MERs, EOs and OAs. We can learn from the example of innovative service design here.[34] This sub-field of the design discipline demonstrates that significant change in service provision cultures is more likely to result from what Manning and Massumi

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[34] Innovative service design is a sub-field within the discipline of design that is increasingly coming to the fore in public sector change activities.

(2014) call "techniques of relation" by interacting groups rather than from processes which assume linear causal change. The process of creating these techniques of relation is first focused on the enhancement of experience, rather than the production of an output, for everyone within a given organisational culture. This necessitates a formalised process of interaction. In the case of equality and diversity in higher education, this would therefore necessitate formalised processes of interactions, or rather relationships, between educational developers, programme leaders, equality and diversity officers, and students, as well as senior management.[35] Characterised by rigorous engagement, these processes go beyond simple awareness-raising of what difference is and why it is part of an equalities agenda. At the same time, the creation of these deliberate processes to engender change in how diverse groups interact challenges any acceptance of a pragmatic solutionism that allows linear and apparently simple activities to be almost exclusively accepted as change agents.[36]

The equality and diversity agenda is, by its very nature, complex. It requires the harnessing of diversity to catalyse change, and is fluidly relational. Simply put, change can be activated through the co-creation of processes for interactivity – or "relational strategies" – within the disciplines which embed:

> representation at all levels (from student admissions to academic recruitment);
> reflective disciplinary pedagogies (via iterations of anchored conversations[37] and negotiations between staff and students as well as disciplinary professional bodies, educational developers, and equality and diversity specialists. These processes would encourage reformulations of curricular content, teaching methods' design and delivery. This in turn will require capacity building of academics in the disciplines to lead such anchored conversations);
> continued broader development of non-discriminatory cultures;
> evaluations of the educational impact of enhancements.

Feedback mechanisms within the disciplines have to operate in a way that both privilege the development of students' learning of a subject at the same time as reassuring the

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[35] As noted in section 4, page 18, it is difficult from the documentation to get a sense of whether such activity is already occurring.

[36] Morozov (2013) discusses the hidden dangers of solutionism (particularly as related to the use of technology to solve complex social problems) as being overly dependent on apparently neutral quick fixes which promise immediate and cheap results, but can easily undermine support for "more ambitious, intellectually stimulating, and demanding reform projects" (2013, p. 9).

[37] The HEA discipline specific guidelines (cf. fn. 4) would provide a useful initial tool for these conversations; the commissioning of further guides for other disciplines than the current five would extend their usability.

student that this development is not about something deficient in the student's self-identity. Capitalizing on the heterogeneity of the student body requires engagement with curricular co-creation between staff and students. However, the long-term success of such a strategy will be dependent on the tacit disciplinary regimes and the research (that is given legitimacy and accrues capital) that emerges from them changing accordingly. The focus cannot just be on what is done in the classroom, but also on research culture (see further Gewirtz and Cribb 2008, p. 42). It is clear that the regulatory processes are not able to drive this level of activity in their current form.

The approaches outlined above alone will not necessarily resolve the tensions implied in the attainment, progression, and incorporation into disciplinary learning and teaching regimes of identity based groups at all levels. As the Scottish sector more conclusively pursues equality and diversity as a disciplinary education agenda, it might want to be sensitive to ensure that such strategies do not just operate as contradiction closers, in which the far more uncomfortable dissonance relating to assumptions of privilege is overwritten by a simplistic concept of inclusivity. First, it is clear that identities are not 'essential beings', but subject to change. Second, the ways individual disciplines *are* might well communicate the limits of their inclusivity, but disciplinary ways of being are constructed not fixed. Fortunately, individual and collective agency can play a role in changing them. Approaches to engaging with the equality and diversity agenda through the disciplines that embrace the hybrid and flexible nature of identity and disciplinary construction, allowing for new identities and disciplines to be created, may enable these entities to become transformative when it is necessary. Enhancements to research and teaching linkages can act as catalysts for this process. If this is the case, disciplinary practitioners and students that explore their own and their collective positions concerning identity based characteristics will deepen their practice beyond inclusion. It should be noted that neither is this about tolerance of all aspects of a student's or a discipline's boundaries. There is an ethical responsibility of disciplinary practitioners to delineate valued interactions within the discipline. In challenging one form of disadvantage, we should take care that we do not enable too many others.

Identity based approaches such as those underpinned by the current equality and diversity agenda are not without their own paradoxes. The tension between the agency provided by a clear, politically strong sense of a *unitary identity* which simultaneously recognizes the essential *diversity within that identity* (particularly in terms of intersecting identities such as gender, class, age, religion, and sexual orientation) is constant. Consequently, research on student learning continually needs to embrace and revisit it (Ross 2009). Asking how we can change disadvantage through disciplinary cultures and practices leads us into a world of reflection in which we consistently explore the continued usefulness of identity based

categories which seem fixed, while at the same time having an awareness that such categories are social constructions which can and do maintain the roots of some of the current inequalities (Mackenzie *et al.* 2014, p. 9).[38]

6. Designing and supporting research

Arguably, the more we engage with the equality and diversity agenda, the less we have adequate research to inform the most effective methods, processes, and reporting of change. This is particularly the case in two areas:

> research on diversity and student learning both in general higher education and specific to the disciplines;
> research on campus climate within the Scottish sector.

Diversity, difference and student learning: agency and alienation in disciplinary learning

Behind many of the assumptions relating to minimizing disadvantage is a realisation that discrimination has profound experiential impac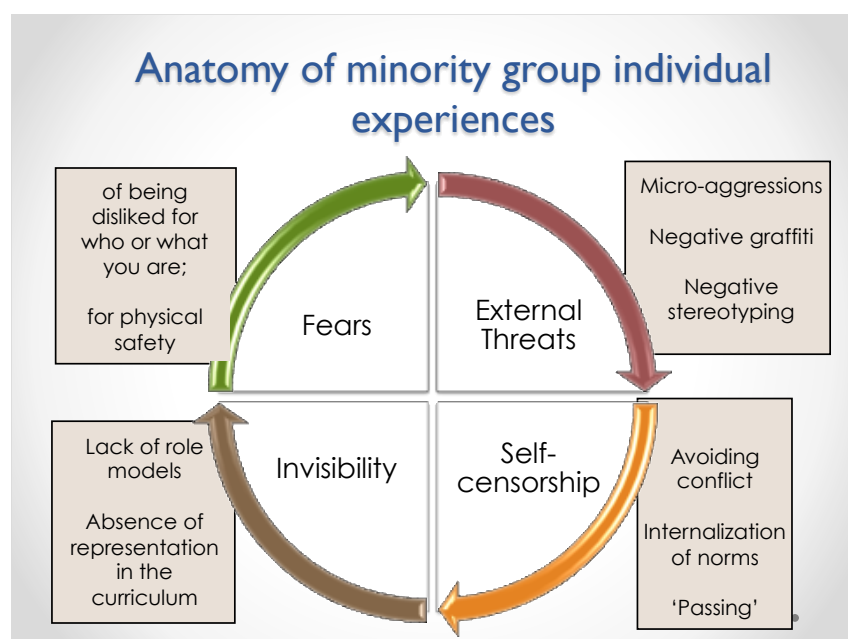ts. In summary, the anatomy of experience for those who identify with or are identified as different looks like: heightened experiences of fear, threat, self-censorship, and invisibility within a given context. Recent research has also added the extent to which this affective context generates shame in pedagogic environments (Gunn and McAllister 2013; Burke 2015, p. 22). This is illustrated in diagrammatic form in figure 1.

FIGURE 1: ANATOMY OF MINORITY GROUP INDIVIDUAL EXPERIENCES

The implication of this anatomy of experience is that to effect real change in the lived realities

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[38] This observation has particular relevance in the field of learning/learner analytics (which Mountford-Zimdars *et al.* 2015, pp. 86ff. see as an important mechanism to use for differential outcomes). Increasingly the desire to personalise learning through targeted interventions dependent on database categories is being recognised as a potential location for re-inscribing both a deficit model and specific forms of profiling that fix characteristics in a manner that is not value-neutral (Slade and Prinsloo 2014).

of learners in higher education who identify with or are identified as different, universities in Scotland would benefit from undertaking student-focused research that covers not only obvious forms of discrimination (such as external threats, invisibility, and systems-based disadvantage) but also what difference means for:

1. How students learn in their disciplines. Currently, despite emerging diversity based research, the dominant trend in the educational literature on student learning within the disciplines is still normative rather than representative of how diversity affects learning. This is an important area of research because at the moment diversity can still often be viewed in deficit binary terms. Thus, disciplinary cultures either constrain or enable. While this clearly represents some identity based group students' experiences and perceptions, for others something more complicated occurs. Research could consider how apparent dissonances which emerge via intellectual and affective abrasions generated between life experience/beliefs and meta-narratives in the disciplines challenge some students, who might otherwise become disaffected, to become catalysts of intellectual change. This phenomenon values intellectual agency, new ideas, interpretations and paradigms within disciplinary borders and would benefit from being understood more fully. What this suggests is that disciplines (cultures, content, canons, and processes) have the potential to be loci of agency from a position of *enabling constraint* (Manning and Massumi 2014). That is to say, from a position of an apparent disciplinary structural constraint that *calls out, enables* or *evokes student agency* because of how they relate through their difference to what (and how) they are learning. The question to be addressed in the research is –

    > how we can design learning and teaching regimes in the disciplines and across the disciplines which formally foster *evocative pedagogical challenges* (calling out student agency) at the same time as minimising intended and/or unconscious gestures of alienation likely to lead to apathy and self-disqualification. There is little research on what characterises this phenomena, which means we depend on under-determined conclusions on the links between student learning and effective teaching cultures and methods (Marton 2005; Trowler 2005; Maclellan 2015) from which to make reasonable guesses about how we might change teaching practices effectively in the face of the equality and diversity agenda.

2. How covert forms of discrimination embedded in common disciplinary and institutionally related conversational discourses affect student aspirations and attainment while attending university. This particularly includes those which suggest that standards will drop as a result of diversity, institutional reputations may be under threat, that redressing structural inequalities is beyond the resources of the discipline, department or institution, or that higher education is above 'social engineering' (Haggis 2006; Brink 2009).

Campus climate research and embedding equality and diversity in learning and teaching

This project's method was primarily focused on analysing the grey literature that exists within the Scottish HE context to establish a clear sense of where the sector is in relation to equality and diversity (thereby providing an informal benchmark) at the same time as addressing where enhancement could be made. It is notable and of concern that while there is substantial grey material from which one can infer campus-climate related issues, there is very little Scottish-specific campus climate research.[39] This research is normally qualitative in its method, and articulates:

1. Experiences and perceptions of a particular single identity based group within a given institutional setting.
2. Intersecting identity based groups' experiences and perceptions within an institutional setting.

Such research is influential in raising awareness and combatting prejudice. It can highlight specific areas of concern and help identify methods for addressing structural cultures which disadvantage particular groups. The primary agenda of the documents explored for this project is to articulate the broader institutional context and demonstrate improvements over time through a range of proxy measurements. Changes to the context can result in improvements to learning and teaching regimes, but this is not inevitable: a knowledge base from which to act is needed. For example, how gendered or intersectional or transgendered aspects of disciplinary and institutional learning and teaching cultures play a role in learning outcomes requires Scottish-based research. What is clear, however, is that the variations encountered across protected characteristic groups influences not only the climate of a given institution but also possibly how learning and teaching at a disciplinary level is configured and experienced. Of specific note following our analysis are gaps concerning how what is described in terms of learning and teaching regimes in the regulatory documentation affect experiences and learning outcomes related to religion and belief (including non-belief) LGBT staff and students, mental health and well-being issues, gender and how these intersect with socio-economic background.

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[39] See ECU (2012a) for one of the few exceptions to this.

6. Recommendations

In terms of data collection and compliance, MERs, EOs and OAs demonstrate that Scottish universities are moving from embryonic engagement with the public sector Equality Duty (both general and Scotland-specific) towards more established approaches. What is far less clear from the evidence available is what this means in terms of extent and types of emerging learning and teaching practices, and their relationship to equality and diversity centred cultural change for the better at individual, disciplinary and institutional levels. Trends for approaching equality and diversity centred learning and teaching enhancement include curriculum review via inclusive curriculum toolkits, adaptation of quality assurance regulatory frameworks to mainstream involvement, driving institutional culture change through learning and teaching strategies, and enabling localised responses and adaptations within institutions. Nonetheless, a more comprehensive understanding of how disadvantage works in relation to privilege post-access than is currently implied in the documentation reviewed would work towards redressing inequalities that play out over the course of degree programmes after students have entered their institutions through learning and teaching regime enhancement.

By way of a conclusion, this report celebrates the good practice in the Scottish sector and offers the following recommendations.

Practices and regimes

Sector level

To support the embedding of equality and diversity within learning and teaching practices and regimes at a level of policy, the Scottish HE sector and its strategic agencies might want to consider:

> harmonizing (regulatory) reporting requirements and their processes, particularly as they relate to OAs, MERs and EOs, as well as ELIR technical reports, to avoid duplication and encourage a more coherent and comprehensive understanding of inclusion and inclusive approaches that encourages an integrated understanding of socio-economic and protected characteristic privilege/disadvantage. This could profit from additionally –
   – including a standard question on what difference activities/initiatives have made;
   – including an analysis of the relationships across campus involved in enhancing educational experience for students from all backgrounds;
   – establishing targets for programmes to have undergone formal learning and teaching methods equality impact assessments;

- creating guidance on incorporating equality and diversity in learning and teaching specifically in existing regulatory processes (e.g. to supplement existing guidance on embedding equality and diversity generally in OAs);
- providing consistent support for the mainstreaming of guidelines produced by HEA, ECU, and discipline bodies in a Scottish context. One effective mechanism for this would be the Quality Enhancement Themes;
- reviewing and updating learning and teaching toolkits in existence and support their wider usage across programmes in Scottish HEIs, ideally as part of a whole curriculum programme review process;
- encouraging external recognition procedures for higher education equality and diversity activity to include learning and teaching regimes as an integral part of the award criteria.

Institutional level

Learning and teaching strategies at an institutional level might benefit from considering the following opportunities as principles on which to develop further engagement with equality and diversity at a disciplinary and programme level:

- revisiting whole-curriculum programme design with an aim to harness debates about the nature of disciplinary learning and teaching regimes;
- continuing to emphasise universal curriculum design while moving into innovative service design as a method for discipline learning and teaching reviews;
- using social justice movements and civic engagement activities to change campus climate and student intellectual and broader attribute development.

Further, institutions might want to consider whether/the extent to which they:

- invest in capacity building of academic staff to lead on equality and diversity as a disciplinary learning and teaching regime enhancement issue;
- embed equality and diversity across CPD activity, beyond postgraduate certificates and induction activities;
- make learning and teaching focused equality and diversity training mandatory for all teaching-intensive academic staff;
- include equality and diversity in learning and teaching in student equality and diversity training and awareness-raising activities and encouraging co-creation of curricula around this theme;
- incorporate equality and diversity in learning and teaching within their current teaching awards systems;
- ensure, within their mainstreaming activity, that equality and diversity is part of academic progression and promotion;

> ensure a strong sense of coherence, beyond simple representation, at all levels in terms of the relationships between the various institutional actors (student and staff) who enable learning and teaching regime change;

> encourage reflective disciplinary pedagogies (via iterations of anchored conversations and negotiations between staff and students as well as disciplinary professional bodies, educational developers, and equality and diversity specialists);

> design robust impact assessment methods for initiatives, including professional development activities as well as equality and diversity focused learning and teaching projects;

> support student involvement in equality impact assessments of all learning and teaching practices and regimes.

Research

In order to support further development in learning and teaching with regard to equality and diversity, this report encourages the sector and individuals to pursue research that explores:

1. The relationships between disciplinary learning and teaching regimes and diverse students' learning within the Scottish socio-cultural and historical context as compared to the rest of the UK. Including enquires on:

   > how we can design learning and teaching regimes within and across the disciplines which formally foster *evocative pedagogical challenges* (calling out student agency) at the same time as minimising intended and/or unconscious gestures of alienation likely to lead to apathy and self-disqualification. Structures which generate the times and places of constraint and enablement of diverse groups (and intersections within these groups) within learning and teaching regimes in a Scottish university context could thus be more robustly identified, as could analysis of campus climate and its relationship to student outcomes;

   > intersections between higher educational policy and student experiences of 'collectivism and egalitarianism' as well as of inclusion at Scottish universities more generally (in comparison with the rest of the UK sector narratives), with a particular focus on the influence these narratives have on aspiration and persistence across diverse student groups.

2. Impact on curriculum and teaching activity of compulsory equality and diversity training and educational development activities currently offered in postgraduate certificates and CPD frameworks.

3. Management of student access, progression and attainment, and their effect on broader cultural and disciplinary outcomes in a devolved context (as they are increasingly in England: Gillborn 2008; Burke 2012).

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